NORTH LINCOLNSHIRE GREEN ENERGY PARK

Planning Act 2008

Infrastructure Planning (Applications Prescribed Forms and Procedure) Regulations 2009

APFP Regulation 5(2)(q)

North Lincolnshire Green Energy Park

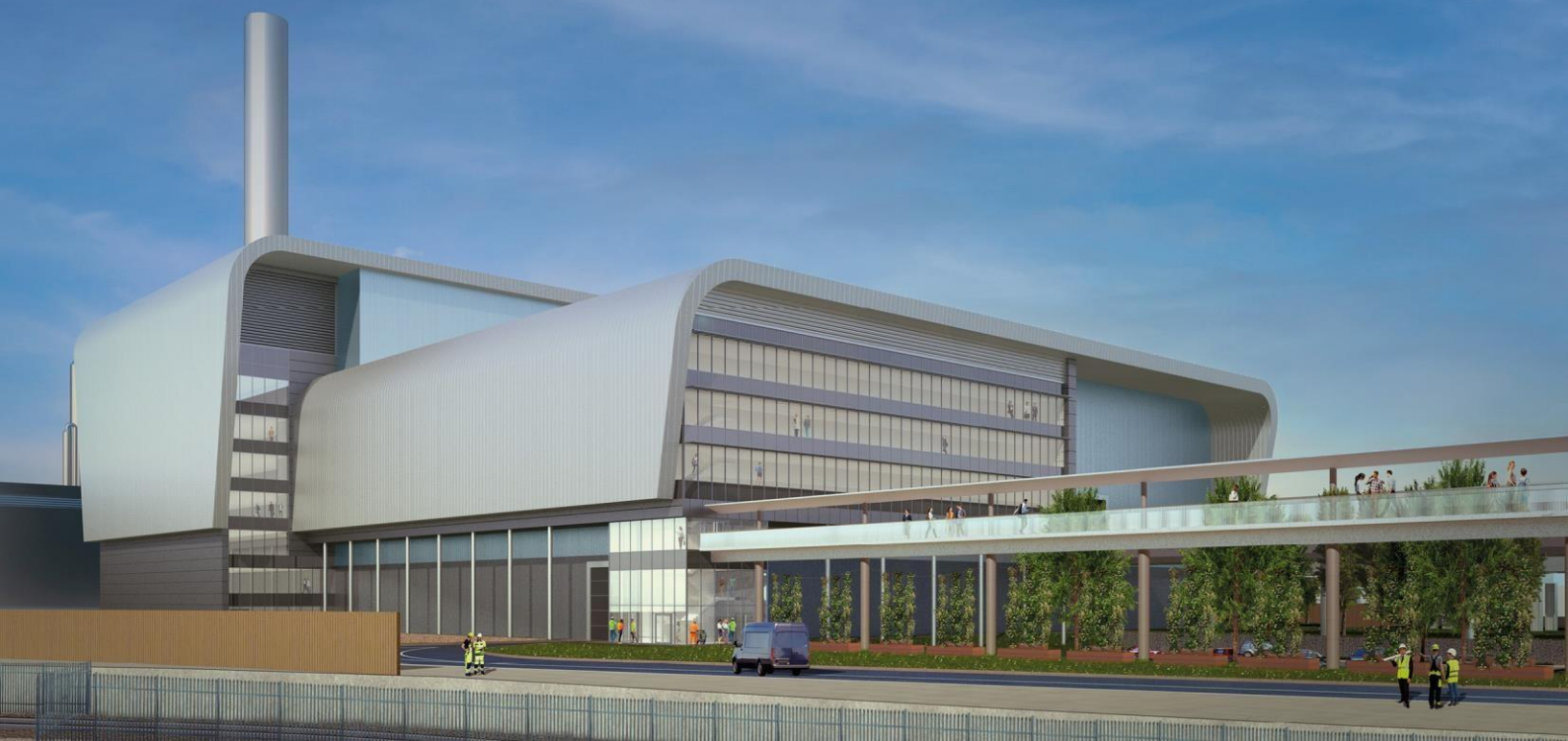
Volume 9

9.2 National Policy Statement (NPS) Tracker

PINS reference: EN010116

May2023

Revision number: 2



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1. NPS Accordance Tables

This document has been finalised for Deadline 9 as requested by the Examining Authority. At this stage the document contains the requirements of NPS EN-1, EN-3 and EN-5 that the Applicant considers relevant to the North Lincolnshire Green Energy Park application and its determination. Reference has also been made to the revised draft suite of Energy NPSs published on 30th March 2023.

In the interests of completeness and transparency, where specific NPS paragraphs are not considered relevant to the Project, or where these paragraphs don't require assessment by the Project, these have not been included within the NPS Accordance Tables below.

NORTH LINCOLNSHIRE GREEN ENERGY PARK

Table 1: EN-1 NPS Accordance Table

National Policy Statement for Overarching Energy (EN-1) Generic Impacts - The generic impacts set out in Part 5 of EN-1 (2011) and Draft EN-1 (2023) are considered below.			
Part	EN-1 Policy Text	Draft Policy EN-1 Text	Assessment
Air Quality and Emissions	Paragraph 5.2.1: Infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx). Levels for pollutants in ambient air are set out in the Air Quality Strategy which in turn embodies EU legal requirements. The Secretary of State for the Environment Food and Rural Affairs is required to make available up to date information on air quality to any relevant interested party.	Paragraphs 5.2.1 and 5.2.2 (no change to adopted EN-1 para's 5.2.1) state: Energy infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside and species. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx). Levels for pollutants in ambient air are set out in the Air Quality Standards Regulations 2010 and reiterated in the Air Quality Strategy. In addition, two new air quality targets – one for annual mean concentrations of PM2.5 and one further long-term target – have been set under the Environment Act 2021. The Secretary of State is required to make available up to date information on air quality to any relevant interested party	ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] presents the Air Quality Impact Assessment (AQIA) for the Project which assesses any potential impacts upon air quality from the Project.

	Paragraph 5.2.2: CO2 emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). However, given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies aimed at decarbonising electricity generation such as EU ETS (see Section 2.2 above), Government has determined that CO2 emissions are not reasons to prohibit the consenting of projects which use these technologies or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR and, for coal, CCS requirements). Any ES on air emissions will include an assessment of CO2 emissions, but the policies set out in Section 2, including the EU ETS, apply to these emissions. The IPC does not, therefore need to assess individual applications in terms of carbon emissions against carbon budgets and this section does not address CO2 emissions or any Emissions Performance Standard that may apply to plant	No longer referenced in draft EN-1.	The Project includes a carbon capture, utilisation and storage (CCUS) facility, which will treat a proportion of the excess gases released from the ERF to remove and store carbon dioxide (CO2) prior to emission into the atmosphere. The design of the ERF and CCUS will also enable future connection to the Zero Carbon Humber pipeline, if this is consented and operational, to enable the possibility of 95% carbon capture in the future. The Project AQIA (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] also assumes that a proportion of CO2 emissions from the ERF will be captured for use in horticulture (assumed to besold and transported to other sites). ES Chapter 6: Climate (**Document Reference 6.2.6**) [APP-054] has assessed the quantity of greenhouse gas (GHG) emissions for the Project and the baseline scenarios have been modelled and indicate that there is a net carbon benefit of 6,066 tCO2e per annum for the Project comparedto the alternative baseline landfill scenario. Therefore, over the lifetime of the Project (assumed to be 25 years), the total carbon benefit is approximately 152,000 tCO2e.

	Paragraph 5.2.3: A particular effect of air emissions from some energy infrastructure may be eutrophication, which is the excessive enrichment of nutrients in the environment. Eutrophication from air pollution results mainly from emissions of NOx and ammonia. The main emissions from energy infrastructure are from generating stations. Eutrophication can affect plant growth and functioning, altering the competitive balance of species and thereby damaging biodiversity. In aquatic ecosystems it can cause changes to algal composition and lead to algal blooms, which remove oxygen from the water, adversely affecting plants and fish. The effects on ecosystems can be short-term or irreversible and can have a large impact on ecosystem services such as pollination, aesthetic services and water supply.	Paragraph 5.2.3 (no change to adopted EN-1 para's 5.2.3)	Assessment of potentially significant effects on habitats, including the potential for eutrophication from nitrogen deposition associated with nitrogen oxides and ammonia emitted by the Project is presented in ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.3.10**) [Revision 1 to be submitted by the close of Examination] and the Report to inform the Habitats Regulations Assessment (HRA) (**Document Reference 5.9**) [- which will be further updated prior to the close of the Examination].

	Paragraph 5.2.4: Emissions from combustion plants are generally released through exhaust stacks. Design of exhaust stacks, particularly height, is the primary driver for the delivery of optimal dispersion of emissions and is often determined by statutory requirements. The optimal stack height is dependent upon the localterrain and meteorological conditions, in combination with the emission characteristics of the plant. The EA will require the exhaust stack height of a thermal combustion generating plant, including fossil fuel generating stations and waste or biomass plant, to be optimised in relation to impact on air quality. The IPC need not, therefore, be concerned with the exhaust stack height optimisation process in relation to air emissions, though the impact of stack heights on landscape and visual amenity will be a consideration (see Section 5.9).	Paragraph 5.2.4 (no change to adopted EN-1 para's 5.2.4)	The main dispersion model used is ADMS, which is specifically designed to model stacks and point sources. The model considers several factors in order to correctly model the dispersion and impacts: • The design of the ERF and the characteristics of the boilers, back-up generators, ship and rail locomotives. • The local topography is represented in the model, noting the presence of nearby ridgelines and river valley. • The local land use. • The local meteorology with multiple parameters obtained from nearby Doncaster Airport. • The potential effect of the wind turbines close to Flixborough. • The presence of the ERF plant buildings The AQIA is presented in ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9]. The landscape and visual impact assessment considered a120 m stack height as a worst case for landscape and visual impacts (see ES Chapter 11: Landscape and Visual Impact, (**Document Reference 6.2.11**) [APP-059].
	N/A	Paragraph 5.2.6 (added in draft EN-1) states: Proximity to emission sources can have significant impacts on sensitive receptor sites for air quality, such as education or healthcare sites, residential use or sensitive or protected ecosystems. Projects near a sensitive receptor site for air quality should only be proposed in exceptional circumstances if no viable alternative site is available. In these instances, substantial mitigation of any expected emissions will be required (see para 5.2.10 below).	The air quality effects of the proposed development are assessed in ES Chapter 5: Air Quality, (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9]. The Chapter outlines the receptors considered in the assessment and includes ecological and residential receptors.

Air Quality and Emissions	Paragraph 5.2.6: Where the project is likely to haveadverse effects on air quality the applicant should undertake an assessment of the impacts of theproposed project as part of the Environmental Statement (ES).	Paragraph 5.2.7 (no change to adopted EN-1 para's 5.2.6).	The air quality effects of the proposed development are assessed in ES Chapter 5: Air Quality, (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9].

	Paragraph 5.2.7: The ES should describe: • any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; • the predicted absolute emission levels of the proposed project, after mitigation methods have been applied; • existing air quality levels and the relative change in air quality from existing levels; and • any potential eutrophication impacts.	Paragraph 5.2.8 (no change to adopted EN-1 para's 5.2.7)	The assessment of air quality (AQIA as presented in ES Chapter 5: Air Quality, (**Document Reference 6.2.5**), [Revision 3 submitted at Deadline 9] considers the existing baseline levels of pollutants, the absolute emission levels (after design methods have been applied) and the relative change in air quality resultingfrom the Project. Due to the complexity of the Project, the AQIA includes a number of different sources that emit pollutants of interest including: • The ERF including CO2 capture facility; • Back-up generator; • District heating back-up boilers; • Refuse Derived Fuel (RDF) delivery ships; • RDF and aggregate delivery trains; • Operational road traffic, and; • Residual material handling These sources were all included in the AQIA to allow for a comprehensive understanding of impacts, in particular emissions of oxides of nitrogen, nitrogen deposition and acid deposition, and potential impacts on nearby sensitive habitats. The AQIA thus provides inputs to the Human Health Risk Assessment (HHRA) (**Document Reference 6.2.17**, Appendix B), the ecological impact assessment (**Document Reference 6.2.10**, Appendix A) [Revision 1 to be submitted by the close of Examination] andthe Report to inform the Habitats Regulations Assessment (HRA) (**Document Reference 5.9**) [which will be further updated prior to the close of the Examination] including theconsideration of in-combination effects-.

	Paragraph 5.2.9 states: The IPC should generally give air quality considerations substantial weight wherea project would lead to a deterioration inair quality in an area, or leads to a new area where air quality breaches any national air quality limits. However air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of national air quality limits.	Paragraph 5.2.14 (replaces adopted EN-1 para 5.2.9) states: The Secretary of State should generally give air quality considerations substantial weight where a project would lead to a deterioration in air quality in an area or leads to a new area where air quality breaches any national air quality limits or statutory air quality objectives. However, air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of national air quality limits or statutory air quality objectives.	The AQIA ES Chapter 5: Air Quality, (**Document Reference 6.2.5)** [Revision 3 submitted at Deadline 9] concludes that the Project,with good design practice in place, is not anticipated to create significant negative effects.
	Paragraph 5.2.10 states: In all cases the IPC must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the developers should work with the relevant authoritiesto secure appropriate mitigation measures to allow the proposal to proceed. In the event that a project will lead to non-compliance with a statutory limit the SoS should refuse consent.	Paragraph 5.2.17 (replaces adopted EN-1para 5.2.10): In all cases, the Secretary of State must take account of any relevant statutory air quality limits and statutory air quality objectives. If a project will lead to noncompliance with a statutory limit the Secretary of State should refuse consent.	The AQIA ES Chapter 5: Air Quality, (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] concludes that the proposalswould not lead to a breach in national air quality limits at construction, operation or decommissioning.
	Paragraph 5.2.11 states: The IPC should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage.	Paragraph 5.2.11 (replaces adoptedEN-1 para 5.2.11) states: The Secretary of State should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage.	A tabulated summary of mitigation measures have been identified for the Project and is presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009]. The Code of Construction Practice (CoCP) ES Annex 7 (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9] sets out the framework for effective environmental management duringthe construction of the Project, to a sufficient level of detailto support the Development Consent Order (DCO) for the Project in terms of the mechanisms for securing the mitigation measures described in the Environmental Statement (ES).

	Paragraph 5.2.12 states: In doing so the IPC may refer to the conditions and advice in the Air Quality Strategy or any successor to it.	Paragraph 5.2.11 (replaces EN-1 paragraph 5.2.12): In doing so the Secretary of State should have regard to the Air Quality Strategy orany successor to it and should consider relevant advice within Local Air Quality Management guidance.	Matters relating to the Air Quality Strategy for England, Scotland, Wales and Northern Ireland (July, 2007) and local air quality management are addressed in Section 2 ofES Chapter 5: Air Quality, **Document Reference 6.2.5** [Revision 3 submitted at Deadline 9].
	Paragraph 5.2.13 states: The mitigations identified in Section 5.13 on traffic and transport impacts will help mitigate the effects of air emissions from transport	Paragraph 5.2.12 (replaces EN-1 paragraph 5.2.13) states: The mitigations identified in Section 5.14 on traffic and transport impacts will help mitigate the effects of air emissions from transport.	A tabulated summary of mitigation measures have been identified for the Project and is presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009]. The Code of Construction Practice (CoCP) ES Annex 7 (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9] sets out the framework for effective environmental management duringthe construction of the Project, to a sufficient level of detailto support the Development Consent Order (DCO) for the Project in terms of the mechanisms for securing the mitigation measures described in the Environmental Statement (ES).

5.3 GreenhouseGas Emissions	NA	5.3.4 All proposals for energy infrastructure projects should include a carbon assessment as part of their ES (See Section 4.2). This should include: • A whole life GHG assessment showing construction, operationaland decommissioning carbon impacts • An explanation of the steps that have been taken to drive down theclimate change impacts at each ofthose stages • Measurement of embodied carbon impact from the construction stage • How reduction in energy demand and consumption during operation has been prioritised in comparison with other measures • How operational emissions have been reduced as much as possible through the application of best available technology for that type oftechnology • Calculation of operational energy consumption and associated carbon emissions • Whether and how any residual carbon emissions will be (voluntarily) offset or removed usinga recognised framework • Where there are residual emissions, the level of emissions and the impact of those on national and international efforts to limit climate change, both alone and where relevant in combination with other developments at a regional or national level,or sector level, if sectoral targets are developed.	ES Chapter 6: Climate **(Document Reference 6.2.6**) [APP-065]**,** presents the greenhouse gas (GHG) assessment of the Project. The assessment has been completed taking into account IEMA guidance as follows: • IEMA (2017) Environmental Impact Assessment Guide to: Assessing Greenhouse Gas Emissions and Evaluating their Significance • IEMA (2020) Environmental Impact Assessment Guide to: Climate Change Resilience and Adaptation Based on an initial screening assessment, GHG emissions from construction and decommissioning were identified to be not significant compared with operational GHG emissions and are therefore excluded from theassessment. With the implementation of the mitigation as set out in ES Chapter 6: Climate (**Document Reference 6.2.6**) [APP-065], the assessment has concluded that there will be a net reduction in GHG from the Project compared to the alternative baseline landfill scenario and therefore there will be no significant residual effects from the Project and there should be a positive impact.

	NA	Paragraph 5.3.8 states: The Secretary of State must be satisfied that the applicant has as far as possible assessed the GHG emissions of all stagesof the development.	ES Chapter 6: Climate **(Document Reference 6.2.6**) [APP-065], presents the greenhouse gas (GHG) assessment of the Project.
	NA	Paragraphs 5.3.9 and 5.3.10 state: The Secretary of State should be content that the applicant has taken all reasonable steps to reduce the GHG emissions of the construction and decommissioning stage of the development. The Secretary of State should also give appropriate weight to projects that embed nature-based or technological processes to mitigate or offset the emissions of construction and decommissioning within the proposed development. However, in light of the vital role energy infrastructure plays in the process of economy wide decarbonisation, the Secretary of State must accept that there are likely to be some residual emissions from construction and decommissioning ofenergy infrastructure.	As detailed in ES Chapter 6: Climate **(Document Reference 6.2.6**) [APP-065], based on an initial screening assessment GHG emissions from construction and decommissioning were identified to be not significant compared with operational GHG emissions and are therefore excluded from the assessment.

	NA	Paragraphs 5.3.11 and 5.3.12 state: Operational GHG emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). Given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies that can be used to decarbonise electricity generation such as the UK ETS (see Sections 2.4 and 2.5 above), government has determined that operational GHG emissions are not reasons to prohibit the consenting of energy projects including those which use these technologies or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR requirements). Any carbon assessment will include an assessment of operational GHG emissions, but the policies set out in Part 2,including the UK ETS, can be applied to these emissions. Operational emissions will be addressed in a managed, economy-wide manner, to ensure consistency with carbon budgets, net zero and our international climate commitments. The Secretary of e does not, therefore need to assess idual applications for planning consent nst operational carbon emissions andtheir ribution to carbon budgets, net zero and our national climate commitments.	As detailed in ES Chapter 6: Climate **(Document 6.2.6**) [APP-065], based on an initial screening assessment GHG emissions from construction and decommissioning were identified to be not significant compared with operational GHG emissions and are therefore excluded from the assessment.

	NA	Paragraph 5.3.5 states: A GHG assessment should be used to drive down GHG emissions at every stageof the proposed development and ensure that emissions are minimised as far as possible for the type of technology, taking into account the overall objectives of ensuring our supply of energy always remains secure, reliable and affordable, aswe transition to net zero.	ES Chapter 6: Climate **(Document Reference 6.2.6**) [APP-065], presents the greenhouse gas (GHG) assessment of the Project.
	NA	Paragraph 5.3.6 states: Applicants should look for opportunities within the proposed development to embed nature-based or technological solutions to mitigate or offset the emissions of construction and decommissioning.	A tabulated summary of mitigation measures have been identified for the Project and is presented in ES Chapter 19 Mitigation (**Document Reference 6.2.19**) [REP8-009].
	NA	Paragraph 5.3.7 states: Steps taken to minimise and offset emissions should be setout in a GHG Reduction Strategy, secured under the development consent order. The GHG Reduction Strategy should consider the creation and preservation of carbon stores and sinks including through woodland creation, peatland restoration and through other natural habitats.	A GHG Reduction Strategy has not been included in this application however the carbon capture element of the Project is secured in Requirements 18 and 19 in the draft DCO **(Document Reference 2.1**) [Revision 7 submitted at Deadline 9]. It is noted thatthis is a provision of the Draft NPS and not the existing designated NPS.

Biodiversity and Geological Conservation	Paragraph 5.3.3: Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. The applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the IPC consider thoroughly the potential effects of a proposed project.	Paragraphs 5.4.17 and 5.4.18 (replaces adopted EN-1 para 5.3.3) state: Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally, and locally designated sites of ecological or geological conservation importance (including those outside England), on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity, including irreplaceable habitats. The Applicant should provide environmental information proportionate to the infrastructure where EIA is not required to help the Secretary of State consider thoroughly the potential effects of a proposed project	Internationally, nationally and locally ecologically designated sites, as well as their associated habitats and species, have been considered within the assessments presented in ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination]. This chapter presents the Ecological Impact Assessment (EcIA) for the Project. It deals with the relevant ecological and nature conservation issues; provides details of the Findings of desk studies and field surveys that have been completed up to and including April 2022 and presents an assessment of potential ecological impacts that may arise from the construction of the Project. A Report to inform Habitats Regulations Assessment (HRA)has been prepared for the Project, the results of which are outlined in **Document Reference 5.9** [which will be further updated prior to the close of the Examination]. The Report considers likely significant effects on the qualifying features of the Humber Estuary SAC, SPC and Ramsar site.

	Paragraph 5.3.4: The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests.	Paragraphs 5.4.19 and 5.4.21 (replaces adopted EN-1para 5.3.4): The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. As set out in Section 4.6, the design process should embed opportunities for nature inclusive design. Energy infrastructure projects have the potential to deliver significant benefits and enhancements beyond Biodiversity Net Gain, which result in wider environmental gains (see Section 4.5 on Environmental and Biodiversity Net Gain). The scope of potential gains will be dependent on the type, scale, and location of each project.	The outline Landscape and Biodiversity Management and Monitoring Plan (LBMMP) (**Document Reference 5.7**) [REP6-012] sets out the habitat creation, enhancement andmonitoring objectives the Project intends to adopt during the construction and operational phases. Additionally, ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] describes the mitigation measures considered in the assessment of likely significant effects which includes embedded mitigation that has been integrated into the design of the Project (as well as good practice measures that will be adopted during the construction and operationalphases). The mitigation measures identified follow the principles of the Mitigation Hierarchy (CIEEM, 2018): minimising the loss of ecologically important and designated habitats; avoiding harming such habitats; and designing appropriate compensation for unavoidable habitat loss. Appendix I of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] provides a Biodiversity Net Gain Assessment for the Project and details that a 10% net gain in biodiversity canbe achieved. This is secured by requirement in the DCO.

	Paragraph 5.3.6: In having regard to the aim of the Government's biodiversity strategy the IPC should take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect the most important biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The IPC may take account of any such net benefit in cases where it can be demonstrated.	Paragraph 5.4.39 and 5.4.40 (replaces adopted EN-1para 5.3.6): The government's 25 Year Environment Plan and the Environment Act 2021 mark a step change in ambition for wildlife and the natural environment. The Secretary of State should have regard to the aims and goals of the government's Environmental Improvement Plan and any relevant measures and targets, including statutory targets set under the Environment Act or elsewhere. Paragraph 5.4.41 states: The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The Secretary of State may take account of any such net benefit in caseswhere it can be demonstrated.	The Indicative Landscape and Biodiversity Plans (**Document Reference 4.10**) [REP3-007] alongside the outline Landscape and Biodiversity Management and Monitoring Plan (LBMMP) (**Document Reference 5.7**) [REP6-012] sets out the habitat creation, enhancement andmonitoring objectives the Project intends to adopt during the construction and operational phases. These will be taken forward and will form the basis of future Ecological Management Plans. Appendix I of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] provides a Biodiversity Net Gain Assessment for the Project and details that a 10% net gain in biodiversity canbe achieved.
	Paragraph 5.3.7: As a general principle, and subject to the specific policies below, development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives where significant harm cannot be avoided, then appropriate compensation measures should be sought.	Paragraph 5.4.42 and 5.4.43 (replace adopted EN-1 para 5.3.7) As a general principle, and subject to the specific policies below, development should, in line with the mitigation hierarchy, aim to avoid significant harm to biodiversity and geological conservation interests, including through consideration of reasonable alternatives (as set out in Section 4.2 above). Where significant harm cannot be avoided, impacts should be mitigated and as a last resort, appropriate compensation measures should be sought. If significant harm to biodiversity resulting	ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] describes the mitigation measures considered in the assessment of likely significant effects which includes embedded mitigation that has been integrated into the design of the Project (as well as good practice measures that will be adopted during the construction and operational phases). The mitigation measures identified follow the principles of the Mitigation Hierarchy (CIEEM, 2018): minimising the loss of ecologically important and designated habitats; avoiding harming such habitats; and designing appropriate compensation for unavoidable habitat loss.

		from a development cannot be avoided (for example through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then the Secretary of State will give significant weight to any residual harm and consent may be refused.	The Code of Construction Practice (CoCP) (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9] sets out the framework for effective environmental management during the construction of the Project In relation to alternatives, Table 4 in ES Chapter 3: Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018] details how the impact on protected species were a consideration in the design evolution of the Project.

