



**Planning Act 2008 – section 91 and The Infrastructure Planning  
(Examination Procedures) Rules 2010**

**Application by Keadby Generation Limited for an Order granting  
Development Consent for the Keadby 3 Carbon Capture Power Station**

**Agenda for Issue Specific Hearing 1 (ISH1) on Environmental Matters**

In its [letter dated 14 February 2022](#), the Examining Authority (ExA) notified Interested Parties (IP) of its decision to hold an Issue Specific Hearing into the above matter on the following date:

| Hearing  | Date/ time  | Location                   | Attendees                                      |
|--|---|----------------------------|--|
| <b>Issue Specific<br/>Hearing 1<br/>(ISH1)</b><br><br>Environmental<br>Matters | <b>Tuesday 15 March<br/>2022</b><br><br><b>10.00am<sup>1</sup></b><br><br>(Arrangements<br>Conference starts at<br>09.30am <sup>2</sup> ) | Virtual event <sup>3</sup> | Invited parties<br>who have pre-<br>registered |

**About the Issue Specific Hearing**

The main purpose of ISH1 is to undertake an examination of various environmental matters. In particular, to review environmental impact considerations, including matters arising from the application documentation and representations relating to:

- Air Quality and Environmental Permitting;
- Assessment of Alternatives;
- Biodiversity, Ecology and the Natural Environment;
- Climate Change;
- Cultural Heritage;
- Geology, Hydrology and Land Contamination;

<sup>1</sup> Full instructions on how to join online or by telephone will be provided in advance of the meeting to those who register to participate.

<sup>2</sup> If you are joining as an active participant, please follow the joining instructions for the virtual event carefully and connect to the Hearing in good time. In common with traditional Hearings, the event will start on time irrespective of any late arrivals, for whom access may not be possible.

<sup>3</sup> Further information is available in Advice Note 8.6, available at:  
<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/advice-note-8-6-virtual-examination-events/>



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- Landscape;
- Noise and Vibration;
- Transport and Traffic; and
- Waste.

The agenda is for guidance only. It is not designed to be exclusive or exhaustive. The ExA may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them. Any lack of discussion of a particular issue at a Hearing does not preclude further examination of this issue, including the asking of further written questions. Every effort will be made to ensure that the issues will be discussed on the day that they are scheduled for. Should the consideration of these issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day. Alternatively, it may be necessary to prioritise matters and defer others to further written questions.

The ExA will endeavour to hear all participants. If the ISH1, or parts of it, is unable to complete or proceed, for example the Hearing may run over time, then the ExA may adjourn incomplete business to reserved Hearings later in the Examination Timetable. Tuesday 22 or Thursday 24 March 2022 are already preliminarily programmed as additional Hearing dates in the event of such an occurrence. Notice of any further adjournments will be provided on the [project webpage of the Planning Inspectorate's National Infrastructure Planning website](#).

### Attendees

All IPs are welcome to attend this Hearing. However, IPs will need to register their attendance with the Planning Inspectorate's Case Team no later than **noon** on **Tuesday 8 March 2022**, as joining instructions will need to be issued in advance of the Hearing. Please contact the Case Team to register by emailing: [Keadby3@planninginspectorate.gov.uk](mailto:Keadby3@planninginspectorate.gov.uk).

It is the Applicant's intention to livestream the Hearing, and a link to watch the livestream will be posted on the [project webpage of the Planning Inspectorate's National Infrastructure Planning website](#) closer to the event date. A recording of the Hearing will also be made available on the project webpage shortly after the event. Those not attending the ISH1 can watch the livestream or digital



recording and respond to any matters raised in writing by **Deadline 5 (Tuesday 5 April 2022)**.

### **Participation, conduct and management of Hearing**

The ExA invites all IPs, who are entitled to make oral representations at the Hearing, subject to the ExA's power to control the Hearing.

The ExA would particularly like to hear from the following IPs during this Hearing:

- The Applicant;
- Canal and River Trust;
- Environment Agency;
- Historic England;
- Natural England; and
- North Lincolnshire Council.

The named parties have been invited because they are:

- public bodies or other parties that are named in the draft provisions in the draft DCO;
- public bodies with policy and regulatory responsibilities associated with the subject matter;
- national and local authorities for the affected area; or
- persons or organisations with another related and relevant special interest.

Participation in the Hearing is subject to the ExA's power to control the Hearing.

IPs may be invited to make oral representations at the Hearing<sup>4</sup> (subject to the ExA's power to control the Hearing). Oral representations should be informed by the Relevant Representations and Written Representations made by the person by whom (or on whose behalf) the oral representations are made.

However, representations made at the Hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation and evidential corroboration to help inform the ExA.

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<sup>4</sup> s91 Planning Act 2008



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The ExA may ask questions about representations or ask the Applicant or other parties to comment or respond. The ExA will probe, test and assess the evidence through direct questioning of persons making oral representations.

This agenda has been compiled in advance of written submissions for Deadline 4. As such, matters may have progressed in the interim and any other information or updates provided at those Deadlines has not been taken into account.

The detail of the agenda may be changed once these documents have been received. Any lack of discussion of a particular issue at a Hearing does not preclude further examination of that issue, including through the inclusion of questions in the ExA's Further Written Questions (ExQ2) (if issued).

Should the consideration of the issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to. Some of the issues identified in the agenda are by their nature overlapping. It may be the case therefore that certain questions later on in the agenda are answered by earlier questions. If this is the case the ExA will acknowledge this at the time.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time, there may be a need to continue the session for longer on the day or at a subsequent sitting. Tuesday 22 March 2022 has also been set aside for the continuation of this Hearing should it be necessary.