	Paragraph 5.3.8: In taking decisions, the IPC should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.	Paragraph 5.4.48 (no change to adopted EN-1 para 5.3.8).	Designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity have been assessed within: • ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination]. • A Report to inform Habitats Regulations Assessment (HRA) in **Document Reference 5.9** [which will be further updated prior to the close of the Examination].
	Paragraph 5.3.9 The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulation provide statutory protection for these sites but do not provide statutory protection for potential Special Protection Areas (pSPAs) before they have been classified as a Special Protection Area. For the purposes of considering development proposals affecting them, as a matter of policy the Government wishes pSPAs to be considered in the same way as if they had already been classified. Listed Ramsar sites should, also as a matter of policy, receive the same protection	Paragraph 5.4.4 (replaces adopted EN-1 para 5.3.9): The highest level of biodiversity protection is afforded to sites identified through international conventions.. The Habitats Regulations set out sites for which an HRA will assess the implications of a plan or project, including Special Areas of Conservation and Special Protection Areas. Paragraph 5.4.5 states: As a matter of policy, the following should be given the same protection as sites covered by the Habitat's Regulations: (a) potential Special Protection Areas and possible Special Areas of Conservation; (b) listed or proposed Ramsar sites; and (c) sites identified, or required, as compensatory measures for adverse effects on any of the other sites covered by this paragraph.	Given the proximity of the North Lincolnshire Green Energy Park Project to sites of European and international importance for nature conservation, it has been determined that it has the potential to affect one or more such sites. North Lincolnshire Green Energy Park Limited has therefore prepared A Report to inform Habitats Regulations Assessment (HRA) **Document Reference 5.9** []in accordance with the Conservation of Habitats and Species Regulations 2017. This will be further updated prior to the close of the Examination. This report provides the information required for a HRA to be undertaken, by the 'competent authorities' in support of its Development Consent Order. Following conversations with Natural England during the examination period, the HRA will require an update and will be submitted at a future deadline.

	Paragraph 5.3.10 states: Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All Nature Reserves are notified as SSSIs.	Paragraph 5.4.7 (replaces adopted EN-1 paragraph 5.3.10). Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. Most National Nature Reserves are notified as SSSIs.	Table 2 of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] identifies the statutory designated sites within 2 km of theProject. This includes Conesby Quarry SSSI, Humber Estuary SSSI and Risby Warren SSSI. The assessment of likely significant effects and residual effects are summarised in Table 13 of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] and considers both the construction and operational phases of the Project. No significant effects are predicted at Humber Estuary SSSI (Conesby Quarry was not assessed further on the basis of its geological designation). Adverse significant effects at site level are assessed at Risby Warren SSSI.
	Paragraph 5.3.11 Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs. The IPC should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's	Paragraph 5.4.9 (replaces adopted EN-1 para 5.3.11) states: Development on land within or outside a SSSI, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits (including need) of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of SSSIs.	ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] identifies significant residual effects (at site level) at Risby Warren SSSI (air quality atmospheric dispersion modelling concluded that there will be slight exceedances of the critical level/load thresholds of insignificance of ammonia, nitrogen and acid deposition). The balancing exercise of paragraph 5.3.11 is engaged insofar as the post mitigation adverse effects relate to the SSSI's notified special interest features. It is considered the benefits and need for the Project outlined in Section 4 and Section 7.2 of the Planning Statement (**Document Reference 5.1**) [REP2-017] clearly outweigh the impacts on the features of the site that make it of special scientific interest, particularly given that the SSSI is already significantly affected by current levels of atmospheric pollution outside of the control of the Project and the significant adverse effects predicted are based on a worse-case scenario and a number of conservative assumptions in the modelling approach.

	biodiversity orgeological interest.		

	Paragraph 5.3.13 states: Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. The IPC should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent.	Paragraphs 5.4.12 and 5.4.13 (replace adopted EN-1para 5.3.13): Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Wildlife Sites, are areas of substantive nature conservation value and make an important contribution to ecological networks and nature's recovery. They can also provide wider benefits including public access (where agreed), climate mitigation and helping to tackle air pollution. National planning policy expects plans to identify and map Local Wildlife sites, and to include policies that not only secure their protection from harm or loss but also help to enhance them and their connection to wider ecological networks. Paragraph 5.4.53 states: The Secretary of State should give due consideration to such regional or local designations. However, given the need for new nationally significant infrastructure, these designations should not be used in themselves to refuse development consent. Development will still be expected to complywith the biodiversity and geological conservation requirements set out in this NPS.	Tables 2 and 3 of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] identifies the statutory and non-statutory designated siteswithin 2 km of the Project. A total of 13 nationally and regionally important designated sites, including Sites of Special Scientific Interest (SSSI) and Local Nature Reserves (LNR) were found within 2 km of the Order Limits There are 30 non-statutory designated sites within 2 km of the Order Limits. These are illustrated in the Plans of statutory or non-statutory sites or features of nature conservation (**Document Reference 4.6**) [REP2-015]. This includes 26 Local Wildlife Sites (LWS), seven Local Geological Sites (LGS) and one Regionally Important Geological Site (RGS). The assessment of likely significant effects and residual effects are summarised in Table 13 of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] and considers both the construction and operational phases of the Project. Other than adverse effects at site level at Risby Warren SSSI, no significant adverse effects are predicted at these sites. No geological interests have been assessed on the basis that none will be directly affected and none are sensitive to air quality impacts. The Project is therefore anticipated to lead to no harmful effects on sites of regional and local biodiversity and geological interest, in accordance with this policy.

	Paragraph 5.3.14 states: Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated.	Paragraph 5.4.15 (replaces adopted EN-1 para 5.3.14):	ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] identifies three areas of ancient woodland within 2 km of the Order Limits. Two records are of ancient, semi-natural woodland contained with Brumby Wood LNR, LWS, located 1.6 km south east of the Northern DHPWN Land. The third, is located within the Burton Wood LWS, approximately 2 km
	The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in that location outweigh the loss of the woodland habitat. Aged or 'veteran' treesfound outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why.	Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Ancient or veteran trees found outside ancient woodland are also particularly valuable. Other types of irreplaceable habitats include blanket bog, limestone pavement, sand dunes, salt marsh and lowland fen. Paragraph 5.4.32 and 5.4.54 state: Applicants should include measures to mitigate the direct and indirect effects of development on ancient woodland, veteran trees or other irreplaceable habitats during both construction and operational phase The Secretary of State should not grant development consent for any development that would result in the loss or deterioration of any irreplaceable habitats, including ancient woodland, and ancient or veteran trees unless there are wholly exceptional reasons190 and a suitable compensation strategy exists.	west of the Dragonby Sidings. The Project will not result in direct loss or deterioration of Ancient Woodland.

	Paragraph 5.3.15: Development proposals provide many opportunities for building-in beneficial biodiversity or geological features as part of good design. When considering proposals, the IPC should maximise such opportunities in and around developments, using requirements or planning obligations where appropriate.	Paragraphs 5.4.46 and 5.4.47 (adds the following text toadopted EN-1 para 5.3.15): This can help towards delivering biodiversity net gain. Wider ecosystem services and benefits of natural capital should also be considered when designing enhancement measures.	Appendix I of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] provides a Biodiversity Net Gain Assessment for the Project and details that a 10% net gain in biodiversity canbe achieved. The outline Landscape and Biodiversity Management and Monitoring Plan (LBMMP) (**Document Reference 5.7**) [REP6-012] sets out the habitat creation, enhancement andmonitoring objectives the Project intends to adopt during the construction and operational phases. The Indicative Landscape and Biodiversity Plans (**Document Reference 4.10**) [REP3-007] alongside the outline Landscape and Biodiversity Management and Monitoring Plan (LBMMP) (**Document Reference 5.7**) [REP6-012] sets out the habitat creation, enhancement andmonitoring objectives the Project intends to adopt during the construction and operational phases. These will be taken forward and will form the basis of future EcologicalManagement Plans.
	Paragraph 5.3.17: Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and thereby requiring conservation action. The IPC should ensure that these species and habitats are protected fromthe adverse effects of development by using requirements or planning obligations. The IPC should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. Inthis context the IPC should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance which itconsiders	Paragraph 5.4.16 (replaces adoptedEN-1 para 5.3.17). Many individual wildlife species receive statutory protection under a range of legislative provisions. Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales, as well as for their continued benefit for climate mitigation and adaptation and thereby requiring conservation action. Paragraphs 5.4.55 and 5.4.56 (no change to the latter part of adopted EN1 para 5.3.17).	Internationally, nationally and locally ecologically designated sites, as well as their associated habitats and species, have been considered within the assessments presented in ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination]. This chapter presents the Ecological Impact Assessment (EcIA) for the Project. It deals with the relevant ecological and nature conservation issues; provides details of the findings of desk studies and field surveys that have been completed up to and including April 2022. The assessment of likely significant effects and residual effects are summarised in Table 13 of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] and considers both the construction and operational phases of the Project.

	may result from a proposed development.		Residual effects are considered not significant for the majority of ecological receptors. However significant residual adverse effects (at site level) have been assessed on Lowland Dry Acid Grassland HPI and Lowland Calcareous Grassland HPI. Significant residual adverse effects on badger, breeding birds and migratory/wintering birds have also been assessed as adverse at a site level, due to the range of bird species present across the site and the presence of two main badger setts close to construction areas within the Energy Park Land and Railway Reinstatement Land. However, the design has incorporated the establishment of a range of habitats offering nesting, foraging and resting opportunities for a variety of bird species and the installation and monitoring of a badger tunnel beneath the new access road. The successful implementation of these measures will ensure impacts are minimised and effects are restricted to a site level only. It is considered the benefits and need for the Project outlined in Section 4 and Section 7.2 of the Planning Statement (**Document Reference 5.1**) [REP2-017] clearly outweigh the impacts on the features of the site that make it of special scientific interest, particularly given that the SSSI is already significantly affected by current levels of atmospheric pollution outside of the control of the Project and the significant adverse effects predicated are based on a worse-case scenario.

	NA	New Paragraphs 5.4.33 and 5.4.34 (added toadopted EN-1): Applicants should consider any reasonable opportunities to maximise the restoration, creation, and enhancement of wider biodiversity, and the protection and restoration of the ability of habitats to store or sequester carbon as set out under Section 4.5.. Consideration should be given to improvements to, and impacts on, habitats and species in, around and beyond developments, for wider ecosystem services and natural capital benefits, beyond those under protection and identified as being of principal importance. This may include considerations and opportunities identified through Local Nature Recovery Strategies, and national goals and targets set through the government's strategy for nature for example.	The Indicative Landscape and Biodiversity Plans (**Document Reference 4.10**) [REP3-007] alongside the outline Landscape and Biodiversity Management and Monitoring Plan (LBMMP) (**Document Reference 5.7**)[REP6-012] sets out the habitat creation, enhancement andmonitoring objectives the Project intends to adopt during the construction and operational phases. These will be taken forward and will form the basis of future Ecological Management Plans. Appendix I of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] provides a Biodiversity Net Gain Assessment for the Project and details that a 10% net gain in biodiversity can be achieved. Along with the RSPB and Lincolnshire WildlifeTrust, North Lincolnshire Council's Ecologist has been involved in consultation with the Applicant to discuss appropriate habitats and locations for biodiversity net gain.
	Paragraph 5.3.18: The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that: • during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; • during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; • habitats will, where practicable, be restored after construction works	Paragraph 5.4.18 (amends adopted EN-1 para 5.3.18 as follows). • *no change* • *no change* • *no change* 4th bullet replaced with: opportunities will be taken to enhance existing habitats rather than replace them, and where practicable, create new habitats of value within the site landscaping proposals. Where habitat creation is required as mitigation, compensation, or enhancement the location and quality will be of key importance. In this regard habitat creation should be focused on areas where the most ecological and ecosystems benefits can be realized.	ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] describes the mitigation measures considered in the assessment of likely significant effects which includes embedded mitigation that has been integrated into the design of the Project (as well as good practice measures that will be adopted during the construction and operational phases). The mitigation measures identified follow the principles of the Mitigation Hierarchy (CIEEM, 2018): minimising the loss of ecologically important and designated habitats; avoiding harming such habitats; and designing appropriate compensation for unavoidable habitat loss. The Code of Construction Practice (CoCP) (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9] sets out the framework for effective environmental management during the construction of the Project

	have finished; and • opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals.		The Indicative Landscape and Biodiversity Plans (**Document Reference 4.10**) [REP3-007] alongside the outline Landscape and Biodiversity Management and Monitoring Plan (LBMMP) (**Document Reference 5.7**) [REP6-012] sets out the habitat creation, enhancement and monitoring objectives the Project intends to adopt during the construction and operational phases.
	Paragraph 5.3.19: Where the applicant cannot demonstrate that appropriate mitigation measures will be put in place the IPC should consider what appropriate requirements should be attached to any consent and/or planning obligations entered into.	Paragraph 5.4.36 (replaces adopted EN-1 para 5.3.19): Applicants should produce and implement a Biodiversity Management Strategy as part of their development proposals. This could include provision forbiodiversity awareness training to employees and contractors so as to avoidunnecessary adverse impacts on biodiversity during the construction and operation stages	The Code of Construction Practice (CoCP) (**Document Reference 6.3.7**)[Revision 6 submitted at Deadline 9] sets out the framework for effective environmental management during the construction of the Project. The CEMP (secured by Requirement 4 of the draft DCO, **Document Reference 2.1**) [Revision 7 submitted at Deadline 9] will include all measures to avoid impacts on designated sites, habitats ofprincipal importance, other habitats of importance and protected/sensitive species. The Indicative Landscape and Biodiversity Plans (**Document Reference 4.10**) [REP3-007] alongside the outline Landscape and Biodiversity Management and Monitoring Plan (LBMMP) (**Document Reference 5.7**) [REP6-012] sets out the habitat creation, enhancement andmonitoring objectives the Project intends to adopt during the construction and operational phases.
	Paragraph 5.3.20 states: The IPC will need to take account of what mitigation measures may have been agreed between the applicant and Natural England (or the Countryside Council for Wales) or the Marine Management Organisation (MMO), and whether Natural England (or the Countryside Council for Wales) or the MMO has granted or refused or intends to grant or refuse, any relevant licenses, including protected species mitigation licenses.	Paragraph 5.4.45 (replaces adopted EN-1 paragraph 5.3.20): The Secretary of State will need to take account of what mitigation measures may have been agreed between the applicant and the SNCB and the MMO/NRW, and whether the SNBC or the MMO/NRW has granted or refused or intends to grant or refuse, any relevant licences, including protectedspecies mitigation licences.	Please refer to Statement of Common Ground (SoCG) (versionssubmitted throughout the examination process) for details of any agreements which have been made with Natural England.

	NA	New Paragraph 5.4.37 (in addition to adopted EN-1): In the design of any direct cooling system the locations of the intake and outfall should be sited to avoid or minimise adverse impacts on the receiving waters, including their ecology. There should also be specific measures to minimise impact to fish and aquatic biota by entrainment and impingement or by excessive heat or biocidal chemicals from discharges to receiving waters.	ES Chapter 3: Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018] details that the cooling system for the ERF will consist of either ACC or ABC, both of which will be located on the roof of the turbine hall to reduce the footprint of the ERF and both options are closed loop circuits with air cooling. Water required for operation of the ERF and other buildings within the Energy Park Land will be derived from the main Anglian Water utilities network; there will be no abstractions or discharges from or to the River Trent.
	NA	New Paragraph 5.4.38 (in addition to adopted EN-1): To further minimise any adverse impacts on geodiversity, where appropriate applicants are encouraged to produce and implement a Geodiversity Management Strategy to preserve and enhance access to geological interest features, as part of relevant development proposals.	A Geodiversity Management Strategy has not been included in this Application. It is noted that this is a provision of the Draft NPS and not the existing designated NPS. For clarity, no recognised geological interest features will be affected by the Project (ES Chapter 12: Archaeology and Cultural Heritage (**Document 6.2.12**) [REP4-011].
	NA	New Paragraph 5.4.44 (in addition to adopted EN-1): The Secretary of State should consider what appropriate requirements should be attached to any consent and/or in any planning obligations entered into, in order to ensure that any mitigation or biodiversity net gain measures, if offered, are delivered and maintained. Any habitat creation or enhancement delivered, including linkages with existing habitats for compensation or biodiversity net gain should generally be maintained for a minimum period of 30 years, or for the lifetime of the project, if longer.	Appendix I of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] provides a Biodiversity Net Gain Assessment for the Project and details that a 10% net gain in biodiversity canbe achieved. A Landscape and Biodiversity Management and Monitoring Plan (LBMMP) will be developed in accordance with the principles set out in the Outline LBMMP (**Document Reference 5.7**) [REP6-012]. The LBMMP will secure delivery during operation, through monitoring, management and maintenance measures, of the landscaping provisions and biodiversity mitigation and enhancements (including those provided in the context of 'biodiversity net gain').

Civil and military aviation and defence interests	Paragraph 5.4.1 to 5.4.21	Paragraph 5.5.1 to 5.5.7 (no change to adopted EN-1 paragraphs).	ES Chapter 14: Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] presents an assessment of the likely economic, community and land use impacts of the Project. No aerodromes, aviation technical sites or other types of defence interests have been identified that would be affected by this development. As such, the Civil and military aviation and defence interests section of the NPS is not relevant to this Project.
Dust, odour, artificial light, smoke, steam and insect infestation	Paragraph 5.6.1 states: During the construction, operation and decommissioning of energy infrastructure there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity of cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990. Note that pollution impacts from some of these emissions (for example dust, smoke) are covered in Section 5.2 of air emissions.	Paragraph 5.7.1 (no change to adopted EN-1 para 5.6.1- last sentence replaced with). However, they are not regulated by the environmental permitting regime, so mitigation of these impacts will need to be included in the DCO.	The air quality effects of the proposed development are assessed in ES Chapter 5: Air Quality, (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9]. The effects of lighting on visual amenity are assessed in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] The Indicative Lighting Strategy, Annex 4 of the ES (**Document Reference 6.3.4**) [APP-071] provides a scheme that complies with the relevant British Standard, regulations and recommendations of best practice. The Application is accompanied by a Statutory Nuisance Statement **(Document Reference 5.6**) [APP-040] which details the possible sources of statutory nuisances and how they may be mitigated or limited**.**
	Paragraph 5.6.3 states: For energy NSIPs of the type covered by the NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable.	Paragraph 5.7.4 (no change to adopted EN-1 para 5.6.3).	The Applicant considers that the benefits of the Proposed Development significantly outweigh the limited harm that would result from it proceeding. The Planning Statement (**Document Reference 5.1**) [REP2-017] considers the impacts on local communities in terms of the overall planning balance. As acknowledged, some impact on local amenity levels is unavoidable, however mitigation is proposed to keep impacts to a minimum.

Dust, odour, artificial light, smoke, steam and insect infestation	Paragraph 5.6.4: The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke and artificial light to have a detrimental impact on amenity, as part of the ES.	Paragraph 5.7.5 – Paragraph 5.7.6 (no change to adopted EN-1 para 5.6.4-5.6.5)	The air quality (dust, odour, steam, smoke) effects of the proposed development are assessed in ES Chapter 5: Air Quality, (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9]. Following discussions with North Lincolnshire Council, ES Chapter 5 was updated at Deadline 4 to include an odour assessment (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9]. The effects of lighting on visual amenity are assessed in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. The design of the Project will be informed by the development of the Indicative Lighting Strategy presented inAnnex 4 of the ES (**Document Reference 6.3.4**) [APP-071]. The Application is accompanied by a Statutory Nuisance Statement **(Document Reference 5.6**) [APP-040] which details the possible sources of statutory nuisances and how they may be mitigated or limited.
	Paragraph 5.6.5: In particular, the assessment provided by the applicant should describe • the type, quantity and timing of emissions; • aspects of the development which may give rise to emissions; • premises or locations that may be affected by the emissions; • effects of the emission on identified premises or locations; and • measures to be employed in preventing or mitigating the emissions.		
	Paragraph 5.6.6 states: The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment.	Paragraph 5.7.7 (no change to adopted EN-1 paragraph 5.6.6).	Consultation with North Lincolnshire Council and the Environment Agency on the scope and methodology of the air quality assessment has been undertaken prior to the submission of the ES, and summarised in the Air Quality ES Chapter (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9].). Following discussions with North Lincolnshire Council, ES Chapter 5 was updated at Deadline 4 to include an odour assessment (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9].

	Paragraph 5.6.7 states: The IPC should satisfy itself that: • An assessment of the potential for artificial light, dust, odour, smoke, steam and insect infestation to have a detrimental impact on amenity has been carried out; and • That all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts.	Paragraph 5.7.12 (no change to adopted EN-1 paragraph 5.6.7).	The Statement of Statutory Nuisance **(Document Reference 5.6**) [APP 040] provides asummary of the assessment of whether the Project engages one or more of "statutory nuisances" set out in section 79(1) of the Environmental Protection Act 1990 (EPA). The list of "statutory nuisances" in the EPA includesnoise, artificial light, smoke, fumes or gases, dust, steam, smell or other effluvia or insects emanating from relevant premises. The assessment draws upon the ES, including any relevantmitigation measures, whether embedded within the design of the Energy Park or secured through requirements or obligations, or other means within the DCO such as the Code of Construction Practice (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9].
	Paragraph 5.6.8 states: If the IPC does grant development consent for a project, it should consider whether there is a justification for all of the authorised project (including any associated development) being coveredby a defence of statutory authority against nuisance claims. If it cannot conclude that this is justified, it should disapply in whole or in part of the defence through a provision in the development consent order.	Paragraph 5.7.13 (replaces adopted EN-1paragraph 5.6.8). If development consent is granted for a project, the Secretary of State should consider whether there is a justification for all of the authorised project (including any associateddevelopment) to be covered by a defence of statutory authority against nuisance claims. If the Secretary of State cannot conclude that this is justified, the Secretary of State should disapply in whole or in part the defence through a provision in the development consent order.	The Application is accompanied by a Statement of Statutory Nuisance **(Document Reference 5.6)** [APP-040] which details the possible sources of statutory nuisances and how they may be mitigated or limited, through embedded design or management measures. With appropriate design measures in place, it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the Code of Construction Practice (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9], and other relevant management plans such as those required to be prepared as part of the Environmental Permit.

	Paragraph 5.6.9 states: Where it believes it appropriate, the IPC may consider attaching requirements to the development consent, in order to secure certain mitigation measures.	Paragraph 5.7.14 (replaces adopted EN-1paragraph 5.6.9) Where the Secretary of State believes it appropriate, the Secretary of State may consider attaching requirements to the development consent, in order to secure certain mitigation measures.	Please see response to Paragraph 5.6.7.
	Paragraph 5.6.10 states: In particular, the IPC should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke and artificial light from the development. The IPC should consider the need for such a scheme to reduce any loss to amenity that might arise during the construction, operation and decommissioning of the development. A construction management plan may helpcodify mitigation at that stage.	Paragraph 5.7.15 (replaces adopted EN-1 paragraph 5.6.10). In particular, the Secretary of State should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke, and artificial light from the development. The Secretary of State should consider theneed for such a scheme to reduce any lossto amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage.	The Application is accompanied by a Statement of Statutory Nuisance **(Document Reference 5.6) [**APP-040] which details the possible sources of statutory nuisances and how they may be mitigated or limited, through embedded design or management measures. With appropriate measures in place, it is considered that all reasonable steps have been taken to minimise potential impacts of dust, odour, artificial light, smoke, steam or insect infestation, through implementation of the Code of Construction Practice (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9], and other relevant management plans such as those required to be prepared as part of the Environmental Permit.
	Paragraph 5.6.11 states: Mitigation measures may include one or more of the following: • Engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated; • Lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material; and • Administrative: limiting operating times; restricting activities allowed on the site; implementing management plans.	Paragraph 5.7.8 (no change to adopted EN-1 paragraph 5.6.11).	A range of design mitigation measures have been taken to minimise potential impacts from the Project. Mitigation measures are set out within ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018], ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009], the Code of Construction Practice (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9], and the Operational Environmental Management Plan (**Document Reference 6.3.8**) [REP8-010].

Flood Risk	Paragraph 5.7.1 states: Flooding is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial damage to property. The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management.	Paragraphs 5.8.1 and 5.8.2 (replace adopted EN-1paragraph 5.7.1). Flooding is a natural process that plays an important role in shaping the natural environment. However, flooding threatens life and causes substantial disruption and damage to property. The effects of weather events on the natural environment, life and property can be increased in severity both as a consequence of decisions about the location, design and nature of settlement and land use, and as a potential consequence of future climate change. Having resilient energy infrastructure not only reduces the risk of flood damages to the infrastructure, it also reduces the disruptive impacts of flooding on those homes and businesses that rely on that infrastructure. Although flooding cannot be wholly prevented, its adverse impacts can be avoided or reduced through good planning and management.	A site-specific Flood Risk Assessment (Annex 3 to the ES **Document Reference 6.3.3**) [APP-070] has been undertaken.

	Paragraph 5.7.2 states: Climate change over the next few decades is likely to mean milder, wetter winters and hotter, drier summers in the UK, while sea levels will continue to rise. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. The applicant and the IPC should take account of the policy on climate change adaptation in Section 4.8.	Paragraph 5.8.5 (replaces adopted EN-1 paragraph 5.7.2): Climate change is already having an impact and is expected to have an increasing impact on the UK throughout this century. The UK Climate Projections 2018 show an increased chance of milder, wetter winters and hotter, drier summers in the UK, with more intensive rainfall causing flooding. Sea levels will continue to rise beyond the end of the century, increasing risks to vulnerable coastal communities. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. A robust approach to flood risk management is a vital element of climate change adaptation; the applicant and the Secretary of State should take account of the policy on climate change adaptation in Section 4.9.	A site-specific Flood Risk Assessment (Annex 3 to the ES **Document Reference 6.3.3)** [APP-070] takes into account the impact of climate change on flood risk at the site.
	Paragraph 5.7.3 states: The aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new energy infrastructure is, exceptionally, necessary in such areas, policy aims to	Paragraphs 5.8.6 and 5.8.7 (replaces adopted EN-1policy 5.7.3): The aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to steer new development to areas with the lowest risk of flooding. Where new energy infrastructure is, exceptionally, necessary in flood risk areas(for example where there are no reasonably alternative sites in areas at lower risk), policy aims to make it safe without increasing flood risk elsewhere and, where possible by reducing flood risk overall.	A site-specific Flood Risk Assessment (Annex 3 to the ES **Document Reference 6.3.3**) [APP-070] has been undertaken that considers the flood risk from tidal, fluvial, surface water, sewer, ground water and artificial sources of flood risk for the lifetime of the development.

	make it safe without increasing flood risk elsewhere and, where possible, by reducing flood risk overall.	It should also be designed and constructed toremain operational in times of flood. Paragraph 5.8.8 states: Proposals that aim to facilitate the relocation of existing energy infrastructure from unsustainable locations which are or will be at unacceptable risk of flooding, should be supported where it would result inclimate-resilient infrastructure.	
Flood Risk	Paragraph 5.7.4 Applications for energy projects of 1 hectare or greater in Flood Zone 1 in England or Zone A in Wales and all proposals for energy projects located in Flood Zones 2 and 3 in England or Zones B and C in Wales should be accompanied by a flood risk assessment (FRA). An FRA will also be required where an energy project less than 1 hectare may be subject to sources of flooding other than rivers and the sea (for example surface water), or where the EA, Internal Drainage Board or other body have indicated that there may be drainage problems. This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account.	Paragraph 5.8.13 (replaces adopted EN-1 para 5.3.19): A site-specific flood risk assessment should be provided for all energy projects in Flood Zones 2 and 3 in England or Zones B and C in Wales. In Flood Zone 1 in England or Zone A in Wales, an assessment should accompany all proposals involving: • sites of 1 hectare or more • land which has been identified by the EA or NRW as having critical drainage problems • land identified (for example in a local authority strategic flood risk assessment) as being at increased flood risk in future • land that may be subject to other sources of flooding (for example surface water) where the EA or NRW, Lead Local Flood Authority, Internal Drainage Board or other body have indicated that there may be drainage problems.	A site-specific Flood Risk Assessment (FRA) (**Document Reference 6.3.3**) [APP-070] has been provided with the application as the majority of the Application Land is located within Flood Zone 3a, benefiting from defences. This means that the probability of flooding in any given year is 1% for a fluvial flood event or 0.5% for a tidal flood event in the case of a failure in the defences. Other areas of the Application Land are located in Flood Zones 1. The FRA provides a detailed assessment of the risk of flooding to the Scheme and concludes that with the proposed design mitigation in place, the overall flood risk to the Project is Low. The impact of the Project to offsite locations is minimised through the proposed mitigation and is considered negligible.

Flood Risk	Paragraph 5.7.5 states: The minimum requirements for FRAs are that they should: • be proportionate to the risk and appropriate to the scale, nature and location of the project; • consider the risk of flooding arising from the project in addition to the risk of flooding to the project; • take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made; • be undertaken by competent people, as early as possible in the process of preparing the proposal; • consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure; • consider the vulnerability of those using the site, including arrangements for safe access; • consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and identify flood risk reduction measures, so that assessments are fit for the purpose of the decisions being made;	Paragraph 5.8.15 (replaces adopted EN-1para 5.7.5): The minimum requirements for Flood Risk Assessments (FRA) are that they should: • *no change* • *no change* • *no change* • *no change* • *no change* • *no change* • consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and include information on flood likelihood, speed-of-onset, depth, velocity, hazard and duration overall, making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management • consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes • include the assessment of the remaining risk after risk reduction measures have been taken into account and demonstrate that these risks can be safely managed, ensuring people will not be exposed to hazardous flooding • consider how the ability of water to soak into the ground may change with development, along with how the	An FRA and an Indicative Drainage Strategy have been provided with the application (**Document Reference 6.3.3 and 6.3.5**) [APP-070 andREP5-019] and these requirements are addressed throughout the FRA and the Indicative Drainage Strategy.

	• consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; • include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project; • consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems; • consider if there is a need to be safe and remain operational during a worst case flood event over the development's lifetime; and • be supported by appropriate data and information, including historical information on previous events	proposed layout of the project may affect drainage systems. Information should include: i. Describe the existing surface water drainage arrangements forthe site ii. Set out (approximately) the existing rates and volumes of surface water run-off generated bythe site. Detail the proposals for restricting discharge rates iii. Set out proposals for managing and discharging surface water fromthe site using sustainable drainage systems and accounting for the predicted impacts of climate change. If sustainable drainage systems have been rejected, present clear evidence of why theirinclusion would be inappropriate iv. Demonstrate how the hierarchy of drainage options (refer to PPG Sustainable Drainage Systems section) has been followed. v. Explainand justify why the types of Sustainable Drainage Systems and method of discharge have been selected and why they are considered appropriate. Where costis a reason for not including Sustainable Drainage Systems, provide information to enable comparison with the lifetime costs of a conventional public sewer connection	

		vi. Explain how sustainable drainage systems have been integrated with other aspects of the development such as open space or green infrastructure, so as to ensure an efficient use of the site vii. Describe the multifunctional benefits the sustainable drainage system will provide viii. Set out which opportunities to reduce the causes and impacts of flooding have been identified and included as part of the proposed sustainable drainage system ix. Explain how run-off from the completed development will be prevented from causing an impact elsewhere x. Explain how the sustainable drainage system been designed to facilitate maintenance and, where relevant, adoption. Set out plans forensuring an acceptable standard ofoperation and maintenance throughout the lifetime of the development • detail those measures that will be included to ensure the development will be safe and remain operational during a flooding event throughout the development's lifetime without increasing flood risk elsewhere • identify and secure opportunities to reduce the causes and impacts of flooding overall during the period of construction; and • be supported by appropriate data and information, including historical information on previous events.	

	Paragraph 5.7.6 states: Further guidance can be found in the Practice Guide which accompanies Planning Policy Statement 25 (PPS25),TAN15 for Wales or successor documents.	Paragraph 5.8.16 (replaces adopted EN-1paragraph 5.7.6) Further guidance can be found in the Planning Practice Guidance Flood Risk andCoastal Change section which accompanies the NPPF, TAN15 for Wales or successor documents.	The site-specific Flood Risk Assessment (Annex 3 to the ES **Document Reference 6.3.3**) [APP-070] has been undertaken based on the guidance set out in the NPPF Planning Practice Guidance: Flood Risk and coastal change.
	N/A	Development (including construction works) will need to account for any existing watercourses and flood and coastal erosion risk management structures or features, or any land likely to be needed for future structures or features so as to ensure: • Access, clearances and sufficient land are retained to enable their maintenance, repair, operation, and replacement, as necessary • Their standard of protection is not reduced • Their condition or structural integrity is not reduced	An FRA has been provided with the application (**DocumentReference 6.3.3**) [APP-070]. The preparation of the FRA, and the ES has included discussions with the EA, LLFA and Scunthorpe & Gainsborough Water Management Board (SGWMB) to ensure that the development accounts for existing watercourses, structures and features. Further discussions have continued with both the EA and the SGWMB, details of which are provided in the relevant Statements of Common Ground (SoCG)
	Paragraph 5.7.7: Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions with the EA, and, where relevant, other bodies such as Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoirowners and operators.	Paragraphs 5.8.18 and 5.8.19 (no change to adopted EN-1 paragraph 5.7.7)	An FRA has been provided with the application (**DocumentReference 6.3.3**) [APP-070]. The preparation of the FRA, and the ES has included discussions with the EA, LLFA and Scunthorpe & Gainsborough Water Management Board (SGWMB). Further discussions have continued with both the EA and the SGWMB, details of which are provided in the relevant Statements of Common Ground (SoCG) .
	Paragraph 5.7.8 states: If EA has concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA and take all reasonable steps to agree ways in which the proposal might be amended, or additional information	Paragraph 5.8.20 (replaces adopted EN-1 paragraph 5.7.8). If the EA or NRW or another flood risk management authority has reasonable concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA or NRW and take all	The preparation of the FRA, and the ES has included extensive discussions with the EA and agreement has been reached on a number of matters, including the flood risk management strategy, the general design principles for the development and the hydraulic modelling used to support the FRA. Where any agreements have not been reached, these

	provided, which would satisfy the Environment Agency's concerns.	reasonablesteps to agree ways in which the proposal might be amended, or additional informationprovided, which would satisfy the EA's or NRW's concerns.	willbe detailed in the Statement of Common Ground.
	Paragraph 5.7.9 states: In determining an application for development consent, the IPC should be satisfied that where relevant: • the application is supported by an appropriate FRA; • the Sequential Test has been applied as part of site selection; a sequential approach has been applied at the site level to minimise risk by directing the most vulnerableuses to areas of lowest flood risk; • the proposal is in line with any relevant national and local flood risk management strategy; • priority has been given to the use of sustainable drainage systems (SuDs) (as required in the next paragraph on National Standards); and in flood risk areas the project is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed over the lifetime of the development.	Paragraph 5.8.36 (replaces adopted EN-1 paragraph 5.7.9) In determining an application for development consent, the Secretary of State should be satisfied that where relevant: • the application is supported by an appropriate FRA • the Sequential Test has been applied and satisfied as part of site selection a sequential approach has been appliedat the site level to minimise risk by directing the most vulnerable uses toareas of lowest flood risk • the proposal is in line with any relevant national and local flood risk management strategy • SuDs (as required in the next paragraph on National Standards) have been used unless there is clear evidence that theiruse would be inappropriate • in flood risk areas the project is designed and constructed to remain safe and operational during its lifetime, without increasing flood risk elsewhere (subject to the exceptions set out in 5.8.18) • the project includes safe access and escape routes where required, as part of an agreed emergency plan, and that any residual risk can be safely managed over the lifetime of the development • land that is likely to be needed for	An FRA has been provided with the application (**Document Reference 6.3.3**) [APP-070]. This demonstrates how the development passes the sequential test at the site level and the Exception Test. Details of the sequential approach to site selection is detailed in paragraphs 5.7.15 to 5.7.31 of the Planning Statement (**Document Reference 5.1**) [REP2-017]. Flood risk has been a consideration as part of the design process and this is explained in Chapter 3 (Project Description and Alternatives), section 9.6, of the Environmental Statement (**Document Reference 6.2.3**) , [REP6-018]. The location and alignment of buildings were altered during the design process to minimise flood risk as much as possible. Appropriate flood risk mitigation is proposed to reduce the risk of flooding to the Project and surrounding areas. Part of this mitigation includes the implementation of a site wide Flood Evacuation Management Plan. Requirement 12 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] also secures that no part of the energy park works may be commissioned until a flood management plan, which must include an evacuation route plan and flood resilience implementation plan, has, for that part, been submitted to and approved by the relevant planning authority. Following comments from the Environment Agency, at Deadline 4 Requirement 12 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] was updated and an additional paragraph (1) was inserted in relation to the provision of a flood mitigation strategy prior to the authorised development commencing (save for the preliminary works

		present or future flood risk managementinfrastructure has been appropriately safeguarded from development to the extent that development would not prevent or hinder its construction, operation or maintenance.	
	Paragraph 5.7.10 states: For construction work which has drainage implications, approval for the project's drainage system will form part of the development consent issued by the IPC. The IPC will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010.In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of anySuDS, including any necessary access rights to property. The IPC should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site.	Paragraphs 5.8.37 to 5.8.39 adds to adopted EN-1Paragraph 5.7.10 as follows: Responsible bodies could include, for example the landowner, the relevant lead local flood authority or water and seweragecompany (through the Ofwat-approved Sewerage Sector Guidance), or another body, such as an Internal Drainage Board.	The Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] details the proposed foul water drainage design for the Project as well as the above ground SuDS in the surface water drainage design. The latter is illustrated further in the Indicative Surface Water Drainage Plan (**Document Reference 4.16**) [REP3-009]. The drainage strategy will be constructed by the Applicant, if the SuDS features need to be adopted, they will be agreed with Severn Trent. Table 4-8 of the Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019]details the proposed responsible party for the maintenance of the SuDS features for the difference catchments and includes landowners and North Lincolnshire Council. The proposed Indicative surface water strategy and report have been developed in consultation with North Lincolnshire Council Lead Local Flood Authority and Scunthorpe & Gainsborough WMB.
	Paragraph 5.7.11 states: If the EA continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the IPC can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the EA to try and resolve the concerns.	Paragraph 5.8.40(replaces adopted EN-1 paragraph 5.8.13): If the EA or NRW, or another flood risk management authority continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the Secretary of State can grant consent, but would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by theapplicant and the EA	At this stage the EA have no objections to the grant of development consent on the ground of flood risk. This is confirmed by their Relevant Representation submission. Discussions with the EA are on-going regarding some matters, details of which are provided in the relevant draft SoCG.

		or NRW to try to resolve the concerns.	
	Paragraph 5.7.12 states: The IPC should not consent development in Flood Zone 2 in England or Zone B in Wales unless it is satisfied that the sequential test requirements have been met. It should not consent development in Flood Zone 3 or Zone C unless it is satisfied that the Sequential and Exception Test requirements have been met. The technology-specific NPSs set out some exceptions to the application of the sequential test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, but should apply thesequential approach to locating development within the site.	Paragraph 5.8.41 (replaces adopted EN-1 paragraph 5.7.12) Energy projects should not normally be consented within Flood Zone 3b the Functional Floodplain or Zone C2 in Wales, or on land expected to fall within these zones within its predicted lifetime. However, where essential energy infrastructure has to be located in such areas, for operational reasons, they should only be consented if the development will not result in a net loss of floodplain storage,and will not impede water flows.	The majority of the Application Land is located within Flood Zone 3a, benefiting from defences. This means that the probability of flooding in any given year is 1% for a fluvial flood event or 0.5% for a tidal flood event in the case of a failure in the defences. Other areas of the Application Land are located in Flood Zones 1. An FRA has been provided with the application (**Document Reference 6.3.3**) [APP-070]. This demonstrates how the development passes the sequential test at the site level and the Exception Test.
	Paragraph 5.7.13 states: Preference should be given to locating projects in Flood Zone 1 in England or Zone A in Wales. If there is no reasonably available site in Flood Zone 1 or Zone A, then projects can be located in Flood Zone 2 or Zone B. If there is no reasonably available site in Flood Zones 1 or 2 or Zones A & B, then nationally significant energy infrastructure projects can be located in Flood Zone 3 or Zone C subject to the Exception Test. Consideration of alternative sites should take account ofthe policy on alternatives set out in Section 4.4 above.	Paragrap 5.8.21to 5.8.23(replace adopted EN-1paragraph 5.7.13)	The majority of the Application Land is located within Flood Zone 3a, benefiting from defences. This means that the probability of flooding in any given year is 1% for a fluvial flood event or 0.5% for a tidal flood event in the case of a failure in the defences. Other areas of the Application Land are located in Flood Zones 1. The site selection process undertaken by the Applicant is described in section 9.4 of ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018]. Flood risk has been a consideration as part of the design process and this is explained in Chapter 3 (Project Description and Alternatives), section 9.6, of the Environmental Statement (**Document Reference 6.2.3**) [REP6-018]. The location and alignment of buildings were altered during the design process to minimise flood risk as much as possible.

		The Sequential Test ensures that a sequential, risk-based approach is followed to steer new development to areas with the lowest risk of flooding, taking all sources of flood risk and climate change into account. Where it is not possible to locate development in low-risk areas, the Sequential Test should go on to compare reasonably available sites with medium risk areas and then, only where there are no reasonably available sites in low and medium risk areas, within high-risk areas. The technology specific NPSs set out some exceptions to the application of the Sequential Test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, provided the proposed development is consistent with the use for which the site was allocated and there is no new flood risk information that would have affected the outcome of the test. Consideration of alternative sites should take account of the policy on alternatives set out in Section 4.2 above. All projects should apply the Sequential Test to locating development within the site.	

	Paragraph 5.7.14 states: If, following application of the sequential test, it is not possible, consistent with wider sustainability objectives, for the project to be located in zones of lower probability of flooding than Flood Zone 3 or Zone C, the Exception Test can be applied. The test provides a method of managing flood risk while still allowing necessary development to occur.	Paragraph 5.8.9 (replaces adopted EN-1 paragraph 5.7.14): If, following application of the sequential test, it is not possible, (taking into account wider sustainable development objectives), for the project to be located in areas of lower flood risk the Exception Test can be applied, as required by table 3 of the Planning Practice Guidance. The test provides a method of allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available.	An FRA has been provided with the application (**Document Reference 6.3.3**) [APP-070]. This demonstrates how the development passes the sequential test at the site level and the Exception Test.
	Paragraph 5.7.15 states: The Exception Test is only appropriate for use where the sequential test alone cannot deliver an acceptable site, taking into account the need for energy infrastructure to remain operational during floods. It may also be appropriate to use it where as a result of the alternative site(s) at lower risk of flooding being subject to national designations such as landscape, heritage and nature conservation designations, for example Areas of Outstanding Natural Beauty (AONBs), Sites of Special Scientific Interest (SSSIs) and World Heritage Sites (WHS) it would not be appropriate to require the development to be locatedon the alternative site(s).	Paragraph 5.8.10 (no change to adopted EN-1 paragraph 5.7.15).	An FRA has been provided with the application (**Document Reference 6.3.3**) [APP-070]. This demonstrates how the development passes the sequential test at the site level and the Exception Test.
	Paragraph 5.7.16 states: All three elements of the test will have to be passed for development to be consented. For the Exception Test to be passed: • it must be demonstrated that the project provides wider sustainability benefits to the community that outweigh flood	Paragraph 5.8.11 Both elements of the Exception Test will have tobe satisfied for development to be consented. To pass the Exception Test it should be demonstrated that: • the project would provide wider sustainabilitybenefits to the community that outweigh flood risk the project reduces flood risk overall,where	An FRA has been provided with the application (**Document Reference 6.3.3**) [APP-070]. This demonstrates how the development passes the sequential test at the site level and the Exception Test. The FRA includes details of the proposed flood mitigation measures that have been introduced to ensure the proposed development is safe for its lifetime and to minimise the flood risk impact to surrounding areas. The

	risk; • the project should be on developable, previously developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously developed land subject to any exceptions set out in the technology-specific NPSs; and • a FRA must demonstrate that the project will be safe, without increasing flood risk elsewhere subject to the exception below and, where possible, will reduce flood risk overall.	possible; and • the project will be safe for its lifetime taking account of the vulnerability of its users, without increasing flood risk elsewhere, and, where possible will reduce flood risk overall.	agricultural field to the east of the site have been identified to be at risk of flooding during the baseline condition with a slight increase in depth as a result of the proposals. There is a negligible increase in hazard and no increase in frequency of flooding to the fields as a result of the proposals. The steel storage shed located in the north of the port is also at risk of flooding during the baseline with a slight increase in flood depth during one of the breach scenarios. There is no increase in hazard or frequency of flooding to the site. Both areas will be managed appropriately through the Flood Evacuation and Management Plan to ensure the safety of users.
	Paragraph 5.7.17 states: Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the IPC may grant consent if it is satisfied that the increase in present and future flood risk can be mitigated to an acceptable level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the IPC should make clear how, in reaching its decision, it has weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA and other relevant bodies.	Paragraph 5.8.41 (no change to adopted EN-1 Paragraph 5.7.17)	A site-specific Flood Risk Assessment (FRA) (**Document Reference 6.3.3**) [APP-070] has been provided with the application. The FRA provides a detailed assessment of the risk of flooding to the Scheme and concludes that with the proposed mitigation in place, the overall flood risk to the Project is Low. The impact of the Project to offsite locations is minimised through the proposed mitigation and is considered negligible It is therefore considered that the Scheme is compliant with this policy. The benefits and need for the Project are outlined in Sections 4 and 7.2 of the Planning Statement (**Document Reference 5.1**) [REP2-017].

	Paragraph 5.7.18 states: To satisfactorily manage flood risk, arrangements are required to manage surface water and the impact of the natural water cycle on people and property.	Paragraph 5.8.24 (no change to adopted EN-1 Paragraph 5.7.18)	The site-specific Flood Risk Assessment (FRA) (**Document Reference 6.3.3**) [APP-070] considers the effects of a range of flooding events including extreme tidal events. The Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] details the proposed foul water drainage design for the Project as well as the above ground SuDS inthe surface water drainage design. The latter is illustrated further in the Indicative Surface Water Drainage Plan (**Document Reference 4.16**) [[REP3-009].

	Paragraph 5.7.19 states: S NPS, the term Sustainable Drainage Systems (SUDs) refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: • source control measures including rainwater recycling and drainage; • infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities; • filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns; • filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed • basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding; and • flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.	Paragraph 5.8.25 (no changes to adopted EN-1 paragraph 5.8.21).	The Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] details the proposed foul water drainage design for the Project as well as the above ground SuDS in the surface water drainage design. The latter is illustrated further in the Indicative Surface Water Drainage Plan (**Document Reference 4.16**) [REP3-009].

	• source control measures including rainwater recycling and drainage; • infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities; • filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns; • filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed • basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding; and • flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.		The site-specific FRA (**Document Reference 6.3.3**) [APP-070] details that the Project considers the use of sustainable drainage techniques in accordance with local policy. The CIRIA SuDS Manual contains a hierarchy of sustainable methods of capturing and storing rainwater in a descending order: from drainage into the ground to recharging water resources. If ground investigation confirms that infiltration is not possible, surface water will be stored on site in open water features and then released at a controlled rate. Different SuDS are proposed as part of the surface water drainage strategy for the Project. These include ten new detention basins to promote biodiversity, treat water quality and attenuate stormwater before being discharge into the existing ditches. Where possible, swales will be used to convey runoff instead of pipes and basins used for storage instead of tanks.
	Paragraph 5.7.20 states: Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts.	Paragraph 5.8.26 (no change to adopted EN-1 para. 5.7.20)	The Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] details that the Energy Park buildings will be constructed on platforms raised above the existing levels, to raise the buildings out of the River Trent flood areas. Overland flow paths around these platforms will be maintained such that any exceedance events will follow the existing flow paths to the existing points of discharge.
	Paragraph 5.7.21 states: The surface water drainage arrangements for any project should be	Paragraph 5.8.27 (no change to adopted EN-1 para. 5.7.21)	The Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] details that the Application Land is dividedinto 10 catchments. The land is generally flat but

	such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect.		Stormwater from the north-western and south-eastern boundaries slope towards ditches that connect to the central Lysaght's Drain. The proposed drainage strategy is to reflect these catchments, to mimic the existing drainage. Consultation with Scunthorpe & Gainsborough Water Management Board (SGWMB) determined that the proposed discharge rate has to be restricted to the greenfield runoff rate and not exceed 1.4l/s/ha. This is confirmed in the draft SoCG. Section 4 ofthe Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] details the various discharge rates of each of the catchments.
	Paragraph 5.7.22 states: It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site.	Paragraph 5.8.28 (no change to adoptedEN-1 para. 5.7.22)	The Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] details the proposed foul water drainage design for the Project as well as the above ground SuDS in the surface water drainage design. The latter is illustrated further in the Indicative Surface Water Drainage Plan (**Document Reference 4.16**) [REP3-009]. The site-specific FRA (**Document Reference 6.3.3**) [APP-070] details that the Project considers the use of sustainable drainage techniques in accordance with local policy. The CIRIA SuDS Manual contains a hierarchy of sustainable methods of capturing and storing rainwater in a descending order: from drainage into the ground to recharging water resources. If ground investigation confirms that infiltration is not possible, surface water will be stored on site in open water features and then released at a controlled rate. Different SuDS are proposed as part of the surface water drainage strategy for the Project. These include ten new detention basins to promote biodiversity, treat water quality and attenuate stormwater before being discharge into the existing ditches. Where possible, swales will be used to convey runoff instead of pipes and basins used for storage instead of tanks.