Breaks will be taken during the Hearing as directed by the ExA.

All parties should note that the agenda given below is to provide a framework for this Hearing and offer discussion points; it does not constrain the ExA to specific topics. The ExA may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussions which are not included in this agenda.

References in square brackets [] are to the unique document identification number in the Examination Library. This document is regularly updated and can be found on the project webpage of the National Infrastructure Planning website at:

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010114/EN010114-000406-Keadby%203%20Examination%20Library.pdf>



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Please contact the Case Team if you have any questions regarding the arrangements for the Hearing.



## Provisional Draft Agenda

### **1. Welcome, preliminary matters and introductions**

### **2. Arrangements for the Issue Specific Hearing**

### **3. Climate Change**

- By way of background the ExA considers it would be helpful if the Applicant could provide a brief explanation of the Carbon capture and Compression Plant (CCP), the related technology and how it relates to the Lower Humber Carbon Pipeline (LHCP)/ Endurance aquifer. It would also be helpful for a brief explanation to be provided as to how the Applicant considers the CCP complies with current and emerging National Policy Statements. (Limited to 20 minutes).
- Cumulative effects, Applicant's approach and compliance with EIA Regs.
- Effects of Greenhouse Gas emissions from the scheme with other existing and/or approved projects on a local, regional and national level on a consistent geographical scale.
- Clarification and progress on the EA's comments regarding CCP and the need to demonstrate "there are no foreseeable barriers" to the technical feasibility of installing the chosen CCP.

### **4. Assessment of Alternatives**

- The 'Consideration of Alternative Sites' [[APP-049](#)] document is noted, especially paragraph 6.3.1 that explains why this site has been selected, "...as opposed to other potentially available sites." The ExA would ask the Applicant to confirm what alternative sites were actually considered and why they were discounted.
- Depending on the response to the above question, the ExA may ask whether options need revisiting, and/ or whether there has been a substantial change in circumstances?

### **5. Air Quality and Environmental Permitting**

- How average windspeed and wind directions have been calculated, especially in the light of the EA's Deadline 2 submission [[REP2-021](#)],



which indicates a closer air quality monitoring station (Scunthorpe Town Automatic Urban and Rural Network (AURN) Air Quality Monitoring Site) and questions why the monitoring data from Doncaster Airport has been used.

- Amine and N-Amine emissions. Approach to assessment and how this is to be controlled, (ie through an Environmental Permit (EP), a variation to an existing EP or within the DCO?) especially in the light of the EA's Deadline 3 submission [[REP3-025](#)].
- Diffusion tube data and updating of the Air Quality chapter of the Environmental Statement. The ExA would ask the Applicant to provide an update in regard to this matter, and when it is expected to be entered into the Examination.

## **6. Geology, Hydrology and Land Contamination**

- Availability of cooling waters and progress on the choice of cooling water intake (ie either the Stainforth and Keadby Canal or the River Trent).
- The ExA wishes to explore potential risks to human health, controlled waters and property.
  - The Applicant's commitment to further assessment of contaminative risk of ground gases and risk assessment at detailed design stage is noted, but in the light of the Deadline 2 submission by North Lincolnshire Council (NLC) [[REP2-015](#)] and the UK Health Security Agency's Deadline 3 submission [[REP3-027](#)], the ExA wishes to explore why the Applicant considers it appropriate to delay such assessment until the detailed design stage.
- Navigational Risk – The Statement of Common Ground (SoCG) with Severn Trent Water [[REP1-020](#)] indicates that a plan showing the foul water pipeline, owned by the Applicant is to be provided at Deadline 2. Please could the Applicant update the ExA in this regard or indicate where in the submitted documentation this plan can be located.

## **7. Noise and Vibration;**

- Monitoring of Noise Complaints. Complaints procedures.
- Underwater sound effects - Approach to the assessment of such effect on fish in the River Trent and adjoining watercourses.



## **8. Biodiversity, ecology and the natural environment:**

- Effect on water habitat.
- Habitat baseline and Biodiversity Net Gain clarification.
- Habitats Regulation Assessment (HRA) and clarification relating to mitigation.
- Any other clarifications on HRA matters.

## **9. Cultural Heritage:**

- Effects on archaeology, known and unknown, and adequacy of surveys/ assessments. Potential effects on designated and non-designated heritage assets.
- Update on progress of surveys/ assessments being undertaken and timescales for submission of evidence into the Examination.
- Keadby Lock – Works to Keadby Lock are mentioned. Please explain:
  - i) what works are required, as a result of this development;
  - ii) how such work is relevant to this DCO submission; and
  - iii) whether Scheduled Ancient Monument Consent has been sought in relation to the proposed works to Keadby Lock.

## **10. Landscape**

- Impact of prospective change request on the Landscape and Visual Amenity Assessments, including viewpoints and photomontages.
- Explanation as to the scale and height of the gatehouse building and impact on surrounding landscape.

## **11. Transport and Traffic**

- Whether assumptions and assessments are robust and transport management measures are adequate/ appropriate.
- A18 Junction Improvements being a departure from the Design Manual for Roads and Bridges.





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- Abnormal Indivisible Loads, via Bonnyhale Road.
- Navigational Risk – The SoCG with Trinity House/ Associated British Ports [[REP1-017](#)] (Table 4.2 – Navigational Safety) indicates an updated version of Appendix 12C [[APP-086](#)] is to be entered into the Examination. Please could the Applicant provide an update in this regard.

## **12. Waste**

- Waste technical note – Response to section 51 advice [[OD-003](#)].

## **13. Any other matters**

## **14. Action points arising from the Hearing**

## **15. Close of Hearing**