	Paragraph 5.7.23 states: More vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS.	Paragraph 5.8.29 (no change to adoptedEN-1 para. 5.7.23)	Flood risk has been a consideration as part of the design process and this is explained in Chapter 3, section 9.6, of the Environmental Statement (**Document Reference 6.2.3**) [REP6-018]. The location and alignment of buildings were altered during the design process to minimise flood risk as much as possible. Different SuDS are proposed as part of the surface water drainage strategy for the Project. These include ten new detention basins to promote biodiversity, treat water quality and attenuate stormwater before being discharge into the existing ditches. Where possible, swales will be used to convey runoff instead of pipes and basins used for storage instead of tanks. Please refer to the Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] and the Surface Water Drainage Plan (**Document Reference 4.16**) [REP3-009] for further details.
	N/A	Paragraphs 5.8.30 to 5.8.32 (added to draft EN-1) Where a development may result in an increase in flood risk elsewhere through the loss of flood storage, on-site level-for-level compensatory storage, accounting for the predicted impacts of climate change over the lifetime of the development, should be provided. Where it is not possible to provide compensatory storage on site, it may be acceptable to provide it off-site if it is hydraulically and hydrologically linked. Where development may cause the deflection or constriction of flood flow routes, these will need to be safely managed within the site. Where development may contribute to a cumulative increase in flood risk elsewhere, the provision of multifunctional sustainable drainage systems, natural flood management and green infrastructure can also make a	An FRA has been provided with the application (**Document Reference 6.3.3**) [APP-070]. The FRA includes details of the proposed flood mitigation measures that have been introduced to ensure the proposed development is safe for its lifetime and to minimise the flood risk impact to surrounding areas. The agricultural field to the east of the site have been identified to be at risk of flooding during the baseline condition with a slight increase in depth as a result of the proposals. There is a negligible increase in hazard and no increase in frequency of flooding to the fields as a result of the proposals. The steel storage shed located in the north of the port is also at risk of flooding during the baseline with a slight increase in flood depth during one of the breach scenarios. There is no increase in hazard or frequency of flooding to the site. Both areas will be managed appropriately through the Flood Evacuation and Management Plan to ensure the safety of users. Therefore, flood storage during the future extreme tidal event is managed within the site boundary and there is no loss of storage over the lifetime of the development that could potentially increase the flood risk to surrounding areas.

		valuable contribution to mitigating this risk whilst providing wider benefits.	Different SuDS are proposed as part of the surface water drainage strategy for the Project. These include ten new detention basins to promote biodiversity, treat water quality and attenuate stormwater before being discharge into the existing ditches. Where possible, swales will be used to convey runoff instead of pipes and basins used for storage instead of tanks. Please refer to the Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] and the Surface Water Drainage Plan (**Document Reference 4.16**) [REP3-009] for further details.
	Paragraph 5.7.24 states: Essential energy infrastructure which has to be located in flood risk areas should be designed to remain operational when floods occur. In addition, any energy projects proposed in Flood Zone 3b the Functional Floodplain (where water has to flow or be stored in times of flood), should only be permitted if the development will not result in a net loss of floodplain storage, and will not impede water flows.	Draft EN-1 remove adopted EN-1paragraph 5.7.24	The site-specific FRA (**Document Reference 6.3.3**) [APP-070] details that the Project comprises critical infrastructure that is required to remain operational during a flood event in order to continue producing energy and therefore has been classified as Essential Infrastructure. Only the Visitor Centre is classified as Less Vulnerable. The Project is located within Flood Zone 3a benefitting from defences and partially in Flood Zone 1. The Indicative Drainage Strategy (**Document Reference 6.3.5**) [AP- 072] details that the Energy Park buildings will be constructed on platforms raised above the existing levels, to raise the buildings out of the River Trent flood extent for the lifetime of the development.
	Paragraph 5.7.25 states: Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	Paragraph 5.8.33 and 5.8.34 (replaces adoptedEN-1 para. 5.7.25) The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. The applicant should take advice from the local authority emergency planning team, emergency services and, where appropriate, from the local resilience forum when producing an evacuation plan for a manned	The site-specific FRA (**Document Reference 6.3.3**) [APP 070] details the proposed design mitigation measures to reduce the risk of flooding to the Project and surrounding areas. Part of this mitigation includes the implementation of a site wide Flood Evacuation Management Plan. Requirement 12 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] also secures that no part of the Energy Parkworks may be commissioned until a flood management plan, which must include an evacuation route plan and flood resilience implementation plan, has, for that part, been submitted to and approved by the relevant planning authority.

		energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA	Following comments from the Environment Agency, at Deadline 4 Requirement 12 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] was updated and an additional paragraph (1) was inserted in relation to the provision of a flood mitigation strategy prior to the authorised development commencing (save for the preliminary works).
Historic Environment	Paragraph 5.8.1 states: The construction, operation and decommissioning of energy infrastructure has the potential to resultin adverse impacts on the historic environment.	Paragraph 5.9.1 (adds to to adopted EN-1 paragraph 5.8.1): The construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment above, at and below the surface of the ground.	The impact of the Project on the historic environment has been assessed in ES Chapter 12: Archaeology and CulturalHeritage (**Document Reference 6.2.12)** [REP4-011]
	Paragraph 5.8.6 states: The IPC should also consider the impacts on other non-designated heritage assets, as identified either through the development plan making process (local listing) or through the IPCs decision making process on the basis of clear evidence that the assets have a heritage significance that meritsconsideration in its decisions, even though those assets are of lesser valuethan designated heritage assets.	Paragraph 5.9.7 (replaces adopted EN-1 paragraph 5.8.6) The Secretary of State should also consider the impacts on other non-designated heritage assets (as identified either throughthe development plan making process by plan-making bodies, including 'local listing', or through the application, examination and decision making process). This is on the basis of clear evidence that such heritage assets have a significance that merits consideration in that process, even though those assets are of lesser significance than designated heritage assets.	See ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011] for assessment of other non-designated heritage assets as identified either through the development plan making process (local listing)or through the IPCs decision making process on the basis of clear evidence that the assets have a heritage significance that merits consideration in its decisions, even though those assets are of lesser value than designated heritage assets.
	N/A	New Paragraph 5.9.9 states: The applicant should undertake an assessment of any likely significant heritage impacts of the proposed development as part of the EIA and describe these in the ES (see Section 4.2). This should include consideration of heritage assets above, at, and below the surface of the ground. Consideration will also need to be given to the possible impacts, including cumulative, on the wider historic environment.	An assessment of likely significant heritage impacts of the proposed development has been undertaken in ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011].

		The assessment should include reference to any historic landscape or seascape character assessment and associated studies as a means of assessing impacts relevant to the proposed project.	
	Paragraph 5.8.8: As part of the ES (see Section 4.2) the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset.	Paragraph 5.9.10 (adds to adopted EN-1 paragraph 5.8.8): As a minimum the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, Historic England or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact.	ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011] provides a description of the significance of heritage assets affected by North Lincolnshire Green Energy Park and the contribution of their setting to that significance. The Applicant has consulted North Lincolnshire Historic Environment Record (NLHER) as well as: -Historic England (National Heritage List) for information on World Heritage Sites, Scheduled Monuments, Listed Buildings, Registered Historic Parks and Gardens, and Historic Battlefields; - Publicly available Lidar data - Historical Ordnance Survey mapping; and - Relevant published and grey literature historic environment reports. These sources have been used as the basis for the gazetteer included as Appendix 1 to this ES Chapter.

	Paragraphs 5.8.9: Where a development site includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, representative visualisations may be necessary to explain the impact. 5.8.10 states The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents.	Paragraphs 5.9.11 – 5.9.12 (no change to adopted EN-1 paragraph 5.8.9). Paragraph 5.9.12 adds to adopted paragraph 5.8.10: The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. Studies will be required on those heritage assets affected by noise, vibration, light and indirect impacts, the extent and detail of these studies will be proportionate to the significance of the heritage asset affected.	A detailed archaeological desk-based assessment (DBA) providing a detailed chronological review of the history and archaeology of the study area is provided in Appendix B of ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011]. In addition to the desk-based work, this assessment has been informed by the following fieldwork: - Geoarchaeological monitoring of ground investigations carried out in September 2021 (Appendix C of ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011]. - Geophysical surveys (Appendix D of Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011]. An extensive programme of additional geoarchaeological work, geophysical survey and trial trenching has been agreed in principle in discussion with North Lincolnshire Council. A programme of ongoing pre-mitigation surveys are described in Appendix E (geoarchaeological boreholes) and F (trial trenching) of ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011]. Following trial trench evaluations, a post-application surveys and assessment update to ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12**) will be submitted (by Deadline 9) and will update, where necessary, the likely significant effects of the Project on archaeological and cultural heritage features. This is confirmed in the written summaries of oral submissions put at Issue Specific Hearing 3 (Day one – 25 January 2023) (**Document reference 9.21**) [REP4-028].

	Paragraph 5.8.11 states: In considering applications, the IPC should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset, taking account of: • Evidence provided with the application; • Any designation records; • The Historic Environment Record, and similar sources of information; • The heritage assets themselves; • The outcome of consultations with interested parties; and • Where appropriate and when the the need to understand the significance of the heritage asset demands it, expert advice.	Paragraph 5.9.20 (replaces draft EN-1 paragraph 5.8.11) In determining applications, the Secretary ofState should seek to identify and assess theparticular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset (including assets whose setting may be affected by the proposed development), taking account of: • relevant information provided with the application and, where applicable, relevant information submitted during the examination ofthe application • any designation records, including those on the National Heritage List for England • historic landscape character records • the relevant Historic Environment Record(s), and similar sources of information • representations made by interestedparties during the examination process • expert advice, where appropriate,and when the need to understandthe significance of the heritage asset demands it	The impact of the Project on the significance of heritage assets has been assessed according to relevant Historic England guidance and is set out within ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011].
	NA	New Paragraph 5.9.13 states: The applicant is encouraged, where opportunities exist, to prepare proposals which can make a positive contribution tothe historic environment, and to considerhow their scheme takes account of the significance of heritage	Section 9.4 of ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011] outlines enhancement proposals put forward in terms of the significant impacts on the setting of the scheduled site of Flixborough Nunnery and on the historic landscape.

		assets affected.This can include, where possible: • enhancing, through a range of measures such a sensitive design,the significance of heritage assetsor setting affected • considering where required the development of archive capacity which could deliver significant public benefits • considering how visual or noise impacts can affect heritage assets, and whether there may be opportunities to enhance access to, or interpretation, understanding and appreciation of, the heritage assets affected by the scheme	
	Paragraph 5.8.12 states: In considering the impact of a proposed development on any heritage assets, the IPC should take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between conservation of that significance and proposals for development.	Paragraph 5.9.22 (no change to adopted EN-1 paragraph 5.8.12).	Section 5.2 of ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011] detailshow the value/significance of heritage assets has been assessed using a four-point scale.
	Paragraph 5.8.13 states: The IPC should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution they can make tosustainable communities and economic vitality. The IPC should take into accountthe desirability of new development making a	Paragraph 5.9.24 additional wording (adds to adopted EN-1 paragraph 5.8.13): The consideration of design should include scale, height, massing, alignment, materials, use and landscaping (for example, screen planting).	A number of primary mitigation measures have been identified through the iterative EIA process and have been incorporated into the design and construction planning of the proposed development. The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are set out in the Design Principles and

	positive contribution to the character and local distinctiveness of thehistoric environment. The consideration of design should include scale, height, massing, alignment, materials and use		Codes Document (**Document Reference 5.12**) [REP7-008],compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. Design Principle CP_PLACES 1.07 details the underlying objectiveof the ongoing Project design to 'respect the history and setting of local historic assets'. Mitigation measures included sympathetic design to minimise indirect effects on heritage assets.

	Paragraph 5.8.14 states: There should be a presumption in favour of the conservation of designated heritage assets and the more significant the designated heritage asset, the greater the presumption in favour of its conservation should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Loss affecting any designated heritage asset should require clear and convincing justification. Substantial harm to or loss of a grade II listed building park or garden should be exceptional. Substantial harm to or loss of designated assets of the highest significance, including Scheduled Monuments; registered battlefields; grade I and II* listed buildings; grade I and II* registered parks and gardens; and World Heritage Sites, should be wholly exceptional.	Paragraphs 5.9.25 – 5.9.26 (replace adopted EN-1 paragraph 5.8.14) When considering the impact of a proposed development on the significance of a designated heritage asset, the Secretary of State should give great weight to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. The Secretary of State should give considerable importance and weight to the desirability of preserving all heritage assets. Any harm or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. Substantial harm to or loss of significance of a grade II listed building park or garden should be exceptional. Substantial harm to or loss of significance of assets of the highest significance, including Scheduled Monuments; Protected Wreck Sites; Registered Battlefields; grade I and II* Listed Buildings; grade I and II* Registered Parks and Gardens; and World Heritage Sites, should be wholly exceptional.	Major or moderate effects are considered to be significant in Environmental Impact Assessment (EIA) terms. Within the NPS and NPPF, impacts affecting the significance of heritage assets are considered in terms of harm and there is a requirement to determine whether the level of harm amounts to 'substantial harm' or 'less than substantial harm'. There is no direct correlation between the significance of effect as reported in this ES and the level of harm caused to heritage significance. A major significant effect on a heritage asset would, however, more often be the basis by which to determine that the level of harm to the significance of the asset would be substantial. A moderate significant effect is unlikely to meet the test of substantial harm and would therefore more often be the basis by which to determine that the level of harm to the significance of the asset would be less than substantial. Determining the level of harm to the significance of an asset arising from development impact is based on professional judgement and undertaken on a case-by-case basis. As outlined in the Planning Statement (**Document Reference 5.1**) [REP2-017] the effects of the Project on designated heritage assets are considered to constitute less than substantial harm.

	Paragraph 5.8.15 states: Any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss. Where the application will lead to substantial harm to or total loss of significance of a designated heritage asset the IPC should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that loss or harm.	Adopted EN-1 paragraph 5.8.15 not replaced in draft EN-1	With regards to archaeology and cultural heritage, likely significant effects have been identified on the following heritage assets: deep sequences of organic deposits of probable prehistoric date (with potential to contain associated archaeology), the site of a World War 2 searchlight near Neap House, archaeological features identified by desk-based analysis and geophysical survey on the site of the proposed Gas AGI/substation site to the east of Flixborough Industrial Estate, the setting of the 'Flixborough Nunnery' scheduled monument and the Axholme Fens HLCA. These impacts are considered within ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12**) [REP4-011]. Following the completion of archaeological surveys and trial trench evaluations, an updated Archaeological Impact Assessment (**Document Reference 9.38)** and Overarching Archaeological Mitigation Strategy (**Document Reference 9.39)** has been submitted at Deadline 9)and updates, where necessary, the likely significant effects of the Project on archaeological and cultural heritage features. As summarised in the Planning Statement (**Document Reference 5.1**) [REP2-017] the effects of the Project on designated heritage assets are considered to constituteless than substantial harm.

	NA	New Paragraph 5.9.29 states: Where the proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset the Secretary of State should refuse consent unless it can be demonstrated that the substantial harm to or loss of significance is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply: • the nature of the heritage asset prevents all reasonable uses of the site • no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation • conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible • the harm or loss is outweighed by the benefit of bringing the site back into use New Paragraph 5.9.31 states: • In weighing applications that directly or indirectly affect non-designated heritage assets, a balancedjudgement will be required having regard tothe scale of any harm or loss and the significance of the heritage asset.	With regards to archaeology and cultural heritage, likely significant effects have been identified on the following heritage assets: deep sequences of organic deposits of probable prehistoric date (with potential to contain associated archaeology), the site of a World War 2 searchlight near Neap House, archaeological features identified by desk-based analysis and geophysical survey on the site of the proposed Gas AGI/substation site to the east of Flixborough Industrial Estate, the setting of the 'Flixborough Nunnery' scheduled monument and the Axholme Fens HLCA. These impacts are considered within ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12**) [REP4-011]. Following the completion of archaeological surveys and trial trench evaluations, an updated Archaeological Impaxt Assessment (**Document Reference 9.38)** and Overarching Archaeological Mitigation Strategy (**Document Reference 9.**39) has been submitted at Deadline 9 and updates, where necessary, the likely significant effects of the Project on archaeological and cultural heritage features. As summarised in the Planning Statement (**Document Reference 5.1**) [REP2-017] the effects of the Project onthese designated heritage assets are considered to constitute less than substantial harm.

	Paragraph 5.8.16 states: Not all elements of a World Heritage Site or Conservation Area will necessarily contribute to its significance. The policies set out in paragraphs 5.8.11 to 5.8.15 above apply to those elements that do contribute to the significance. When considering proposals the IPC should take into account the relative significance of the element affected and its contribution to the significance of the World Heritage Site or Conservation Area as a whole.	Paragraph 5.9.32 (replaces adopted EN-1 paragraph 5.8.16) Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm or less than substantial harm under paragraph 5.9.29 or less than substantial harm under paragraph 5.9.30, as appropriate, considering the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	Conservation areas are considered within ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12)** [REP4-011].
	Paragraph 5.8.17 states: Where loss of significance of any heritage asset is justified on the merits of the new development, the IPC should consider imposing a condition on the consent or requiring the applicant to enter into an obligation that will prevent the loss occurring until it is reasonably certain that the relevant part of the development is to proceed.	Adopted EN-1 paragraph 5.8.17 not replaced in draft EN-1	With regards to archaeology and cultural heritage, likely significant effects have been identified in ES Chapter 12 Archaeology and Cultural Heritage (**Document Reference 6.2.12**) [REP4-011] likely significant effects have been identified on the following heritage assets: deep sequences of organic deposits of probable prehistoric date (with potential to contain associated archaeology), the site of a World War 2 searchlight near Neap House, archaeological features identified by desk-based analysis and geophysical survey on the site of the proposed Gas AGI/substation site to the east of Flixborough Industrial Estate, the setting of the 'Flixborough Nunnery' scheduled monument and the Axholme Fens HLCA. Following the completion of archaeological surveys and trial trench evaluations, an updated Archaeological Impact Assessment (**Document Reference 9.38)** and Overarching Archaeological Mitigation Strategy (**Document Reference 9.39** has been submitted at Deadline 9 and updates, where necessary, the likely significant effects of the Project on archaeological and cultural heritage features.

			It is acknowledged that the Secretary of State may consider imposing a condition on the consent or require the applicant to enter into an obligation that will prevent the loss occurring (of significance of any heritage asset) until it is reasonably certain that the relevant part of the development is to proceed.
	Paragraph 5.8.18 states: When considering applications for development affecting the setting of a designated heritage asset, the IPC should treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the IPC should weighany negative effects against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	Paragraph 5.9.34 (replaces adopted EN-1 paragraph 5.8.18) When considering applications for development affecting the setting of a designated heritage asset, the Secretary of State should give appropriate weight to the desirability of preserving the setting such assets and treat favourably applications that preserve those elements ofthe setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the Secretary of State shouldgive great weight to any negative effects, when weighing them against the wider benefits of the application. The greater the negative impact on the significance of the designated heritage asset, the greater the benefits that will be needed to justify approval.	The design of the Project includes a number of mitigation measures. A mitigation plan is included in Section 7 of ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12**) [REP4-011], and may be modified following completion of evaluation surveys as set out in Appendix E and F of this Chapter. Enhancement proposals are also set out in section 9.4 of ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12**) [REP4-011]. These proposalsinclude improvements to management and information sharing for the public and a programme of public engagement. This programme of enhancement is secured by Requirement 11 of the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9].
	Paragraph 5.8.19 states: A documentary record of our past is not as valuable as retaining the heritage assets and therefore the ability to record evidence of the asset should not be a factor in deciding whether consent should be given.	Paragraph 5.9.316(no changes to adoptedEN-1 paragraph 5.8.19).	ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12**) [REP4-011] presents the results of an assessment of potential effects on heritage assets resulting from the Project.

	Paragraph 5.8.20 states: Where the loss of the whole or a material part of a heritage asset's significance is justified, the IPC should require the developer to record and advance understanding of the significance of the heritage asset before it is lost. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should be required to publish this evidence and deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it.	Paragraph 5.9.17 (no change to adopted EN-1 para 5.8.20)	Geotechnical monitoring within the Site has been undertaken (stages 1 and 2 to date) with the aim of producing a site archive for deposition with an appropriate local museum service and to provide information for accession to the Lincolnshire Historic Environment Record (LHER).
	Paragraph 5.8.21 states: Where appropriate, the IPC should impose requirements on a consent that such work is carried out in a timely manner in accordance with a written scheme of investigation.	Paragraph 5.9.17 adds to adopted EN-1 paragraph 5.8.21: Where the loss of the whole or part of a heritage asset's significance is justified, the Secretary of State will require the applicant to record and advance understanding of the significance of the heritage asset before it is lost (wholly or in part). The extent of the requirement should be proportionate to the asset's importance and significance and the impact. The applicant should be required to publish this evidence and to deposit copies of the reports with the relevant Historic Environmental Record. They should also be required to deposit the archive generated in a local museum or other public repository willing to receive it.	Requirement 11 detailed in the Draft DCO (**Document Reference. 2.1**)) [Revision 7 submitted at Deadline 9] outlines the requirement for theDeveloper to ensure that work is carried out in a timely manner in accordance with a written scheme of investigation. Further updates have been made to Requirement 11 of the Draft DCO (**Document Reference. 2.1**)) [Revision 7 submitted at Deadline 9] following discussions with North Lincolnshire Council.

	Paragraph 5.8.22 states: Where the IPC considers there to be a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the IPC should consider requirements to ensure that appropriateprocedures are in place for the identification and treatment of such assets discovered during construction	Adopted EN-1 paragraph 5.8.22 is not replaced in draft EN-1	The potential presence of significant buried archaeology as well as potential impacts on listed buildings and scheduled monuments is recognised and is fully addressed in ES Chapter 12: Archaeology and Cultural Heritage **(Document Reference 6.2.12**) [REP4-011] and an extensive programme of archaeological surveys (geoarchaeological work, geophysical survey and trial trenching) has been agreed in principle in discussion with North Lincolnshire Council. Reports of this work are included in Appendix A (Figures), Appendix C (Geoarchaeological Watching Brief and Deposit Model) and Appendix D (Geophysical Survey Report) of ES Chapter 12: Archaeology and Cultural Heritage (**Document Reference 6.2.12**) [REP4-011]. Requirement 11 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] provides that no part of the development is to commence until the undertaker has completed a sequence of measures for that part of the authorised development, which includes commissioning a programme of exploratory archaeological investigation of areas within the Order Limits that provides for the identification an evaluation of the extent, character and significance of archaeological remains in any areas of the Order Limits where previous evaluation investigations have not taken place or are incomplete.

Landscape and Visual	Paragraph 5.9.5 states: The applicant should carry out a landscape and visual assessment and report it in the ES. The LVIA should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents.	Paragraphs 5.10.15 and 5.10.16 replace Paragraph 5.9.5 or adopted EN-1: The applicant should carry out a landscape and visual impact assessment and report it in the ES, including cumulative effects (see Section 4.2), Several guides have been produced to assist in addressing landscape issues. 5.10.16 The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take into account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales.	An assessment of the potential landscape and visual impacts associated with the construction and operation of the Project has been carried out and is presented in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. The Chapter outlines the relevant landscape character assessments and related studies at a national and local level. Section 2.3 details the key local planning policies considered of particular relevance and explains the objectives of these policies have informed the development of mitigation measures, as described in Section 7 of the Chapter.
	Paragraph 5.9.6 states: The applicant's assessment should include the effects during construction of the project and the effects of the completed development and its operation on landscape components and landscape character.	Paragraph 5.10.19 (replaces paragraph 5.9.6 of adopted EN-1). The assessment should include the effects on landscape components and character during construction and operation.	An assessment of the potential landscape and visual impacts associated with the construction and operation of the Project has been carried out and is presented in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059].
	NA	Additional paragraph 5.10.21 added: The assessment should also demonstrate how noise and light pollution, and other emissions from construction and operational activities on residential amenity and on sensitive locations, receptors and views, will beminimised.	The impact of night-time lighting presented in the Indicative Lighting Strategy at Annex 4 of the ES (**Document Reference 6.3.4**) [APP-071] on views from nearby receptors has been considered in the Landscape and Visual Impact Assessment (LVIA) in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. Mitigation measures are proposed that will further reduce the visibility of external lighting.

			Noise impacts are assessed in ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006].
	Paragraph 5.9.7 states: The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include lightpollution effects, including on local amenity, and nature conservation.	Paragraphs 5.10.20 (no change to paragraphs 5.9.7 of adopted EN-1).	An assessment of the potential landscape and visual impacts associated with the construction and operation of the Project has been carried out and is presented in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. The assessment includes light pollution effects on local amenity. The impacts of artificial lighting on nature conservation interests are outlined in ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [APP-058].
	Paragraph 5.9.8 states: Landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate.	Adopted EN-1 paragraph 5.9.8 not replaced in draft EN-1	The existing character of the local landscape is discussed in Section 6 of ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. The approach to determining the value of the local landscape is considered in Section 5.2. Effects on landscape character are assessed in Section 8.1 with reference to the susceptibility of the landscape to the change proposed, and the value placed on the landscape. The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of howthe design of the Project has evolved in the lead-up to submission of the Application. Furthermore, the individual chapters of the ES explain how the Project has been designed, including the mitigation embedded in its design,to minimise and mitigate impacts. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008] compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9].

	Paragraph 5.9.9 states National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC should have regard toin its decision. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas.	5.10.31 (replaces paragraph5.9.9 of adopted EN-1). When considering applications for development within National Parks, the Broads and Areas of Outstanding Natural Beauty the conservation and enhancement of the natural beauty of the landscape and countryside should be given substantial weight by the Secretary of State in deciding on applications for development consent in these areas.	ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] confirms there are no nationally or locally designated areas within the Application Site or the wider landscape and visual study areas.
	Paragraph 5.9.10 states: Nevertheless, the IPC may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: The need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; The cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.4; and Any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.	Paragraph 5.10.31 (replaces adopted EN-1 paragraph 5.9.10) The Secretary of State may grant development consent in these areas in exceptional circumstances. Such development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: • the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; • the cost of, and scope for, developing all or part of the development elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in Section 4.2; and • any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be	ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] confirms there are no nationally or locally designated areas within the Application Site or the wider landscape and visual study areas.

		moderated.	
	Paragraph 5.9.11 states: The IPC should ensure that any projectsconsented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.	Paragraph 5.10.32 (replaces adopted EN-1 paragraph 5.9.11) The Secretary of State should ensure that any projects consented in these designatedareas should be carried out to high environmental standards, including throughthe application of appropriate requirementswhere necessary.	ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] confirms there are no nationally or locally designated areas within the Application Site or the wider landscape and visual study areas.
	Paragraph 5.9.12 states: The duty to have regard to the purposesof nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoidcompromising the purposes of designation and such projects should bedesigned sensitively given the various siting, operational, and other relevant constraints. This should include projectsin England which may have impacts on National Scenic Areas in Scotland.	Paragraphs 5.10.33 (replaces paragraph 5.9.12 of adopted EN-1). The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them.	ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] confirms there are no nationally or locally designated areas within the Application Site or the wider landscape and visual study areas.

	Paragraph 5.9.13 states: The fact that a proposed project will be visible from within a designated area should not in itself be a reason for refusing consent.	Paragraphs 5.10.33 (no change to paragraphs 5.9.13 of adopted EN-1).	ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] confirms there are no nationally or locally designated areas within the Application Site or the wider landscape and visual study areas.
	Paragraph 5.9.14 states: Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation.	Paragraphs 5.10.11 (no change to paragraphs 5.9.14 of adopted EN-1). Outside nationally designated areas, there are local landscapes that may be highly valued locally. Where a local development document in England or a local development plan in Wales has policies based on landscape or waterscape character assessment, these should be paid particular attention. However, locally valued landscapes should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.	ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] confirms there are no nationally or locally designated areas within the Application Site or the wider landscape and visual study areas.
	Paragraph 5.9.15 states:The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The IPC should judge whether any adverse impact on the landscape would be so damaging that itis not offset by the benefits (including need) of the project.	Paragraphs 5.10.34 (no change to paragraphs 5.9.15 of adopted EN-1).	ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] establishes the likely effects of the Project on receptors within the Landscape and Visual Study Areas in terms of changes to landscape character and visual amenity. Whilst the Project will result in some significant adverse effects, the proposed mitigation reduces all significant adverse effects on landscape character and visual amenity by year 15, with the exception of just 2 Viewpoints. Whilst residual negative effects have been assessed, in response to the need to consider landscape and visual harm versus benefits, section 5.9 of the Planning Statement (**Document Reference 5.1**) [REP2-017]. considers, on balance, that the residual landscape and visual impacts of the Project do not outweigh the significant national and regional benefits of the Project overall. The benefits and need of the Project are outlined in Sections 4 and 7.2 of the Planning Statement (**Document Reference 5.1**) [REP2-017].

	Paragraph 5.9.16 states: In reaching a judgment, the IPC should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the IPC considers reasonable.	Paragraphs 5.10.35 (no change to paragraphs 5.9.16 of adopted EN-1).	The duration and reversibility of all effects are considered as part of the impact assessment provided in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059].
	Paragraph 5.9.17 states: The IPC should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation.	Paragraphs 5.10.36 (no change to paragraphs 5.9.17 of adopted EN-1).	Mitigation is discussed in Section 7 of ES Chapter 11: Landscape and Visual Impact **(Document Reference 6.2.11**) [APP -59]. The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of howthe design of the Project has evolved in the lead-up to submission of the Application. Furthermore, the individual chapters of the ES explain how the Project has been designed, including the mitigation embedded in its design, to minimise and mitigate impacts. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008], compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive landscape features and visual receptors. The CEMP will be produced by the construction contractor in accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]. Indicative Landscape and Biodiversity Plans (**Document Reference 4.10**) [REP3-007] have been developed that incorporates measures to integrate the Project into the receiving landscape. A Landscape and Biodiversity Management and Monitoring

			Plan (LBMMP) will be prepared for the Project in accordance with the Outline LBMMP (**Document Reference 5.7**) [REP6-012]. This will include details of the creation, enhancement and ongoing management of habitats, including woodland, hedgerow and other landscape features.
	Paragraph 5.9.18 states: All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The IPC will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project.	Adopted EN-1 paragraph 5.9.18 not replaced in draft EN-1	The Landscape and Visual Assessment provided in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] establishes the likely effects of the Project on receptors within the Landscape and Visual Study Areas in terms of changes to landscape character and visual amenity. Whilst the Project will result in some significant adverse effects, the proposed mitigation reduces all significant adverse effects on landscape character and visual amenity by year 15, with the exception of just 2 Viewpoints. Whilst residual negative effects have been assessed, in response to the need to consider landscape and visual harm versus benefits, section 5.9 of the Planning Statement (**Document Reference 5.1**) [REP2-017]. considers, on balance, that the residual landscape and visual impacts of the Project do not outweigh the significant national and regional benefits of the Project overall. The benefits and need for the Project are outlined in Sections 4 and 7.2 of the Planning Statement (**Document Reference 5.1**) [REP2-017].
	Paragraph 5.9.19 states: It may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are aware of with a similar magnitude of impact on sensitive receptors. This may assist the IPC in judging the weight it should give to the assessed visual impacts of the proposed development.	Paragraph 5.10.24 (no changes to adopted EN-1 paragraph 5.9.19).	No examples of existing permitted infrastructure with a similar magnitude of impact on sensitive receptors has been provided in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059].

	Paragraph 5.9.20 states: The IPC should ensure applicants have taken into account the landscape and visual impacts of visible plumes from chimney stacks and/or the cooling assembly. It may need to attach requirements to the consent requiring the incorporation of particular design details that are in keeping with the statutory and technical requirements.	Adopted EN-1 paragraph 5.9.20 not replaced in draft EN-1	The predicted adverse effects on views are set out in Section 8.2 ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. This assessment takes account of visible plumes from the ERF stack.
	Paragraph 5.9.21 states: Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint andreduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the IPC may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function	Paragraph 5.10.25 (no change to adopted EN-1 paragraph 5.9.21)	The scale of the Project and its components is necessary to deliver the electricity generation output that it will produce. The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008],compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7 submited at Deadline 9]. It should be noted that the LVIA has been based on a set of maximum parameters which considers a worst-case scenario. As such, there may be scope for some scale reduction at detailed design, however this will only be in the context of still maintain the planned electricity generation output. Any further reduction in scale which would result in loss of electricity generation output would not warrant the loss of the electricity generation output and the contribution that would make to the achievement of the Government's objectives and commitments to the energy system and combating climate change.

	Paragraphs 5.9.22 states: Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes, depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration.	Paragraphs 5.10.26 (no change to paragraph 5.9.22 of adopted EN-1).	Mitigation is discussed in Section 7 of ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008],compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. Indicative Landscape and Biodiversity Plans (**Document Reference 4.10**) [REP3-007] have been developed that incorporates measures to integrate the Project into the receiving landscape. A Landscape and Biodiversity Management and MonitoringPlan (LBMMP) will be prepared for the Project in accordance with the Outline LBMMP (**Document Reference 5.7**) [REP6-012]. This will include details of the creation, enhancement and ongoing management of habitats, including woodland, hedgerow and other landscape features.

	Paragraph 5.9.23 states: Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.	Paragraphs 5.10.27 (no change to paragraph 5.9.23 of adopted EN-1).	Mitigation is discussed in Section 7 of ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. Indicative Landscape and Biodiversity Plans (**Document Reference 4.10)** [REP3-007] have been developed that incorporates measures to integrate the Project into the receiving landscape. No landscaping is proposed outside of the Order Limit; however, it should be noted that the Order Limits extend beyond the main operational facilities, eg ERF, CBMF, PRF. As such, while no landscaping is proposed outside of the Order Limits, it is proposed beyond the operational process areas.
Land Use, Including Open Space, Green Infrastructure, and Green Belt	Paragraph 5.10.6 states: Applicants will need to consult the local community on their proposals to build on open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and	Paragraph 5.11.9 (no change to adopted EN-1 paragraph 5.10.6).	The Consultation Report (**Document Reference 7.1**) [APP-076] details the extensive pre-application consultation undertaken in preparing the Application. ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] details that during construction of the Project there will be a direct impact on two separate areas of Atkinson's Warren open space, namely: Atkinson's Warren LNR north and south ofthe A1077 (total area of LNR is 77.95ha); and Atkinson's Warren south of the A1077 (total area of open space is 11.64ha). Access to these areas will however be maintained during construction via Footpath FLIX175 and therefore any impact is considered to be negligible. In terms of operational impacts, ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**)

	recreational buildings and land is surplus to requirements.		[Revision 2 submitted at Deadline 9] details there are no areas of open space considered likely to experience significant direct effects during the operation of the Project. The new area of wetland habitat to be created to the west of the new accessroad will contain a number of informal paths that allow access and facilitate physical activity, play, and relaxation through improved quality and access to open space/nature for both local residents and people working at the Energy Park and Flixborough Industrial Estate. These informal paths will link to the existing PROW network and provide connectivity to other areas of open space. Proposed management and maintenance arrangements for these areas are detailed in the oLBMMP (**Document Reference 5.7**) [REP6-012]. Overall, there will be a moderate positive benefit associated with access to increased areas of open space, which is significant. No direct operational effects on recreational facilities are anticipated.
	Paragraph 5.10.8 states: Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures proposed. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination. For developments on previously developed land, applicants should ensure that they have considered therisk posed by land	Paragraph 5.11.12 (adds to paragraph 15.10.8 of adopted EN-1): Applicants are encouraged to develop and implement a Soil Management Plan which could help minimise potential land contamination. The sustainable reuse of soils needs to be carefully considered in line with good practice guidance where large quantities of soils are surplus to requirements or are affected by contamination.	ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the impact of the Project in economic, community and land useterms. In particular it assesses the impact of the project on agricultural land. Following discussions during the examination period, ES Chapter 14: Economic, Communityand Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] was updated at deadline 6. An assessment of the long-term effects on agricultural land and soils is provided in Appendix B, Section 5. The assessment focused on the operational land for the Project in terms of the following categories of use: ■where agriculture will be retained as the main land use and main functioning as agricultural land; ■ where soils will remain in a functional state for a range of ecosystem services but not for agricultural production, i.e. the land use will change for landscaping and wetlands, etc.; and

	contamination.		■ where soils and agricultural land will be permanently lost to water bodies used as part of the operational surface water management infrastructure and the built development (buildings, hardstandings and roads). Table 19 summarises the agricultural land use change for each of the above categories by grade of land quality. In respect of agricultural land, ES Chapter 14: Economic, Communityand Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] concludes that, during operation, the effects on land and soils of the landscaping and biodiversity enhancement areas will be not significant as will the effects on land that will remain in agricultural use. Effects of major significance will occur for the BMV agricultural land and soils occupied by built infrastructure; however taken in a regional context and considering beneficial effects on land and soils based on the provision of a range of soil functions and ecosystem services the overall effects is assessed as not significant . As part of the Project lies on previously developed land, ES Chapter 8: Ground Conditions, Contamination and Hydrogeology (**Document Reference 6.2.8**) [APP-097] addresses the potential effects of the Project on land contamination considering effects to and from any existing contamination and also any potential to cause contamination).
	Paragraph 5.10.9 states: Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place.	Paragraph 5.11.19 (no change to adopted EN-1 paragraph 5.10.9).	ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] details that The Conesby (Yorkshire East) Quarry SSSI is designated on the basis of its geological value. The most southern edge overlaps (0.13 ha) with the Order Limits of the Railway Reinstatement Land, at the eastern edge of the railway. In terms of non-statutory sites, seven Local Geological Sites (LGS) and one Regionally Important Geological Site

			(RGS) have been identified within 2km of the Order Limits. It is considered the Project is unlikely to impact on important geology sites.
	Paragraph 5.10.13 states: Where the project conflicts with a proposal in a development plan, the IPC should take account of the stage which the development plan document in England or local development plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented or precluded. The closer the development plan document in Englandor local development plan in Wales is tobeing adopted by the LPA, the greater weight which can be attached to it.	Adopted EN-1 paragraph 5.10.13 is not replaced in draft EN-1	Table 6.1 of the Planning Statement (**Document Reference 5.1**) [REP2-017] demonstrates that there is broadcompliance with the development plan and emerging policies and overall, no material conflict between the Project and relevant key policies contained within the North Lincolnshire Local Plan (2003), Saved Policies (2007), the North Lincolnshire Local Development Framework Core Strategy or the North Lincolnshire emerging Local Plan (Submission Draft).

	Paragraph 5.10.14 states: The IPC should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the IPC determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location.	Paragraph 5.11.32 and 5.11.33 (no change to adoptedEN-1 paragraph 5.10.14).	The Project will not impact any sports and recreational buildings or result in a loss of playing fields. ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the impact of the Project in economic, community and land useterms. The Chapter details that there is one area of land within the Application Land, Atkinson's Warren LNR, to which the public have access as 'open space' as defined inthe North Lincolnshire Open Space Study. During construction of the Project there will be a direct impact on two separate areas of Atkinson's Warren open space, namely: Atkinson's Warren LNR north and south of the A1077 (total area of LNR is 77.95ha); and Atkinson's Warren south of the A1077 (total area of open space is 11.64ha). Access to these areas will however be maintained during construction via Footpath FLIX175 and therefore any impact is considered to be negligible. No direct construction effects on recreational facilities are anticipated. In terms of operational impacts, ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] details there are no areas of open space considered likely to experience significant direct effects during the operation of the Project. The new area of wetland habitat to be created to the west of the new accessroad will contain a number of informal paths that allow access and facilitate physical activity, play, and relaxation through improved quality and access to open space/nature for both local residents and people working at the Energy Park and Flixborough Industrial Estate. These informal paths will link to the existing PROW network and provide connectivity to other areas of open space. Proposed management and maintenance arrangements for these areas are detailed in the Outline LBMMP (**Document Reference 5.7**) [REP6-012].

			No direct operational effects on recreational facilities are anticipated.
	Paragraph 5.10.15 states: The IPC should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy.	Paragraph 5.11.34 (no change to adopted EN-1 paragraph 5.10.15). The Secretary of State should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. Where schemes are to be sited on best and most versatile agricultural land the Secretary of State should take into account the economic and other benefits of that land. Where development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.	ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the impact of the Project in economic, community and land useterms. In particular it assesses the impact of the project on agricultural land. Following discussions during the examination period, ES Chapter 14: Economic, Communityand Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] was updated at deadline 6. An assessment of the long-term effects on agricultural land and soils is provided in Appendix B, Section 5. The assessment focused on the operational land for the Project in terms of the following categories of use: ■where agriculture will be retained as the main land use and main functioning as agricultural land; ■ where soils will remain in a functional state for a range of ecosystem services but not for agricultural production, i.e. the land use will change for landscaping and wetlands, etc.; and ■ where soils and agricultural land will be permanently lost to water bodies used as part of the operational surface water management infrastructure and the built development (buildings, hardstandings and roads). Table 19 summarises the agricultural land use change for each of the above categories by grade of land quality. In respect of agricultural land, ES Chapter 14: Economic, Communityand Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] concludes that, during operation, the effects on land and soils of the landscaping and biodiversity enhancement areas will be not significant as will the effects on land that will remain in agricultural use. Effects of major significance will occur for the BMV agricultural land and soils occupied by built infrastructure;

			however taken in a regional context and considering beneficial effects on land and soils based on the provision of a range of soil functions and ecosystem services the overall effects is assessed as not significant . The site selection process undertaken by the Applicant is described in section 9.4 of ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018].
	Paragraphs 5.10.19 States: Although in the case of much energy infrastructure there may be little that canbe done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some at least of that use can still be retained post project construction). Applicants should seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project.	Paragraphs 5.11.23 (adds to adoptedEN-1 paragraphs 5.10.19 Applicants should seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project and the protection of soils during construction.	The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008],compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7submitted at Deadline 9]. The design process regarding the layout of the Project isexplained in ES Chapter 3, Project Description and Alternatives, section 9.6, (**Document Reference 6.2.3**) [REP6-018].
	Paragraph 5.10.20 state: Where green infrastructure is affected, the IPC should consider imposing requirements to ensure the connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible,to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to new coastal access routes.	Paragraphs 5.11.24 (no change to adopted EN-1 paragraphs 5.10.20	ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the impact of the Project in economic, community and land useterms and concludes that no adverse significant economic, community and land use effects have been identified duringconstruction or operation of the Project.

	Paragraph 5.10.21 states: The IPC should also consider whether mitigation of any adverse effects on green infrastructure and other forms of open space is adequately provided for by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality and, where possible, at least as accessible. Alternatively, where Sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections.	Paragraph 5.11.25 (replaces adopted EN-1 paragraph 5.10.21) The Secretary of State should also considerwhether any adverse effects on green infrastructure and other forms of open space is adequately mitigated or compensated by means of any planning obligations, for example exchange land andprovide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality, and accessibility. Alternatively, where sections 131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform tothe requirements of those sections.	ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the impact of the Project in economic, community and land useterms and concludes that no adverse significant economic, community and land use effects have been identified duringconstruction or operation of the Project.
	Paragraph 5.10.24 Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The IPC should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails and other rights of way. Where this is not the case the IPC should consider what appropriate mitigation requirements might be attached to any grant of development consent.	Paragraphs 5.11.30 and 5.11.31 (amends paragraph 5.10.24 of adopted EN-1): Public Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The Secretary of State should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails, other rights of way and open access land and, where appropriate, to consider what opportunities there may be to improve or create new access. In considering revisions to an existing right of way, consideration should be given to the use, character, attractiveness and convenience of the right of way. The Secretary of State should consider whetherthe mitigation measures put forward by an applicant are acceptable and whether requirements or other provisions in respectof these measures should be included	ES Chapter 14, Economic, Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the impact of the Project in economic, community and land useterms and concludes no significant direct adverse effects on PRoWs have been identified during construction. In terms of operational impacts, there are no PROWs considered likely to experience direct effects during the operation of the Project. Replacement level crossing provision is to be made for FP FLIX175 and FP FLIX178 which will reinstate the PRoW network in the local area. The at grade crossing of FP FLIX175 will be upgraded and a new pedestrian bridge will be provided on FP FLIX178 to the south east ofFlixborough. FP SCUN175 will be reinstated, and surfaces made good post construction. There will be no operational impacts on the use and amenity of FP SCUN175.

		in any grant of development consent.	The Project also includes a number of new footpaths,
Noise and Vibration	Paragraph 5.11.1 States: Excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance) and use and enjoyment of areas of value such as quiet places and areas with high landscape quality. The Government's policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to assessment of impacts of vibration.	Paragraphs 5.12.1 and 5.12.2 (no change to adoptedEN-1 paragraph 5.11.1).	ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006] presents the results of the assessment of noise and vibration from the construction and operation of the Project.
	Paragraph 5.11.2 States: Noise resulting from a proposed development can also have adverse impacts on wildlife and biodiversity. Noise effects of the proposed development on ecological receptors should be assessed by the IPC in accordance with the Biodiversity and Geological Conservation section of this NPS	Paragraph 5.12.4 (adds to adoptedEN-1 paragraph 5.11.2). Underwater noise can be a significant issue in the marine environment, particularly in regard to energy production.	Section 8 of ES Chapter 10, Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] provides an assessment of the likely impacts and effects ofnoise on relevant ecological features. The potential for disturbance (noise/vibration/visual) to qualifying interest bird features of the Humber Estuary SPA and Ramsar during construction and operation has been considered in Sections 4.5.1, 4.5.2, 4.5.3 and Section 5.3.1 of the Report to inform the Habitats Regulations Assessment (**Document Reference 5.9**) [which will be further updated prior to the close of the Examination].

	Paragraph 5.11.3 Factors that will determine the likely noise impact include: • the inherent operational noise from the proposed development, and its characteristics; • the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces); • the proximity of the proposed development to quiet places and other areas that are particularly valued for their acoustic environment or landscape quality; and the proximity of the proposed development to designated sites • where noise may have an adverse impact on protected species or other wildlife.	Paragraph 5.12.5 (no change to adopted EN-1 paragraph 5.11.3).	Section 5 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006] details the methodology and significancecriteria used to determine the likely noise impacts from theProject. Section 6 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006] details the baseline noise environment and receptors identified around the Project, including the nearby villages of Amcotts and Flixborough. Section 8 of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] provides an assessment of the likely impacts and effects ofnoise on relevant ecological features.
	Paragraph 5.11.4 states: Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment: • a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise; • identification of noise sensitive premises and noise sensitive areas that may be affected; • the characteristics of the existing noise environment;	Paragraph 5.12.6 (no change to adopted EN-1 paragraph 5.11.4).	Descriptions of noise generating aspects of the Project, together with assessment of construction and operational noise and vibration impacts are presented in Sections 4 and 8 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006]. Noise Sensitive Receptors (NSR) including proximity of any Noise Important Areas (NIA) are identified in Table 12 and Figure 1 in Appendix A of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006]. Information relating to the existing noise environment is presented in Section 6 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006]. The mitigation of construction and operational noise is

	• a prediction of how the noise environment will change with the proposed development;
	  • in the shorter term such as during the construction period;
	  • in the longer term during the operating life of the infrastructure;
	• at particular times of the day, evening and night as appropriate.
	• an assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas; and measures to be employed in mitigating noise.
			discussed in Section 7 and residual effects are discussed in Section 9 of Chapter 7, Noise of the ES (**Document Reference 6.2.7**) [REP8-006].
			
			Section 8 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006] predicts the construction and operationalnoise levels at sensitive receptors during daytime and night-time hours.
			
			The mitigation of construction and operational noise is discussed in Section 7 and residual effects are discussed in Section 9 of Chapter 7, Noise of the ES (**Document Reference 6.2.7**) [REP8-006].
			
			Section 8 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006] predicts the construction and operationalnoise levels at sensitive receptors during daytime and night-time hours.

	Paragraph 5.11.5 states: The noise impact of ancillary activities associated with the development, suchas increased road and rail traffic movements, or other forms of transportation, should also be considered.	Paragraph 5.12.8 (no change to adopted EN-1 paragraph 5.11.5).	Potential construction and operational related road and rail-traffic noise effects have been assessed in Sections 8.3, 8.4, 8.6 and 8.7 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006]. The operation of the wharf (including the presence of a vessel) has been assessed in Section 8.5.
	Paragraph 5.11.6 states: Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards137 and other guidance. Further information on assessment of particular noise sources may be contained in the technology-specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British	Paragraph 5.12.9 (no change to adopted EN-1 paragraph 5.11.6).	Potential operational noise effects on human NSRs are presented in Section 8 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006]. The appropriate standards that have been used to assess the noise are described in Section 5.

	Standards138 and other guidance which also give examples of mitigation strategies.		
	Paragraph 5.11.7 states: The applicant should consult EA and Natural England (NE), or the Countryside Council for Wales (CCW),as necessary and in particular with regard to assessment of noise on protected species or other wildlife. Theresults of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account.	NA	Section 8 of ES Chapter 10, Ecology and Nature Conservation (**Document Reference 6.2.10**) [Revision 1 to be submitted by the close of Examination] provides an assessment of the likely impacts and effects ofnoise on relevant ecological features. The potential for disturbance (noise/vibration/visual) to qualifying interest bird features of the Humber Estuary SPA and Ramsar during construction and operation has been considered in Sections 4.5.1, 4.5.2, 4.5.3 and Section 5.3.1 of the Report to inform the Habitats Regulations Assessment (**Document Reference 5.9**) [which will be further updated prior to the close of the Examination]. Discussions have continued with Natural England during the examination in relation to noise and vibration impacts of the Project on ecological receptors – details of which are provided in the SoCG.
	Paragraphs 5.11.8 The project should demonstrate good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bundsor noise barriers to reduce noise transmission.	Paragraphs 5.12.15 and 5.12.16 (no change to adoptedEN-1 paragraphs 5.11.8).	The Design and Access Statement (DAS) (**Document Reference 5.3**) REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008],compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [REP-004]. Design mitigation measures in relation to noise and vibration matters, including embedded mitigation that has been integrated in the design of the Project, are set out in Section 7 of ES Chapter 7, Noise (**Document Reference 6.2.7**) [REP8-006].

			A tabulated summary of mitigation measures for the Projectis also presented in ES Chapter 19 Mitigation (**Document Reference 6.2.19**) [REP8-009].
	Paragraph 5.11.9 States: The IPC should not grant development consent unless it is satisfied that the proposals will meet the following aims: avoid significant adverse impacts on health and quality of life from noise; • mitigate and minimise other adverse impacts on health and quality of life from noise; and • where possible, contribute to improvements to health and quality of life through the effective management and control of noise.	Paragraph 5.12.17 (no change to adoptedEN-1 paragraphs 5.11.9).	Section 8 of ES Chapter 7, Noise (**Document Reference 6.2.7**) [REP8-006] describe the likely significant effects of theconstruction and operation of the Project. Significant noise impacts are predicted through ES Chapter7, Noise (**Document Reference 6.2.7**) [REP8-006] and suitable mitigation and management measures are incorporated into the Project design to reduce these. A tabulated summary of mitigation measures for the Project is also presented in ES Chapter 19 Mitigation (**Document Reference 6.2.19**) [REP8-009]. Whilst this is the case, opportunities have been explored and taken with regard to the Project design to reduce the noise effect of the Project so far as feasible. Suitable measures inplace include the implementation of a CEMP and adherence to a Construction Noise and Vibration Management Plan which will be implemented before the development becomes operational (as secured by Requirement 4 of the draft DCO (**DocumentReference 2.1**) [Revision 7 submitted at Deadline 9]. The Operational Environmental Management Plan (OEMP) (**Document Reference 6.3.8**) [REP8-010] contains the necessary inspection and monitoring measures to demonstrate that mitigation measures are implemented properly, in a timely manner and work as anticipated and includes a Noise Management. The provision of a detailed OEMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. Any further mitigation measures will be explored during detailed design to seek to reduce predicted significant noise effects which are reported in the ES

	Paragraph 5.11.10 states: When preparing the development consent order, the IPC should consider including measurable requirements or specifying the mitigation measures to beput in place to ensure that noise levels do not exceed any limits specified in thedevelopment consent.	Paragraph 5.12.18 (adds to adopted EN-1 paragraph 5.11.10): These requirements or mitigation measuresmay apply to the construction, operation, and decommissioning of the energy infrastructure development.	During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be produced by the construction contractor in accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) .[Revision 6 submitted at Deadline 9]. A Construction Noise and Vibration Management Plan will be implemented before the development becomes operational (as secured by Requirement 4 of the draft DCO (**Document Reference2.1**) [Revision 7 submitted at Deadline 9]. The Operational Environmental Management Plan (OEMP) (**Document Reference 6.3.8**) [REP8-010] contains the necessary inspection and monitoring measures to demonstrate that mitigation measures are implemented properly, in a timely manner and work as anticipated and includes a Noise Management. The provision of a detailed OEMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. In addition to the OEMP, Requirement 22 has been added to Schedule 2 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] which sets limits in relation to operational noise emissions
	Paragraph 5.11.11 states: The IPC should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the IPC may wish to impose requirements. Any such requirements should take account of the guidance set out in Circular 11/95 or any successor to it.	Paragraph 5.12.12 (amends paragraph 5.11.11 of adopted EN-1) to state: Any such mitigation measures should take accountof the guidance set out in the NPPF or any successor to it and planning practice guidance on noise.	During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be produced by the construction contractor in accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]. A Construction Noise and Vibration Management Plan

			which will be implemented before the development becomes operational (as secured by Requirement 4 of the draft DCO (**Document Reference2.1**) [Revision 7 submitted at Deadline 9]. The Operational Environmental Management Plan (OEMP) (**Document Reference 6.3.8**) [REP8-010] contains the necessary inspection and monitoring measures to demonstrate that mitigation measures are implemented properly, in a timely manner and work as anticipated and includes a Noise Management. The provision of a detailed OEMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. In addition to the OEMP, Requirement 22 has been added to Schedule 2 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] which sets limits in relation to operational noise emissions
	Paragraph 5.11.12 states: Mitigation measures may include one or more of the following: • engineering: reduction of noise at point of generation and containment of noise generated; • lay-out: adequate distance between source and noise-sensitive receptors; incorporating good design to minimise noise transmission through screening by natural barriers, or other buildings; and • administrative: restricting activities allowed on the site; specifying acceptable noise limits; and taking into account seasonality of wildlife in nearby	Paragraph 5.12.13 (adds to adoptedEN-1 paragraph 5.11.12) • administrative: using planning conditions/obligations to restrict activities allowed on the site at certain times and/or specifying permissible noise limits/ noise levels, differentiating as appropriate between different times of day, such as evenings and late at night, and taking into account seasonality of wildlife in nearby designated sites • insulation: mitigating the impact on areas likely to be affected by noise including through noise insulation when the impact is on a building.	The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008],compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. Mitigation measures in relation to noise and vibration matters, including embedded mitigation that has been integrated in the design of the Project, are set out in Section 7 of ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006]. A tabulated summary of mitigation measures for the Project is also presented in ES Chapter 19 Mitigation (**Document Reference 6.2.19**) [REP8-009]. During construction, works will be undertaken in line with a

	designated sites.		Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be produced by the construction contractor in accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]. A Construction Noise and Vibration Management Plan which will be implemented before the development becomes operational (as secured by Requirement 4 of the draft DCO (**Document Reference2.1**) [Revision 7 submitted at Deadline 9]. The Operational Environmental Management Plan (OEMP) (**Document Reference 6.3.8**) [REP8-010] contains the necessary inspection and monitoring measures to demonstrate that mitigation measures are implemented properly, in a timely manner and work as anticipated and includes a Noise Management. The provision of a detailed OEMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. In addition to the OEMP, Requirement 22 has been added to Schedule 2 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] which sets limits in relation to operational noise emissions
	Paragraph 5.11.13 states: In certain situations, and only when all other forms of noise mitigation have been exhausted, it may be appropriate for the IPC to consider requiring noise mitigation through improved sound insulation dwellings.	Adopted EN-1 paragraph 5.11.13 not replaced in draft EN-1	ES Chapter 7: Noise (**Document Reference 6.2.7**) [REP8-006] confirms that further mitigation measures will be explored during detailed design to seek to reduce predicted significant noise effects which are reported in the ES

Socio-economic	Paragraph 5.12.2 states: Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see Section 4.2).	Paragraph 5.13.2 (no change to adopted EN-1 paragraph 5.12.2).	ES Chapter 14, Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the impact of the Project in economic, community and land useterms.
	Paragraph 5.12.3 states: This assessment should consider all relevant socio-economic impacts, which may include: a) the creation of jobs and training opportunities; b) the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities; c) effects on tourism; d) the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development; and e) cumulative effects – if development consent were to be granted to for a number of projects within a region	Paragraph 5.13.4 (amends EN-1 paragraph 5.12.3 as follows). This assessment should consider all relevant socio-economic impacts, which may include: a) the creation of jobs and training opportunities. Applicants may wish to provide information on the sustainability of the jobs created, including where they will help to develop the skills needed for the UK's transition to Net Zero b) the contribution to the development of low-carbon industries at the local and regional level as well as nationally c) the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities d) any indirect beneficial impacts for the region hosting the infrastructure, in particular in relation to use of local support services and supply chains e) effects on tourism f) the impact of a changing influx of workers during the different	ES Chapter 14, Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the impact of the Project in economic, community and land useterms and adheres to the requirements of this paragraph. The results of the assessment are outlined in section 8 of ES Chapter 14: Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9]. An assessment of cumulative economic, community and land use impacts during construction and during operation has been undertaken and is reported in ES Chapter 18: Cumulative and Indirect Effects Assessment (**Document Reference 6.2.18**) [Revision 1 submitted at Deadline 9].

	And these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region.	Construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development g) cumulative effects – if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region	
	Paragraph 5.12.4 states: Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies.	Paragraph 5.13.5 (no change to adopted EN-1 paragraph 5.12.4).	The current socio-economic baseline conditions of the study area have been described in Section 6 of ES Chapter 14, Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9].

	Paragraph 5.12.5 states: Socio-economic impacts may be linked to other impacts, for example the visual impact of a development is considered in Section 5.9 but may also have an impact on tourism and local businesses.	Paragraph 5.13.5 (replaces adopted EN-1 paragraph 5.12.5) Socio-economic impacts may be linked to other impacts, for example the visual impact of a development is considered in Section 5.10 but may also have an impact on tourism and local businesses. Applicants are encouraged, where possible, to ensure local suppliers are considered in any supply chain.	The methodology for assessing the net economic Impacts of the Project is outlined at section 5.2.1 of ES Chapter 14, Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9]. The community assessment detailed in ES Chapter 14, Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] considers the likely effects onresidential properties (and their occupants), community facilities, including recreational facilities, open space and Public Rights of Way (pRoWs) (and their users) and communities as a whole. The assessment of tourism impacts is considered in relation to impacts on individual tourist related businesses
	Paragraph 5.12.6 states: The IPC should have regard to the potential socio-economic impacts of new energy infrastructure identified by the applicant and from any other sources that the IPC considers to be both relevant and important to its decision.	Paragraph 5.13.6 (replaces adopted EN-1 paragraph 5.12.6) The Secretary of State should have regard to the potential socio-economic impacts of new energy infrastructure identified by the applicant and from any other sources that the Secretary of State considers to be both relevant and important to its decision.	The results of the economic, community and land use assessment are outlined in section 8 of ES Chapter 14, Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9].
	Paragraph 5.12.8 states: The IPC should consider any relevant positive provisions the developer has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts.	Paragraph 5.13.9 (no change to paragraph 5.12.8of adopted EN-1) to state:	Section 7 of ES Chapter 14, Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] sets out the mitigation measures which have been assumed tobe included as integral parts of the implementation of the Project. Where currently identified design mitigation measures do not fully avoid or mitigate impacts, additional targeted mitigation measures will be implemented to offset adverse impacts. During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be produced by the construction contractor in accordance with the Code

			of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]. An Economic & Employment Group has been established to help ensure that the economic benefits of the Project are maximised locally. At Deadline 8, an Outline Employment and Skills Policy was submitted (**Document Reference: 9.35) [REP8-025]** which sets out the approach that will be adopted by the Applicant to promote local employment opportunities and ensure the economic benefits of the Project are maximised locally. The outline policy will form the basis for a final Employment and Skills Plan, which will be prepared and submitted by the Applicant prior to the commencement of the NLGEP development. It has been developed in conjunction with the Economic and Employment Group which has been established for the project to help ensure that the economic benefits of the Project are maximised locally. A tabulated summary of mitigation measures for the Project and is also presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009].
	Paragraph 5.12.9 states: The IPC should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmentalexperience for visitors and the local community alike.	Paragraph 5.13.8 (no change to adoptedEN-1 paragraph 5.12.9).	The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] identifies design principles basedon the National Infrastructure Commission (NIC)'s Design Principles for national infrastructure, identifying People and Value as focus areas. The principles underpinning this focus reflect the need to provide a high-quality place to work, bring new job opportunities and contribute to educational/ vocational training, and to protect and possibleenhance the amenity of neighbours. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008], compliance with which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9].

			Section 7 of ES Chapter 14: Economic Community and Land Use (**Document Reference 6.2.14**) [Revision 2 submitted at Deadline 9] sets out the mitigation measures which have been assumed tobe included as integral parts of the implementation of the Project. Where currently identified design mitigation measures do not fully avoid or mitigate impacts, additional targeted mitigation measures will be implemented to offset adverse impacts. During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be produced by the construction contractor in accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]. An Economic & Employment Group has been established to help ensure that the economic benefits of the Project are maximised locally. At Deadline 8, an Outline Employment and Skills Policy was submitted (**Document Reference: 9.35) [REP8-025]** which sets out the approach that will be adopted by the Applicant to promote local employment opportunities and ensure the economic benefits of the Project are maximised locally. The outline policy will form the basis for a final Plan, which will be prepared and submitted by the Applicant prior to the commencement of the NLGEP development. It has been developed in conjunction with the Economic and Employment Group which has been established for the project to help ensure that the economic benefits of the Project are maximised locally. A tabulated summary of mitigation measures for the Project and is also presented in ES Chapter 19 Mitigation (**Document Reference 6.2.19**) [REP8-009].

Traffic and Transport	Paragraph 5.13.1 states: The transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks, for example through increased congestion. Impacts may include economic, social and environmental effects. Environmental impacts may result particularly from increases in noise and emissions from road transport. Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.	Paragraph 5.14.1 (no changes to adoptedEN-1 paragraph 5.13.1)	ES Chapter 13: Traffic and Transport (**Document Reference 6.2.13**) [REP2-021] assesses the likely environmental effects of the Project with respect to traffic and transport.
	Paragraph 5.13.3 states: If a project is likely to have significant transport implications, the applicant's ES (see Section 4.2) should include a transport assessment, using the NATA/WebTAG139 methodology stipulated in Department for Transport guidance, or any successor to such methodology. Applicants should consult the Highways Agency and Highways Authorities as appropriate on the assessment and mitigation.	Paragraphs 5.14.5 and 5.14.6 (replaces adoptedEN-1 paragraph 5.13.3). If a project is likely to have significant transport implications, the applicant's ES (see Section 4.2) should include a transport appraisal. The DfT's Transport Analysis Guidance (TAG)263 and Welsh Governments WelTAG264 provides guidance on modelling and assessing the impacts of transport schemes. Applicants should consult National Highways and Highways Authorities as appropriate on the assessment and mitigation.	Appendix B of Chapter 13, Traffic and Transport of the ES (**Document Reference 6.2.13**) [REP2-021] contains a Transport Assessment. The scope of the Transport Assessment (and assessment methodology contained therein) reflects the output of the pre-application consultation process undertaken with North Lincolnshire Council and National Highways.

	Paragraph 5.13.4: Where appropriate, the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts.	Paragraph 5.14.4 (replacesto adoptedEN-1 paragraph 5.13.4) The applicant should prepare a travel plan including demand management and monitoring measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by active, public and shared transport to: • reduce the need for parking associated with the proposal; • contribute to decarbonisation of the transport network; • reduce the need to travel; and • secure behavioural change and modal shift through an offer of genuine modal choice and to mitigate transport impacts	Appendix C of ES Chapter 13, Traffic and (**Document Reference 6.2.13**) [REP2-021] contains a Framework TravelPlan for the Project, which relates to workers/employees atthe Project during the operational phase. The Framework Travel Plan seeks to promote the use of sustainable travel modes and reduce the number of employees driving their car to work by 15% over the 5-year timeframe. A commitment to the development of a Travel Plan prior to the operation of the Energy Park is secured by Requirement 13 of the draft DCO (**DocumentReference 2.1**) [Revision 7 submitted at Deadline 9]. Transport impacts and mitigation are set out in the Transport Assessment
	Paragraph 5.13.5 states: If additional transport infrastructure is proposed, applicants should discuss with network providers the possibility of co-funding by Government for any third-party benefits. Guidance has been issued in England which explains the circumstances where this may be possible, although the Government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time.	Paragraphs 5.14.8 and 5.14.9 (adds to adoptedEN-1 paragraph 5.13.5). If additional transport infrastructure is needed or proposed, it should always include good quality walking, wheeling and cycle routes, and associated facilities (changing/storage etc) needed to enhance active transport provision.	No discussions have been undertaken with network providers regarding the possibility of co-funding by Government for any third-party benefits

	Paragraph 5.13.6: A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the IPC should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the IPC should consider requirements to mitigate adverse impacts on transport networks arising from the development, as set out below. Applicants may also bewilling to enter into planning obligations for funding infrastructure and otherwise mitigating adverse impacts.	Paragraph 5.14.18 and 5.4.19 (no change to adoptedEN-1 paragraph 5.13.6).	ES Chapter 13: Traffic and Transport (**Document Reference 6.2.13**) [REP2-021] assesses the effects on traffic and transport as a result of the Project during demolition and construction and concludes that there are no significant environmental effects. The outline Construction Logistics Plan (CLP) at Appendix D of ES Chapter 13 (**Document Reference: 6.2.13**) [REP2-021] includes a number of measures to help mitigate the environmental impact of construction activities, including aCTMP to define construction vehicle routes as well as appropriate controls to manage and coordinate the movement of vehicles and pedestrians in and around the Project. The preparation and implementation of the detailed CLP as part of the construction traffic management plan (CTMP) and a construction workers travel plan (CWTP) is secured by Requirement 10 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. A tabulated summary of mitigation measures for the Projectand is also presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009].

	Paragraph 5.13.7: Provided that the applicant is willing to enter into planning obligations or requirements can be imposed to mitigate transport impacts identified in the NATA/WebTAG transport assessment, with attribution of costs calculated in accordance with the Department for Transport's guidance, then development consent should not be withheld, and appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure.	Paragraph 5.14.20 (repalces adopted EN-1 paragraph 5.13.7). Development consent should not be withheld provided that the applicant is willing to enter into planning obligations for funding new infrastructure or requirements can be imposed to mitigate transport impacts. 269 In this situation the Secretary of State should apply appropriately limited weight to residual effects on the surrounding transport infrastructure.	ES Chapter 13, Traffic and Transport (**Document Reference 6.2.13**) [REP2-021] concludes that during demolition and Project construction, the assessment has demonstrated that there will be no significant effects on traffic and transport as a result of the Project, assuming that the outline Construction Logistics Plan (CLP) and the measures contained therein are implemented. No further measures are required beyond implementation of the outline CLP from a transport perspective. In terms of the operation of the Project, no significantadverse effects have been identified.
	Paragraph 5.13.8 states: Where mitigation is needed, possible demand management measures must be considered and if feasible and operationally reasonable, required, before considering requirements for theprovision of new inland transport infrastructure to deal with remaining transport impacts.	Paragraph 5.14.11 and 5.14.12 (replaces adoptedEN-1 paragraph 5.13.8) Where mitigation is needed, possible demand management measures must be considered. This could include identifying opportunities to: • reduce the need to travel by consolidating trips, • locate development in areas already accessible by active travel and public transport, • provide opportunities for shared mobility, • re-mode by shifting travel to a sustainable mode that is more beneficial to the network, • retime travel outside of the known peak times, • reroute to use parts of the network that are less busy. If feasible and operationally reasonable, such mitigation should be required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining	Section 7 of ES Chapter 13, Traffic and Transport (**Document Reference 6.2.13**) [REP2-021] details the mitigation measures considered in the assessment. This includes mitigation that is integral to the design of the Project and good practice mitigation measures that the Project is committed to adopting. The outline CLP at Appendix D of ES Chapter 13 (**Document Reference: 6.2.13**) [REP2-021] will help mitigate the environmental impact of construction activities, The preparation and implementation of the detailed CLP as part of the Construction Traffic Management Plan (CTMP) is secured by Requirement 10 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. A tabulated summary of mitigation measures for the Project and is also presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009]. Appendix C of ES Chapter 13: Traffic and Transport (**Document Reference 6.2.13**) [REP2-021] contains a Framework Travel Plan for the Project and relates to workers/employees at the Project during the operational phase.

		transport impacts. All stages of the project should support and encourage a modal shift of freight from road to more environmentally sustainable alternatives, such as rail, cargo bike, maritime and inland waterways, as well as making appropriate provision for and infrastructure needed to support the use of alternative fuels including charging for electric vehicles.	Implementation of a Travel Plan (in accordance with the Framework Travel Plan) is secured by Requirement 13 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. The Project comprises the works as set out in Schedule 1 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] and includes an electric and hydrogen vehicle refuelling station (work number 8)
	Paragraph 5.13.9 states: The IPC should have regard to the cost-effectiveness of demand management measures compared to new transport infrastructure, as well as the aim to secure more sustainable patterns of transport development when considering mitigation measures.	Paragraphs 5.14.15 (no change to adoptedEN-1 paragraph 5.13.8)	As above.
	Paragraph 5.13.10 states: Water-borne or rail transport is preferred over road transport at all stages of the project, where cost-effective.	Paragraph 5.14.16 (adds to adopted EN-1 paragraph 5.13.10): Applicants should consider the DfT policyguidance “Water Preferred Policy Guidelines for the movement of abnormalindivisible loads” when preparing their Application.	Section 4 of ES Chapter 13: Traffic and Transport (**Document Reference 6.2.13**) [REP2-021] outlines the parameters used for the traffic and transport assessment. Whilst it is expected that construction materials will be transported by a combination of road, rail and river, the vehicle trip generation for the construction phase is based on a worst-case assumption that 100% of the freight would arrive/depart by road transport. In terms of the operational phase, a worst-case assumption has been adopted which assumes that all freight transport associated with the Project would be transported by road during operation. In reality though, it is anticipated that operational freight will be split between road, rail and river modes of transport. Options for using these modes have been explored whilst taking account of any practical constraints and commercial factors. This assessment is contained in the Navigation Risk Assessment (**Document Reference 6.3.6**) [REP4-012] and the Rail Operations Report (**Document Reference 5.11**) [APP-045].

	Paragraph 5.13.11: The IPC may attach requirements to a consent where there is likely to be substantial HGV traffic that: • control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements; make sufficient provision for HGV parking, either on the site or at dedicated facilities elsewhere, to avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions; and ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force.	Paragraph 5.14.14 (no change to adoptedEN-1 paragraph 5.13.11).	The outline CLP at Appendix D of ES Chapter 13 (**Document Reference: 6.2.13**) [REP2-021] will help mitigate the environmental impact of construction activities, The preparation and implementation of the detailed CLP aspart of the Construction Traffic Management Plan (CTMP) is secured by Requirement 10 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9].
Waste Management	Paragraph 5.14.2 states: Sustainable waste management is implemented through the "waste hierarchy", which sets out the priorities that must be applied when managing waste: a) prevention; b) preparing for reuse; c) recycling; d) other recovery, including energy recovery; and disposal.	Paragraph 5.15.2 (no change to adopted EN-1 paragraph 5.14.2).	Paragraph 7.4.1.2 of ES Chapter 15: Waste **Document Reference 6.2.15**) [APP-063] confirms that the waste hierarchy will be applied to reduce waste, reuse, recycle or recover materials to reduce the effects of waste generation and treatment.

	Paragraph 5.14.3 states: Disposal of waste should only be considered where other waste management options are not available or where it is the best overall environmental outcome.	Paragraph 5.15.3 (no change to adopted EN-1 paragraph 5.14.3).	Paragraph 7.2.1.5 of ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063] confirms that the disposal of waste, including any surplus spoil, will be minimised so far as is reasonably practicable. A detailed construction Waste Management Plan (WMP) will be developed as part of the Construction Environmental Management Plan (CEMP), in consultation with the Environment Agency and North Lincolnshire Council. The detailed WMP will identify, amongst other matters, measures to reduce waste generation. An outline WMP is provided as an appendix to the Code of Construction Practice (CoCP) (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]. The WMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. The Operational Environmental Management Plan (OEMP) (**Document Reference 6.3.8**) [REP8-010] contains the necessary inspection and monitoring measures to demonstrate that mitigation measures are implemented properly, in a timely manner and work asanticipated. The provision of a detailed OEMP, which includes a Waste Management Plan, is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]
	Paragraph 5.14.4 states: All large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA's Environmental Permitting (EP) regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the	Paragraph 5.15.4 (no change to adopted EN-1 paragraph 5.14.4).	The Project will require an Environmental Permit. When theapplication is made to the EA, the Applicant will demonstrate that processes are in place to meet all relevant EP requirements.

	EA will require the application to demonstrate that processes are in place to meet all relevant EP requirements.		
	Paragraph 5.14.6 states: The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a Site Waste Management Plan.The arrangements described and management Plan should include information on the proposed waste recovery and disposal system for all waste generated by the development, and an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.	Paragraph 5.15.8 to 5.15.11 (no replaces adoptedEN-1 paragraph 5.14.6). The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a report that sets out the sustainable management of waste and use of resources throughout any relevant demolition, excavation and construction activities. The arrangements described and a report setting out the sustainable management of waste and use of resources should include information on how re-use and recycling will be maximised in addition to the proposed waste recovery and disposal system for all waste generated by the development. They should also include an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. The applicant is encouraged to refer to the 'Waste Prevention Programme for England' 272 and 'Towards Zero Waste: Our Waste Strategy for Wales' 273 and should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.	A detailed construction Waste Management Plan (WMP) will be developed as part of the Construction Environmental Management Plan (CEMP), in consultation with the Environment Agency and North Lincolnshire Council. The detailed WMP will identify: - responsibilities for waste management; - the waste category and quantities of materials generated; - measures to reduce waste generation; - opportunities for recycling and/or re-use; - proposed treatment and disposal routes; and - licensing requirements The WMP is secured by Requirement 4 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9]. An outline WMP is provided as an appendix to the Code ofConstruction Practice (CoCP) (**Document Reference 6.3.7**)[Revision 6 submitted at Deadline 9]. This outline WMP details that the overarching approach to waste management will be founded on three main principles as follows: - All construction wastes arising will be properly managed, both on Site and off-site. - The waste from the Project will be dealt with appropriately by the waste infrastructure which is, or is likely to be, available such that waste arising from the Project will not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area. - Adequate steps will be taken in accordance with the 'waste hierarchy' to minimise the volume of

		If the applicant's assessment includes dredged material, the assessment should also include other uses of such material before disposal to sea, for example through re-use in the construction process	waste arisings, and of the volume of waste arisingssent to disposal, except where that is the best overall environmental outcome.
		New Paragraph 5.15.12 states: Where possible, applicants are encouraged to source materials from recycled or reused sources and use low carbon materials, sustainable sources and local suppliers. Construction best practices should be used to ensure that material is reused or recycledonsite where possible.	The Project's approach to waste management is detailed in the outline WMP which is provided as an appendix to the Code of Construction Practice (CoCP) (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]. Section 4 details how the Applicant is committed to delivering a Project that is sustainable in regard to matters relating to waste management. It also details that waste elimination will startas early as possible, and the contractor will work in conjunction to design and plan waste minimisation at various stages of the Project. A detailed construction Waste Management Plan (WMP) will be developed as part of the Construction Environmental Management Plan (CEMP). The WMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9].
	Paragraph 5.14.7 states: The IPC should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous wastearising from the construction, operation and decommissioning of the proposed development. It should be satisfied that: • any such waste will be properly managed, both on-site and off-site; the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverseeffect on the capacity of existing waste management facilities to	Paragraphs 5.15.14 and 5.15.15 (no change to adoptedEN-1 paragraph 5.14.7).	The implementation of measures contained in the construction Waste Management Plan (WMP) which is secured by Requirement 4 of the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9]and best practice measures related to waste management as outlined in Section 7 of ES Chapter 15, Waste (**Document Reference 6.2.15**) [APP-063] will mitigate the majority of effects from the construction. A tabulated summary of mitigation measures for the Project and is also presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009]. An outline WMP is provided as an appendix to the Code of Construction Practice (CoCP) (**Document Reference 6.3.7**)[Revision 6 submitted at Deadline 9]. This outline

	deal with other waste arisings in the area; and adequate steps have been taken to minimise the volume of waste arisings, and of the volume of wastearisings sent to disposal, except where that is the best overall environmental outcome.		EMP details that the overarching approach to waste management will be founded on three main principles as follows: - All construction wastes arising will be properly managed, both on Site and off-site. - The waste from the Project will be dealt with appropriately by the waste infrastructure which is, or is likely to be, available such that waste arising from the Project will not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area. - Adequate steps will be taken in accordance with the 'waste hierarchy' to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome. In terms of operation, ES Chapter 15, Waste (**Document Reference 6.2.15**) [APP-063] concludes that with the proposed mitigation in place (as identified in Section 7.3 and 7.4) and the requirement to operate within the conditions of an Environmental Permit there will be no significant waste management effects during operation.
	Paragraph 5.14.8 states: Where necessary, the IPC should use requirements or obligations to ensure that appropriate measures for waste management are applied. The IPC may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	Paragraphs 5.15.16 and 5.15.17(replaces adopted EN-1paragraph 5.14.8) Where necessary, the Secretary of State should use requirements or obligations to ensure that appropriate measures for waste management are applied. The Secretary of State may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent.	The WMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. It is acknowledged that the IPC (now SoS) may wish to include a condition on revision of waste management plans at reasonable intervals. The Applicant will consider amendments to the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9].

	Paragraph 5.14.9 states: Where the project will be subject to theEP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.10 will apply.	Paragraph 5.15.18 (replaces adopted EN-1 paragraph 5.14.9) Where the project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in Section 4.11 will apply.	The Project will require an Environmental Permit. It is acknowledged that waste management during operationswill be covered by the Permit.
Water Quality and Resources	Paragraph 5.15.2 states: Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water resources and physical characteristics of the water environment as part of the ES or equivalent.	Paragraph 5.16.3 (adds to adoptedEN-1 paragraph 5.15.2). *Part 1 – no change* and how this might change due to the impact of climate change on rainfall patterns and consequently water availability across the water environment	Table 6 of ES Chapter 9, Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] presents information on all the waterbodies within hydraulic connection with the Project, their waterbody type and their sensitivity. ES Chapter 9, Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] presents the findings of the assessment of likely significant effects onthe water environment as a result of the Project.
	NA	New Paragraph 5.16.5 states: Where possible, applicants are encouragedto manage surface water during construction by treating surface water runofffrom exposed topsoil prior to discharging and to limit the discharge of suspended solids.	Section 7 of ES Chapter 9, Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] describes the mitigation measures considered in the assessment of likelysignificant effects on the water environment. A tabulated summary of mitigation measures for the Project and is also presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009]. During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be producedby the construction contractor in accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9].

	Paragraph 5.15.3 states: The ES should in particular describe: a) the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges; b) existing water resources affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Catchment Abstraction Management Strategies); c) existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics; and d) any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones (SPZs) around potable groundwater abstractions.	Paragraph 5.16.7 (adds to adoptedEN-1 paragraph 5.15.3 • how climate change could impact any of the above in the future • any cumulative effects	Table 6 of ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] presents information on all the waterbodies within hydraulic connection with the Project, their waterbody type and their sensitivity. ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] presents the findings of the assessment of likely significant effects on the water environment as a result of the Project. With the implementation of the mitigation as set out in ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9**) [REP6-020], along with the measures set out in the CoCP (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9], the ES concludes that the effects of the construction and decommissioning of the Project will not result in any significant effects on flooding and the water environment other than one exception: moderate adverse effects on Lysaght's Drain are predicted temporarily during the construction works themselves. In terms of the operational phase of the Project, and similarly with the implementation of the mitigation as set out in ES Chapter 9, Water Resources and Flood Risk (**Document Reference 6.2.9**) [REP6-020], the ES concludesthat the effects of Project operation will result in a significant effect at just one receptor and only during a breach scenario: the commercial building (steel storage shed) at Flixborough Wharf, located to the north of the Wharf. Winterton Beck is the only Water Framework Directive waterbody with hydraulic connection to any of the proposed works. This water body will not be directly affected by any physical works and will not be affected by any construction or operational aspects of the Project that could affect its water quality. It has been agreed with the Environment Agency that a Water Framework Directive (WFD) compliance assessment is not required for the Project. This is confirmed in the draft SoCG.

			ES Chapter 8: Ground Conditions, Contamination and Hydrogeology (**Document Reference 6.2.8)** [APP-097] confirms that the site does not lie within a groundwater Source Protection Zone (SPZ) of any type. An assessment of the cumulative effects of the Project are reported in ES Chapter 18: Cumulative and Indirect Effects Assessment (**Document Reference 6.2.18**) [Revision 1 submitted at Deadline 9].
	Paragraph 5.15.4 states: Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.10 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under a controlled water.	Paragraph 5.16.11 (replaces adopted EN-1paragraph 5.15.4) Activities that discharge to the water environment are subject to pollution control. The considerations set out in Section 4.11 on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under a controlled water.	The Indicative Drainage Strategy (**Document Reference 6.3.5**) [REP5-019] details the proposed foul water drainage design for the Project as well as the above ground SuDS in the surface water drainage design. The latter is illustrated further in the Indicative Surface Water Drainage Plan (**Document Reference 4.16**) [REP3-009]. Section 4.7 of the Indicative Drainage Strategy states how any surface water contaminated by total suspended solids, metals and hydrocarbons will be treated prior to discharge. Section 7 of ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] details that there will be no abstractions or discharges from or to the River Trent. All operational water will be sourced from the mains. . Domestic foul water will be discharged to Severn Trent sewer network. Trade effluent (operational process foul water) will be treated and re-used on site. Refer to the Indicative Drainage Strategy for further details (**Document Reference 6.3.5**) [REP5-019]
	Paragraph 5.15.5 states: The IPC will generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework Directive	Paragraph 5.16.12 (no change to adoptedEN-1 paragraph 5.15.5).	Winterton Beck is the only Water Framework Directive waterbody with hydraulic connection to any of the proposedworks. ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] details that this water body will not be directly affected by any physical works and will not be affected by any construction or operational aspects of the Project that could affect its waterquality. It has been agreed with the Environment Agency that a Water Framework Directive (WFD) compliance assessment is not required for the

			Project. This is confirmed in the draft SoCG .
	Paragraph 5.15.6 states: The IPC should satisfy itself that a proposal has regard to the River Basin Management Plans and meets the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater.	Paragraph 5.16.14 (replaces adopted EN-1paragraph 5.15.6): The Secretary of State should be satisfied that a proposal has regard to current River Basin Management Plans and meets the requirements of the Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 (including regulation 19). The specific objectives for particular river basins are set out in River Basin Management Plans. The Secretary of State must refuse development consent where a project is likely to cause deterioration of a water body or its failure to achieve good status or good potential, unless the requirements set out in Regulation 19 are met. A project may be approved in the absence of a qualifying Overriding Public Interest test only if there is sufficient certainty that it will not cause deterioration or compromise the achievement of good status or good potential	Winterton Beck is the only Water Framework Directive waterbody with hydraulic connection to any of the proposedworks. ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] details that this water body will not be directly affected by any physical works and will not be affected by any construction or operational aspects of the Project that could affect its waterquality. It has been agreed with the Environment Agency that a Water Framework Directive (WFD) compliance assessment is not required for the Project. This is confirmed in the draft SoCG.
	Paragraph 5.15.7 states: The IPC should consider whether appropriate requirements should be attached to any development consent and/or planning obligations entered intoto mitigate adverse effects on the water environment.	Paragraph 5.16.15 (replaces adopted EN-1paragraph 5.15.7) The Secretary of State should also considerthe interactions of the proposed project withother plans such as Water Resources Management Plans and Shoreline/Estuary Management Plans.	ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] presents the findings of the assessment of likely significant effects on the water environment as a result of the Project. With the implementation of the design mitigation as set out in ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9**) [REP6-020], along with the measures set out in the CoCP (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9],the ES concludes that the effects of the construction and decommissioning of the Project will not result in any significant effects on flooding and the water environment

			other than one exception: moderate adverse effects on Lysaght's Drain are predicted temporarily duringthe construction works themselves. In terms of the operational phase of the Project, and similarly with the implementation of the mitigation as set out in ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9**) [REP6-020], the ES concludesthat the effects of Project operation will result in a significant effect at just one receptor and only during a breach scenario: the commercial building (steel storage shed) at Flixborough Wharf, located to the north of the Wharf. The Operational Environmental Management Plan (OEMP) (**Document Reference 6.3.8**) [REP8-010] will contain the necessary inspection and monitoring measures to demonstrate that mitigation measures are implemented properly, in a timely manner and work as anticipated. The provision of a detailed OEMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** .[Revision 7 submitted at Deadline 9].
	Paragraph 5.15.8 states: The IPC should consider whether mitigation measures are needed over and above any which may form part of the project application. (See Sections 4.2 and 5.1.) A construction managementplan may help codify mitigation at thatstage.	Paragraph 5.16.8 (no change to adopted EN-1 paragraph 5.15.8).	During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be producedby the construction contractor in accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to theES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9 and includes an Outline Piling and Foundation Works Management Plan
	Paragraph 5.15.9 states: The risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. For example, designated areas for storage and unloading, with appropriate drainage facilities, should be clearly marked.	Paragraph 5.16.9 (no change to adopted EN-1 paragraph 5.15.9).	Section 7 of ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [APP 057] describes the mitigation measures considered in the assessment of likely significant effects on the water environment. This includes, amongst other matters, a sequential approach to site layout and the adoption of industry best practice measures for the design and construction of watercourse crossings.

			A tabulated summary of mitigation measures for the Project and is also presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009]. During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be producedby the construction contractor in accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]..
	Paragraph 5.15.10 states: The impact on local water resources can be minimised through planning and design for the efficient use of water, including water recycling.	Paragraph 5.16.13 (adds to adopted EN-1 paragraph 5.15.10). If a development needs new water infrastructure, significant supplies or impacts other water supplies, the applicant should consult with the local water companyand the EA or NRW.	Section 7 of ES Chapter 9, Water Resources and Flood Risk (**Document Reference 6.2.9)** [APP 057] describes themitigation measures considered in the assessment. This includes mitigation that is integral to the design of the Project and good practice mitigation measures that the Project is committed to adopting.

Table 2: EN-3 NPS Accordance Table

National Policy Statement for Renewable Energy Infrastructure (EN-3) **Assessment and Technical Specific Information – Assessment of the specific impacts as set out in Part 2 of EN-3 (2011) and Draft EN-3 (2023) is considered below.**			
Policy	**EN-3 Policy Text**	**Draft Policy EN-3 Text**	**Assessment**
Part 2.3 - Climate Change Adaption	Paragraph 2.3.3 states: EfW generating stations also require significant water recourses, but are less likely to be proposed for coastal sites. For these proposals applicants should consider, in particular, how plant will be resilient to: • Increased risk of flooding; and • Increased risk of drought affecting river flows.	Paragraph 3.4.6 (no change to adoptedEN-3 paragraph 2.3.3)	A site-specific Flood Risk Assessment (FRA) (**Document Reference 6.3.3**) [APP-070] has been provided with the application. The FRA provides a detailed assessment of the risk of flooding to the Scheme and concludes that with the proposed mitigation in place, the overall flood risk to the Project is Low. Drought was not considered in terms of how the plant will be resilient to changes in river flows as the project will be air cooled (not water cooled).
	Paragraph 2.3.5 states: Section 4.8 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section of the ES.	Paragraph 3.4.3 (replaced adopted EN-3paragraph 2.3.5) Section 4.9 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, the impact of increased risk of drought as a result of higher temperatures should be covered in the water quality and resources section ofthe ES.	Chapter 9, Water Resources and Flood Risk of the ES (**Document Reference 6.2.9)** [REP6-020REP6-020] presents thefindings of the assessment of likely significant effects on the water environment as a result of the Project.

Part 2.4 – Good Design for Energy Infrastructure	Paragraph 2.4.2 states: Proposals for renewable energy infrastructure should demonstrate good design in respect of landscape and visual amenity, and in the design of the project to mitigate impacts such as noise and effects on ecology.	Paragraph 3.5.2 (replaces adopted EN-3 paragraph 2.4.2) states: Proposals for renewable energy infrastructure should demonstrate good design, particularly in respect of landscape and visual amenity, opportunities for co-existence/co-location with other marine uses, and in the design of the project to mitigate impacts such as noise and effects on ecology and heritage.	Table 4 in ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018REP6-018]details how the various environmental considerationswere taken into account in the design evolution of theProject, including impacts on protected species. The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008], compliancewith which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9]..
Biomass and Waste Combustion - Introduction	Paragraph 2.5.2 states: The recovery of energy from the combustion of waste, where in accordance with the waste hierarchy, will play an increasingly important role in meeting the UK's energy needs. Where the waste burned is deemed renewable, this can also contribute to meeting the UK's renewable energy targets. Further, the recovery of energy from the combustion of waste forms an important element of waste management strategies in both England and Wales.	Paragraph 3.7.2 (replaces adopted EN-3 paragraph) states: . In accordance with the waste hierarchy Energy from Waste (EfW) also plays an important role in meeting the UK's energy needs. Furthermore, the recovery of energy from the combustion of waste forms an important element of waste management strategies in both England and Wales.	The Applicant recognises that the Project will play an important role in meeting the UK's energy needs. Section 4 of the Planning Statement (**Document Reference 5.1)** [REP2-017] outlines in further detail growing body of UK energy policy and guidance which highlights an urgent need for new energy generation infrastructure, particularly from renewable sources such as energy from waste and carbon capture equipped power stations.

	Paragraph 2.5.3 states: The combustion generating stations covered by this NPS are those which generate electricity: • Using waste (possibly including non-renewable sources of waste) and/or biomass as a fuel; and • Generate more than 50MW of electricity.		It is recognised that NPS-EN-3 is relevant to the Project as it is a generating station using waste and will generate more than 50MW of electricity.
	Paragraph 2.5.4 states: Biomass/EfW generating stations can be configured to produce Combined Heat and Power (CHP). Details of CHP criteria are set out in Section 4.6 of EN-1. Biomass generating stations should also be Carbon Capture Ready (CCR) and/or have Carbon Capture and Storage (CCS) technology applied. Details of the Government's policy on CCR and CCS is set out in Section 4.7 of EN-1. There is further information on CCR/CCS for biomass in this NPS.	.	The Project comprises the works as set out in Schedule 1 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] and includes a carbon capture utilisationand storage facility capable of capturing at least 54,387 tonnes of CO2 per annum including carbon dioxide storage tanks (Work 1B). The CHP Assessment (**Document Reference 5.4**) [Revision 1 submitted at Deadline 9] details that the facility will be designed tobe CHP ready, with minimum modification, to supplyheat in the future. Requirement 17 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] provides that no part of the Energy Park works may be commissioned until a scheme for the provision of steam or hot water pass- outs has been submitted to and approved by the planning authority. The scheme submitted must comply with conditions relating to steam and hot waterpass-outs within any environmental permit granted. The scheme must be implemented as approved prior to operation of the authorised development and maintained throughout the operation of the authorised development

Biomass and Waste Combustion – Fuels	Paragraph 2.5.9 states: EfW generating stations take fuel that would otherwise be sent to landfill. Waste can come from municipal or commercial and industrial sources. Some of the waste suitable for such plant may comprise biodegradable waste as described in the third bullet point of 2.5.5. This may also include solid recovered fuel (SRF) from waste. Where the proposed fuel is a prepared fuel, such as SRF, conformity of the waste / biomass with the waste hierarchy may have been considered by the Waste Authority from which the feedstock originated as part of their assessment of their waste management solution. The IPC should take account of any assessment in considering the application.		The Project comprises the works as set out in Schedule 1 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] and includes an electricity generationstation fuelled by refuse derived fuels. Chapter 15, Waste of the ES (**Document Reference 6.2.15**) [APP-063] confirms that the feedstock for the ERF will be RDF and non-hazardous household and commercial waste
	NA		

Biomass and Waste Combustion – Combustion plant types and scale	Paragraph 2.5.13 states: Throughput volumes are not, in themselves, a factor in IPC decision-making as there are no specific minimum or maximum fuel throughputlimits for different technologies or levels of electricity generation. This isa matter for the applicant. However the increase in traffic volumes, any change in air quality, and any other adverse impacts as a result of the increase in throughput should be considered by the IPC in accordance with this NPS and balanced against the net benefits of the combustion of waste and biomass as described in paragraph 2.5.2 above and in Section 3.4 of EN-1.	Paragraph 3.7.8.4 (replaces adopted EN-3paragraph 2.5.13). Throughput volumes are not, in themselves, a factor in Secretary of State decision-making as there are no specific minimum or maximum fuel throughput limits for different technologies or levels of electricity generation: this is a matter for the applicant. However, the increase in traffic volumes, any change in air quality,and any other adverse impacts as a result of the increase in throughput should be considered by the Secretary of State in accordance with this NPS and balanced against the net benefits of the combustion of waste and biomass as described in paragraph 2.5.2 above and in Section 3.3.33-4 of EN-1.	It is acknowledged that throughput volumes are not, in themselves, a factor in Secretary of State decision-making and that this is a matter for the Applicant.
Biomass and Waste Combustion – Nature of applications	Paragraph 2.5.14 states: A waste/biomass combustion plant proposal is likely to consist of the following: • a main combustion plant building incorporating emissions abatement technologies, electricity generation units, a cooling assembly (variety of types and methods) and chimney stack(s); • buildings necessary for fuel reception, storage, sorting and	Paragraph 3.7.24 (replaces adopted paragraph EN-3 paragraph 2.5.14) states: Applicants must provide details on the makeup of their proposed waste/biomass combustion plant, which is likely to consist of the following: • a main combustion plant building incorporating emissions abatement technologies, electricity generation units, a cooling assembly (variety of types andmethods) and chimney stack(s); • buildings necessary for fuel reception, storage, sorting andpre-	The Project comprises the works as set out in Schedule 1 of the draft DCO (**Document Reference 2.1**) Revision 7 submitted at Deadline 9]. Work Number 1 is an electricity generating station which comprises, amongst other things: • a steam turbine and generator housed within a turbine hall with a cooling system; • fuel reception and storage facilities • a combustion system housed within a boiler hall, consisting of three combustion lines and associated boilers • a switchyard including a sub-station and battery storage; • a transformer compound containing the

	pre-treatment facilities; and • ancillary plant such as and electricity substation, civil engineering workshops and offices.	treatment facilities; and • ancillary plant such as and electricity substation, civil engineering workshops and offices.	generator transformer; • administration offices and control room, security gatehouse, barriers and enclosures;
	Paragraph 2.5.15 states: Some development proposals mayalso incorporate additional featuressuch as waste transfer facilities.	Paragraph 3.7.25 (replaces adoptedEN-3 paragraph 2.5.15) states: Details should be provided on any development proposals that may also incorporate additional features such as waste transfer facilities.	It does not contain waste transfer facilities but does include the plastic recycling facility(PRF).
	Paragraph 2.5.16 states: Where EfW proposals for mixed waste incineration include material of animal origin, applicants may require ancillary development in order to comply with the requirements of the Animal By-Products Regulations 2005 (S.I. 2005/2347).	Paragraph 3.7.26 (replaces adopted EN-3paragraph 2.5.16). Where EfW proposals for mixed waste incineration include material of animal origin, applicants may require ancillary development in order to comply with the requirements of the Animal By-Products (Enforcement) (England) Regulations 2011 and in Wales the Animal By-Products (Enforcement) (Wales) Regulations 2014.	The waste used to fuel the Energy Recovery Facility isknown as Refuse Derived Fuel (RDF), made up of residual municipal solid waste. It will not contain material of animal origin.

Factors influencing site selection by applicants – Grid Connection	Paragraph 2.5.22 states: Biomass and EfW electricity generating stations connect into a transmission network. The technical feasibility of exporting electricity froma biomass or waste combustion plantis dependent on the capacity of the grid network to accept the likely electricity output together with the voltage and distance of the connection.	Paragraph 3.7.30 (no change to adopted EN-3 paragraph 2.5.22).	It is noted that this paragraph recognises the importance of securing an acceptable grid connection as a factor influencing site selection. Paragraph 3.1.1.1 of the Grid Connection Statement (**Document Reference 5.5**) [APP-039] explains that the Applicant has received a grid connection offer from Northern PowerGrid (NPG) for an export of up to 63 MWe and the grid connection point is at NPG substation at Scunthorpe North. The paragraph goes on to state that NPG has agreed that there is capacity at 132kv to increase the export to cover the full electrical export capacity of the facility (95MWe) and an increased import capacity(50MVA) required to ensure security of supply to the private wire network and associated development on site. NPG subsequently confirmed in their letter dated11th November 2022 (**Document Reference 9.6**) that the requested increase to capacity as outlined above can be made available utilising the existing proposed solution for the first connection, retaining both the same point of connection and point of supply. A revised grid connection offer from NPG will be submitted prior to the close of the examination.

	Paragraph 2.5.23 states; Applicants will usually have assured themselves that a viable connection exists before submitting the development proposal to the IPC and where they have not done so, they take that commercial risk. In accordance with Section 4.9 in EN-1, any application to the IPC must include information on how the generating station is to be connected and whether there are any particular environmental issues likely to arise from that connection. Further advice on the relationship with grid applications is in EN-1 and EN-5.	Paragraph 3.7.31 (replaced adopted EN-3 paragraph 2.5.23) states: Applicants will usually have assured themselves that a viable connection exists before submitting the development proposal to the Secretary of State and where they have not done so, they take that commercial risk. In accordance with Section 4.10 in EN-1, any application to the Secretary of State must include information on how the generating station is to be connected and whether any environmental issues are likely to arise from that connection. Further advice on grid connections is presented in EN-1 and EN-5.	Paragraph 3.1.1.1 of the Grid Connection Statement (**Document Reference 5.5**) [APP-039] explains that the Applicant has received a grid connection offer from Northern PowerGrid (NPG) for an export of up to 63 MWe and the grid connection point is at NPG substation at Scunthorpe North. The paragraph goes on to state that NPG has agreed that there is capacity at 132kv to increase the export capacity to cover the full electrical export capacity of the facility (95MWe) and an increased import capacity (50MVA) required to ensure security of supply to the private wire network and associated development on site. The environmental effects of the grid connection (which will be undergrounded) is included in the Environmental Impact Assessment (EIA) presented in Chapters 5 to 18 of the Environmental Statement.
	Paragraph 2.5.23 states; Applicants will usually have assured themselves that a viable connection exists before submitting the development proposal to the IPC andwhere they have not done so, they take that commercial risk. In accordance with Section 4.9 in EN-1,any application to the IPC must include information on how the generating station is to be connectedand whether there are any particular environmental issues likely to arise from that connection. Further advice on the relationship with grid applications is in EN-1 and EN-5.	Paragraph 3.7.31 (replaced adopted EN-3 paragraph 2.5.23) states: Applicants will usually have assured themselves that a viable connection exists before submitting the developmentproposal to the Secretary of State and where they have not done so, they take that commercial risk. In accordance with Section 4.10 in EN-1, any application to the Secretary of State must include information on how the generating station is to be connected and whether any environmental issues are likely to arise from that connection. Further advice on grid connections is presented in EN-1 and EN-5.	Paragraph 3.1.1.1 of the Grid Connection Statement (**Document Reference 5.5**) [APP-039] explains that the Applicant has received a grid connection offer from Northern PowerGrid (NPG) for an export of up to 63 MWe and the grid connection point is at NPG substation at Scunthorpe North. The paragraph goes on to state that NPG has agreed that there is capacity at 132kv to increase the export capacity to cover the full electrical export capacity of the facility (95MWe) and an increased import capacity (50MVA) required to ensure security of supply to the private wire network and associated development on site. The environmental effects of the grid connection (which will be undergrounded) is included in the Environmental Impact Assessment (EIA) presented in Chapters 5 to 18 of the Environmental Statement.

Factors influencing site selection by applicants – Waste treatment capacity		Paragraph 3.7.6 (added to draft EN-3): As the primary function of EfW plants is to treat waste, applicants must demonstrate that proposed EfW plants are in line with Defra's policy position on the role of energy from waste in treating waste from municipal or commercial and industrial sources. Paragraph 3.7.7 (added to draft EN-3): The proposed plant must not compete with greater waste prevention, re-use or recycling, or result in over-capacity of EfW waste treatment ata national and local level.	Defra's most up to date policy position is contained within the Resources and Waste Strategy - Our waste, our resources: a strategy for England (2018) which is then reviewed on a yearly basis with the most recent monitoring report published in November 2022. The role of EfW in the waste hierarchy is preferred to landfill, but less preferred than prevention, recycling and reuse. One of the aims of the Resources and Waste Strategy is also to drive greater efficiency in Energy from Waste (EfW) plants. The Project is consistent with this latest policy position in that it proposes to use waste (RDF) that would otherwise be destined for landfill to generate energy, thus moving it up the waste hierarchy. It also addresses other important aims of the Resources and Waste Strategy through the inclusion of the Plastics Recycling Facility (PRF), which will enable plastics which would otherwise be packaged with the RDF to be source-segregated and recycled and a concrete block manufacturing facility (CBMF) which reuses ash generated by the Energy Recovery Facility (ERF) to produce construction materials, rather than sending it to landfill. Tables 1-4 of Applicant's response to ExA's second written questions, [REP6-032]) states that if all existing EfW facilities are assumed to continue operating, and current recycling targets (65% by 2035) and residual waste reduction targets (50% by 2042) are met, there would be a slight overcapacity at UK and regional level but a slight under-capacity at local level. The Closing Submissions **(Document Reference 9.37]** explains the Applicant's position in relation to this matter i.e. that it is reasonable to assume that older facilities that do not have R1 status and have low potential to incorporate CCUS will

			increasingly be unable to compete and a number of these will therefore be forced to close or require significant investment to refurbish or rebuild them. In the majority of cases this would require a new planning permission or DCO, in addition to new environmental permits, the process of which would be expensive and time consuming with no certainty that they would be granted. The RDF Supply Assessment (**Document Reference 5.2**) [REP3-041] shows that when non R1 and EfW with low potential to incorporate CCS are excluded, there is a significant capacity gap at a national and local level. Furthermore, the RDF Supply Assessment (**Document Reference 5.2**) [REP3-041] – subsequently updated in REP3-022 and REP6-032 - notes that it is unrealistic to assume that all of the existing EfW fleet will be retrofitted with carbon capture. Assuming all EfW capacity is required to have carbon capture by 2035 to comply with the Net Zero Strategy, the report projects a capacity gap based on existing and committed capacity of over 2 million tonnes nationally and around 1.1 million tonnes at the local (East Midlands and Yorkshire and Humber) level in 2035 if low-CCS potential projects are excluded (even assuming that very ambitious recycling and residual waste targets are met)

	Paragraph 2.5.24 states: Biomass or EfW generating stations are likely to generate considerable transport movements. For example, a biomass or EfW plant that uses 500,000 tonnes of fuel per annum might require a large number of heavygoods vehicle (HGV) movements per day to import the fuel. There will also be residues which will need to be regularly transported off site.	Paragraph 3.7.8 (replaces adoptedEN-3 paragraph 2.5.24) states: Biomass or EfW generating stations are likely to generate considerable transport movements. For example, a biomass or EfW plant that uses 500,000 tonnes of fuel per annum might require up to approximately 220 heavy goods vehicle (HGV) movements per day (Monday – Friday) to import the fuel. There will also be residues which will need to be regularly transported off site.	ES Chapter 13, Traffic and Transport (**Document Reference 6.2.13**) [REP2-021] assesses the likely environmental effects of the Project with respect to traffic and transport.
	Paragraph 2.5.25 states: Government policy encourages multi-modal transport and the IPC should expect materials (fuel and residues) to be transported by water or rail routes where possible. (See Section 5.13 of EN-1 on transport impacts). Applicants should locate new biomass or waste combustion generating stations in the vicinity of existing transport routes wherever possible. Although there may in some instances be environmental advantages to rail or water transport, whether such methods are viable is likely to be determined by the economics of the scheme. Road transport may be required to connect the site to the rail network, waterway or port. Therefore, any application should incorporate suitable access leading off from the main highway network. If the existing access is inadequate and the applicant has proposed new infrastructure, the IPC will need to be satisfied that the impacts of the new infrastructure are acceptable as setout in Section 5.13 of EN-1.	Paragraphs 3.7.9 to 3.7.12 (replaces adopted EN-3 paragraph 2.5.25). Government policy encourages multi-modal transport and it is expected that applicants will transport materials (fuel and residues) by water or rail routes where possible, with road transport expected where this is not feasible or for shorter journeys. Applicants should locate new biomass or waste combustion generating stations in the vicinity of existing transport routes wherever possible. Although there may in some instances be environmental advantages to rail or water transport, whether such methods are viable is likely to be determined by the economics of the scheme. Road transport may be required to connect the site to the rail network, waterway, or port. Therefore, any application should incorporate suitable access leading from the main highway network including any new transport infrastructure required.	Section 2 of ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.13**)[REP6-018]describes the site and its surroundings. Section 9.4 of ES Chapter 3 (**Document Reference 6.2.13**) [REP6-018] details the alternative sites considered by the Applicant. This section outlines that the Flixborough site performed better in terms of transport access as, in addition for access by road and rail, there was also the option to utilise the existing Wharf. The Project includes suitable access off the main highway network. It comprises the works as set out in Schedule 1 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] and includes a new access road linkingthe B1216 and Stather Road, stopping up of the section of Stather Road between Neap House and Bellwin Drive (Work number 5). Section 4 of ES Chapter 13, Traffic and Transport (**Document Reference 6.2.13**) [REP2-021] outlines theparameters used for the traffic and transport assessment. Whilst it is expected that construction materials will be transported by a combination of road, rail and river, the vehicle trip generation for the construction phase is based on a worst-case assumption that 100% of the

			freight would arrive/depart by road transport. This is on the basis that final percentages for transport by road and river will not be confirmed until the origins for inbound recyclates and/or destinations for outbound by-products have been determined from commercial and operational perspectives, and the operational status of river and rail services has been approved by the relevant authorities (Associated British Ports and Office of Rail & Road respectively). Options for using river and rail have been explored whilst taking account of any practical constraints and commercial factors. This assessment is contained in the Navigation Risk Assessment (**Document Reference 6.3.6**) [REP4-012] and the Rail Operations Report (**Document Reference 5.11**) [APP-045]
Factors influencing site selection by applicants – Combined Heat and Power (CHP)	Paragraph 2.5.26 states: The Government's strategy for CHP isdescribed in Section 4.6 of EN-1, which sets out the requirements on applicants either to include CHP or present evidence in the application that the possibilities for CHP have been fully explored.	Paragraph 3.7.85 (replaces adopted EN-3 paragraph 2.5.26). The government's strategy for combined heat and power (CHP) is described in Section 4.7 of EN-1, which sets out the requirements on applicants either to include CHP or present evidence in the application that the possibilities for CHP have been fully explored.	The CHP Assessment (**Document Reference 5.4**) [Revision 1 submitted at Deadline 9] details that the facility will be designed to be CHP ready, with minimum modification, to supply heat in the future. Paragraph 1.1.1.9 confirms that, aspart of Phase 1 of the construction of the Project, district heating pipework will be installed in the new access road between the facility and the B1216. Therefore, the facility will be constructed as CHP enabled from the outset and configured as a CHP plant and not just optimised for electricity only operation. Requirement 17 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] provides that no part of the energy park works may be commissioned until a scheme for the provision of steam or hot water pass- outs has been submitted to and approved by the planning authority. The scheme submitted must comply with conditions relating to steam and hot water pass-outs within any environmental permit granted. The scheme must be implemented as approved prior

			to operation of the authorised development and maintained throughout the operation of the authorised development
	Paragraph 2.5.27 states: Given the importance which Government attaches to CHP, for the reasons set out in EN-1, if an application does not demonstrate that CHP has been considered the IPC should seek further information from the applicant. The IPC should not give development consent unless it is satisfied that the applicant has provided appropriate evidence that CHP is included or that the opportunities for CHP have been fully explored. For non-CHP stations, the IPC may also require that developers ensure that their stations are configured to allow heat supply at a later date as described in paragraph 4.6.8 of EN-1 and the guidance onCHP issued by BIS in 2006.	Paragraph 3.7.86(replaces adopted EN-3 paragraph 2.5.27). Given the importance which Governmentattaches to CHP, for the reasons set out in EN-1, the Secretary of State will need to be satisfied that the applicant has provided appropriate evidence that CHP is included or that the opportunitiesfor CHP have been fully explored. For non-CHP stations, the Secretary of Statemay also require that developers ensure that their stations are configured to allowheat supply at a later date as described in Section 4.7 of EN-1 and the guidance on CHP issued by then DTI in 2006.	The CHP Assessment (**Document Reference 5.4**) [Revision 1 submitted at Deadline 9] details that the facility will be designed to be CHP ready, with minimum modification, to supply heat in the future. Paragraph 1.1.1.9 confirms that, aspart of Phase 1 of the construction of the Project, district heating pipework will be installed in the new access road between the facility and the B1216. Therefore, the facility will be constructed as CHP enabled from the outset and configured as a CHP plant and not just optimised for electricity only operation. Requirement 17 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] provides that no part of the energy park works may be commissioned until a scheme for the provision of steam or hot water pass- outs has been submitted to and approved by the planning authority. The scheme submitted must comply with conditions relating to steam and hot waterpass-outs within any environmental permit granted. The scheme must be implemented as approved prior to operation of the authorised development and maintained throughout the operation of the authoriseddevelopment

	Paragraph 2.5.29 states: The IPC should impose requirements on any consent, requiring operators to: • Retain control over sufficient additional space (whether on or near the site) for the carbon capture equipment; • retain their ability to build carbon capture equipment on this space (whether on or near the site) in the future; and • submit update reports on the technical aspects of its CCR status to the Secretary of State for DECC. These reports should be required within 3 months of the date on which a consented station first begins to supply electricity to the grid and every two years thereafter until the plant moves to retrofit CCS.	Paragraph 3.7.17 (added to draft EN-5) states: CCR is relevant to proposed biomass plant at or over 300MW of generating capacity, but not to EfW plants.	The Project embeds carbon capture at its heart and would be the first Energy Recovery Facility in the UK to actively include carbon capture, as opposed to being simply carbon capture ready. The draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] includes a requirement (19) to ensure that the proposed Carbon Capture Utilisation and Storage (CCUS) must capturea minimum quantity of CO2 which equates to the lesser of 54,387 tonnes per annum and 8.37% of the ERF waste throughput per annum from the date that the CCUS is commissioned until the Energy Park works are decommissioned. The energy park is located close to the proposed Zero Carbon Humber pipeline, allowing for a connection in future. Space has been allocated within the site for expansion of theCCS to allow for treatment of all of the ERF flue gas ifthis is economically feasible in the future.
Technical considerations for the IPC when determining biomass/waste combustion plant applications - flexibility in the project details	Paragraph 2.5.30 states: Generic information on flexibility is set out in Section 4.2 of EN-1. The IPC should accept that biomass/waste combustion plant operators may not know the precise details of all elements of the proposed development until some time after any consent has been granted. Where some details have not been included in the application to the IPC, the applicant should explain which elements of the scheme have yet to be finalised and give the reasons.	. Paragraphs 3.6.1 to 3.6.3 (replaces adopted EN-3 paragraph 2.5.30). Where details are still to be finalised applicants should explain in the application which elements of the proposal have yet to be finalised, and the reason why this is the case. Where flexibility is sought in the consent as a result, applicants should, to the best of their knowledge, assess the likely worst-case environmental, social and economic effects of the proposed	ES Chapter 3: Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018] confirms thedetailed design of the Project will be determined post-consent once the Applicant has appointed a contractor(s) The assessment of the Project is therefore based on a set of parameters referred to as the 'Rochdale Envelope' Paragraph 5.1.1.4 of ES Chapter 3: Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018] explains that in order to provide a robust assessment, each topic specific assessment presented in Chapters 5 - 17 has been undertaken on a reasonable worst-case scenario for that given topic.

	Therefore, some flexibility may be required in the consent. Where this is sought and the precise details are not known, then the applicant should assess the effects the project could have (as set out in EN-1 paragraph 4.2.8) to ensure that the project as it may be constructed has been properlyassessed. In this way the maximum- adverse case scenario will be assessed and the IPC should allow forthis uncertainty in its consideration of the application and consent.	development to ensure that the impacts of the project as it may be constructed have been properly assessed. Full guidance on how applicants and the Secretary of State should manage flexibility is set out in Section 4.2 of EN-1.	The reasonable worst-case scenario for each topic differs. Each chapter sets out the selected scenario for that topic, however all assessments have been undertaken within the broadest reasonable parameters. For example, the Plastic Recycling Facility has been assessed in the Environmental Impact Assessment (EIA) with maximum dimensions of 130m by 80m for the purposes of a worst-case assessment as the specific dimensions of the technology to be used are still to be determined, although the maximum scale of the building itself will be 100m by 50m The Project element parameters used for the EIA are detailed in Table 1 of ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018]. The Vertical Parameter Plans (**Document Reference4.18**) [APP-032] and the parameters listed in the parameters table at Schedule 1, Part 3 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] detail the maximum vertical parameters of the Project.
	N/A	Paragraph 3.7.32 (added to draft EN-5) In some cases, not all aspects of the proposal may have been settled in precise detail at the point of application. Such aspects may include: • The composition, calorific value and availability of fuel. • The precise details of all elements of the proposed development	As above.

IPC impact assessment principles – National designations	Paragraph 2.5.33 states: In sites with nationally recognised designations (Sites of Special Scientific Interest, National Nature Reserves, National Parks, the Broads,Areas of Outstanding Natural Beauty and Registered Parks and Gardens), consent for renewable energy projects should only be granted where it can be demonstrated that the objectives of designation of the area will not be compromised by the development, and any significant adverse effects onthe qualities for which the area has been designated are clearly outweighed by the environmental, social and economic benefits.	Paragraph 3.3.6 (replaces adopted EN-3 paragraph 2.5.33) states: In sites with nationally recognised designations (such as SSSIs, National Nature Reserves, National Parks, the Broads, Areas of Outstanding Natural Beauty and , Registered Parks and Gardens), consent for renewable energy projects should only be granted where the relevant tests in Sections 5.4 and 5.10 of EN-1 are met, and any significant adverse effects on the qualities for which the areahas been designated are clearly outweighed by the environmental, social and economic benefits.	Table 2 of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [APP-058] identifies the statutory designated sites within 2 km of the Project. The most southern edge of Conesby (Yorkshire East) Quarry SSSI overlaps (0.13 ha) with the Order Limits of the Railway Reinstatement Land, at the eastern edge of the railway. The Conesby (Yorkshire East) Quarry SSSI is designated on the basis of its geological value. There will be no encroachment/ impact on the site by the railway reinstatement and therefore no assessment has been undertaken on this site. This is also illustrated on the plans of statutory or non-statutory sites or features of nature conservation (**Document Reference 4.6)** [REP2-015]. The Application Land does not contain National Nature Reserves, National Parks, the Broads, Areas of Outstanding Natural Beauty or Registered Parks and Gardens.
	Paragraph 2.5.34 states: In considering the impact on the historic environment as set out in Section 5.8 of EN-1 and whether it is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the IPC should take into account the positive role that large-scale renewable projects play in the mitigation of climate change, the delivery of energysecurity and the urgency of meeting the national targets for renewable energy supply and emissionsreductions.	Paragraph 3.3.8 (replaces adopted EN-3 paragraph 2.5.34) states: In considering the impact on the historic environment as set out in Section 5.9 of EN-1 and whether it is satisfied that the substantial public benefits would outweigh any loss or harm to the significance of a designated heritage asset, the Secretary of State should take into account the positive role that largescale renewable projects play in the mitigation of climate change, the delivery of energy security and the urgency of meeting the net zero target.	The need and benefits of the Project are outlined in sections 4 and 7.2 of the Planning Statement (**Document Reference 5.1**) [REP2-017]. These sections recognise that the Project will play a role in the mitigation of climate change, the delivery of energy security and the urgency of meeting the national targets for renewable energy supply and emissions reductions. The need and benefits of the Project are reiterated in the Closing Submissions for the Project (**Document Reference 9.37)**. It is considered the significant public benefits of the Project outweigh the less than substantial harm identified to designated heritage assets in ES Chapter12: Archaeology and Cultural Heritage **(Document Reference 6.2.12**) [REP4-011].

Biomass/Waste Impacts – Air Quality and emissions - Introduction	Paragraph 2.5.39 states: In addition to the air quality legislation referred to in EN-1 the Waste Incineration Directive (WID) is also relevant to waste combustion plant. It sets out specific emission limit values for waste combustion plants.	.	Section 2 of ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] details the policy, regulations and guidance considered relevant to the assessment of the Project on Air Quality. It recognisesthat through the environmental permit issued by the Environment Agency, an industrial facility has set emission limits for those emission points deemed to be of potential significance in terms of their impacts onair quality. These emissions limits may be derived from Best Available Techniques Reference Notes (BREF Notes), Paragraph 4.3.5.1 of ES Chapter 5: Air Quality of the ES (**Document Reference 6.2.5**) [APP-053] details the input parameters used in the assessment of the Main ERF Stack are identified in Table 19 in Appendix C, using a stack height of 120m. Emission concentrations are based upon the emission limits set out in the Waste Incineration BREF Note.
Biomass/Waste Impacts – Air Quality and emissions – Applicant's assessment	Paragraph 2.5.40 states: The applicant's EIA should include an assessment of the air emissions resulting from the proposed infrastructure and demonstrate compliance with the relevant regulations (see Section 5.2 of EN-1).	Paragraph 3.7.36 (replaces adopted EN-3 paragraph 2.5.40) states: Applicants should include in the ES an assessment of the air emissions resulting from the proposed infrastructure and demonstrate compliance with the relevant regulations (see Section 5.2 and 5.3 of EN-1).	ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [REP7-012] presents the Air Quality Impact Assessment (AQIA) for the Project and demonstratescompliance with the relevant regulations.
	N/A	Paragraph 3.7.37 (added to draft EN-5) states: For combustion plant using CCS, the ES should reflect the latest evidence on the air quality impacts of carbon capture using amine based solvents	ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] presents the Air Quality Impact Assessment (AQIA) for the Project. The AQIA includes an assessment of the emissions of amines, nitramines and nitrosamines (N-amines) during operation as a result of the proposed carbon capture system associated with the ERF plant.

Biomass/Waste Impacts – Air Quality and emissions – IPC decision making	Paragraph 2.5.41 states: Compliance with the WID and the Large Combustion Plant Directive (LCPD) is enforced through the environmental permitting regime regulated by the Environment Agency (EA). Plants not meeting the requirements of the WID and/or LCPD would not be granted a permit to operate. The IPC should refer to the policy in Section 4.10 of EN-1 relatingto other regimes	Paragraph 3.7.91 (replaces adopted EN-3 paragraph 2.5.41) states: Compliance with the EPR is enforced through the environmental permitting regime regulated by the Environment Agency (EA). Plants not meeting the requirements of the EPR would not be granted a permit to operate..	The Project will require an Environmental Permit. When the application is made to the EA, the Applicantwill demonstrate that processes are in place to meet all relevant EP requirements.
	Paragraph 2.5.42 states: The pollutants of concern arising from the combustion of waste and biomass include NOx, SOx, particulates and CO2 . In addition emissions of heavy metals, dioxins and furans are a consideration for waste combustion generating stations but limited by the WID and regulated by the EA.	Paragraph 3.7.92 (replaces adopted EN-3 paragraph 2.5.42) states: The pollutants of concern arising from the combustion of waste and biomass may include NOx, SOx, NMVOCs particulates. In addition, emissions of heavy metals, dioxins and furans are a consideration for waste combustion generating stations, but limited by the EPR and waste incineration BAT conclusions and regulated by the EA.	The Project will require an Environmental Permit. The Applicant recognises emissions will be regulated by the EA. Paragraph 1.1.1.5 of ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] lists thepollutants of interest for the Project and includes,amongst others: • Particulate matter (as PM10 and PM2.5); • Volatile Organic Compounds (VOC), expressed as total organic carbon (TOC); • Hydrogen chloride (HCl); • Hydrogen fluoride (HF); • Sulphur dioxide (SO2); • Oxides of nitrogen (NOx), the sum of nitric oxide (NO) and nitrogen dioxide (NO2), expressed as NO2 ES Chapter 6, Climate (**Document Reference 6.2.6**)[APP-054] presents the greenhouse gas (GHG) assessment of the Project and states that the GHG emissions most likely to have significant effects are carbon dioxide (CO2), methane (CH4) and nitrousoxide (N2O).

.	Paragraph 2.5.43 states: Where a proposed waste combustion generating station meets the requirements of WID and will not exceed the local air quality standards, the IPC should not regard the proposed waste generating station ashaving adverse impacts on health.	Paragraph 3.7.93 (replaces adopted EN-3 paragraph 2.5.43) states: Where a proposed waste combustion generating station meets the requirements of the EPR and BAT conclusions and will not exceed the local air quality standards, the Secretary of State should not regard the proposed waste generating station as having adverse impacts on health.	ES Chapter 4: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] presents the Air Quality Impact Assessment (AQIA) for the Project. With design mitigation in place, the Chapter concludes that operational impacts on air quality at sensitive human receptors will be negligible and there will be no significant effects on human health due to airborne concentrations of pollutants. The project will meet the limits set out in the Waste Incineration BREF (European Commission (2019) Best Available Techniques (BAT) Reference Document for Waste Incineration).
Biomass/Waste Impacts – Air Quality and emissions – Mitigation	Paragraph 2.5.45 states: Abatement technologies should be those set out in the relevant sector guidance notes as produced by theEA. The EA will determine if the technology selected for the waste/ biomass combustion generating station is considered Best AvailableTechnique (BAT) and therefore the IPC does not need to consider equipment selection in its determination process.	Paragraph 3.7.60 (replaces adoptedEN-3 paragraph 2.5.45). Applicants should provide details on the air quality and emissions that will result from their plant, which may include NOx18, SOx19, NMVOCs20 or other particulates. They should detail the abatement technologies adopted, which should be those set out in the relevant sector guidance notes as produced by the Environment Agency (EA). The EA will determine if the technology selected for the waste/biomass combustion generating station is considered Best Available Technique (BAT) and therefore the Secretary of State does not need to consider equipment selection in its determination process	It is acknowledged that the EA will determine if the technology selected for the ERF is considered Best Available Technique (BAT) and therefore the IPC does not need to consider equipment selection in its determination process.

Biomass/Waste Impacts – Landscape and visual – introduction	Paragraph 2.5.47 states: The IPC should be satisfied that the design of the proposed generating station is of appropriate quality and minimises adverse effects on the landscape character and quality.	.	The Design and Access Statement (DAS) (**DocumentReference 5.3**) [REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are setout in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008], compliancewith which is secured by Requirements 3 and 6 in the draft DCO (**Document Reference 2.1)** [APP-040]. Section 7 of ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] details the mitigation measures considered in the landscape and visual assessment. This includes mitigation that is integral to the design of the Project and good practice mitigation measures that the Project is committed to adopting.
Biomass/Waste Impacts – Landscape and visual – Applicant's assessment	Paragraph 2.5.48 states: An assessment of the landscape and visual effects of the proposed infrastructure should be undertaken in accordance with the policy set out in 5.9 of EN-1.	Paragraph 3.7.38 (replaces adopted EN-3 paragraph 2.5.48) states: An assessment of the landscape and visual effects of the proposed infrastructure should be undertaken in accordance withthe guidance set out in 5.10 of EN-1.	An assessment of the potential landscape and visual impacts associated with the construction and operation of the Project has been carried out and is presented in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059].
	N/A	Paragraph 3.7.9 (added to draft EN-5) states: Consideration should also be given to the potential impact of overshadowing neighbouring land uses.	An assessment of the potential landscape and visual impacts associated with the construction and operation of the Project has been carried out and is presented in ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059]. Shadows cast by the proposed buildings would be most frequent to the north. Depending on the time of year, shadows would be cast to the east and west during the course of the day, but rarely to the south of any buildings. Shadowing would be most extensive around the largest building, i.e. the ERF. There are no sensitive visual receptors to the immediate north, north-east or north-west of the ERF. Neighbouring land uses are industrial or commercial in nature and are unlikely to be

			affected by overshadowing.
Biomass/Waste Impacts – Landscape and visual – IPC decisionmaking	Paragraph 2.5.49 states: The IPC should take into account that any biomass/waste combustion generating station will require a building able to host fuel reception andstorage facilities, the combustion chamber and abatement units. The overall size of the building will be dependent on design and fuel throughput, although it is unlikely to beless than 25m in height. External to the building there may be cooling towers, the size of which will also be dependent on the throughput of the generating station.	Paragraphs 3.7.95 and 3.7.96. (replaces adopted EN-3paragraph 2.5.49) states: The Secretary of State should take into account that any biomass/waste combustion generating station will require a building able to host fuel reception and storage facilities, the combustion chamber and abatement units. The overall size of the building will be dependent on design and fuel throughput, although it is unlikely to be less than 25m in height. External to the building there may be cooling towers, thesize of which will also be dependent on the throughput of the generating station.	The Vertical Parameter Plans (**Document Reference4.18**) [REP6-007] and the parameters listed in the parameters table at Schedule 1, Part 3 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] detail the maximum vertical parameters of the Project.
	Paragraph 2.5.50 states: Good design that contributes positively to the character and quality of the area will go some way to mitigate adverse landscape/visual effects. Development proposals should consider the design of the generating station, including the materials to be used in the context of the local landscape.		The principles built into the illustrative design of the Project are set out in the Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008], compliance with which is secured by Requirements 3 and 6 inthe draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. The document summarises the Project Vision and provides a description of the Project. It explains the purposes of the design process as bringing together engineering, environmental and creative expertise to shape and deliver a development project and providegood value that works well for climate, people, and places.

	Paragraph 2.5.51 states: Mitigation is achieved primarily through aesthetic aspects of site layout and building design including size and external finish and colour of the generating station to minimise intrusive appearance in the landscape as far as engineering requirements permit. The precise architectural treatment will need to be site-specific.		Section 7 of ES Chapter 11: Landscape and Visual Impact (**Document Reference 6.2.11**) [APP-059] details the design mitigation measures considered in the landscape and visual assessment. This includes mitigation that is integral to the design of the Project and good practice mitigation measures that the Project is committed to adopting. Requirement 3 in the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9] relates to the detailed designof the Project and ensures that no part of the authorised development may commence (save for thepreliminary works) until various design details have been submitted and approved by the local planning authority for example, the siting design, external appearance of all buildings and the colours, materials and surface finishes of all new permanent buildingsand structures.
	Paragraph 2.5.52 states: The IPC should expect applicants to seek to landscape waste/biomass combustion generating station sites to visually enclose them at low level as seen from surrounding external viewpoints. This makes the scale of the generating station less apparent, and helps conceal its lower level, smaller scale features. Earth bunds and mounds, tree planting or both maybe used for softening the visual intrusion and may also help to attenuate noise from site activities	Paragraphs 3.7.97 and 3.7.98 2.14.7 (replaces adopted EN-3 paragraph 2.5.52) states: The Secretary of State should expect applicants to seek to design the landscape design of waste/biomass combustion generating station sites to visually enclose them at low level as seen from surrounding external viewpoints. This makes the scale of the generating station less apparent, and helps conceal its lower level, smaller scale features. Earth bunds and mounds, tree planting or both may be used for softening the visual intrusion and may also help to attenuate noise from site activities. However, these features should be sympathetic to local landscape character and follow best practice.	Indicative Landscape and Biodiversity Plans (**Document Reference 4.10**) [REP3-007] have been developed that incorporates measures to integrate the Project into the receiving landscape A Landscape and Biodiversity Management and Monitoring Plan (LBMMP) will be prepared for the Project in accordance with the Outline LBMMP (**Document Reference 5.7**) [REP6-012]. This will include details of the creation, enhancement and ongoing management of habitats, including woodland,hedgerow and other landscape features.

Biomass/Waste Impacts – Noise andVibration – Introduction	Paragraph 2.5.53 states: Generic noise and vibration impacts are covered in detail in Section 5.11 of EN-1. In addition there are specific considerations which apply to biomass and EfW generating stations as set out below. Sources of noise and vibration may include: • delivery and movement of fuel and materials; • processing waste for fuel at EfW generating stations; • the gas and steam turbines that operate continuously during normal operation; and external noise sources such as externally-sited air-cooledcondensers that operate continuously during normal operation.	Paragraphs 3.7.40 (replaces adopted EN-3 paragraph 2.5.53). Sources of noise and vibration may include: • the delivery and movement of fuel and materials; • the processing of waste for fuel at EfW generating stations; • the gas and steam turbines that operate continuously during normal operation; and • the external noise sources such as externally-sited air-cooled condensers that operate continuously during normal operation.	The potential effects of the operation of the facility areconsidered in Section 8 of ES Chapter 7: Noise **(Document Reference 6.2.7**) [REP8-006], taking into account the features that are specific to EfW generating stations.
Biomass/Waste Impacts – Noise and Vibration – Applicant's assessment	Paragraph 2.5.54 states: The ES should include a noise assessment of the impacts on amenity in case of excessive noise from the project as described in Section 5.11 in EN-1.	Paragraph 3.7.41 (replaces adopted EN-3 paragraph 2.5.54) states; Applicants should include in the ES a noise assessment of the impacts on amenity incase of excessive noise from the project as described in Section 5.12 in EN-1.	The potential effects on the operation of the facility areconsidered in Section 8 of ES Chapter 7: Noise **(Document Reference 6.2.7**) [REP8-006]**.**
Biomass/Waste Impacts – Noise and Vibration – IPC Decision making	Paragraph 2.5.55 states: The IPC should consider the noise and vibration impacts according to Section 5.11 in EN-1. It should be satisfied that noise and vibration will be adequately mitigated through requirements attached to the consent. The IPC will need to take into consideration the extent to which operational noise will be separately	Paragraph 3.7.100 (replaces adopted EN-3 paragraph 2.5.55). The Secretary of State should consider the noise and vibration impacts according to Section 5.12 in EN-1.and be satisfied that noise and vibration will be adequately mitigated through requirements attached to the consent.	The mitigation of construction and operational noise is discussed in Section 7 and residual effects are discussed in Section 9 of ES Chapter 7: Noise **(Document Reference 6.2.7**) [REP8-006]**.** During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be producedby the construction contractor in

	controlled by the EA. Paragraph 2.5.56 states: The IPC should not grant development consent unless it is satisfied that the proposals will meet the aims set out in paragraph 5.11.9 in EN-1.	Paragraph 3.7.101 (replaces adopted EN-3 paragraph 2.5.56) states: The Secretary of State should not grant development consent unless it is satisfied that the proposals will meet the aims set out in paragraph 5.12 of EN-1.	accordance with the Code of Construction Practice (CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9]. A Construction Noise and Vibration Management Plan will be implemented before the development becomes operational (as secured by Requirement 4 of the draft DCO (**Document Reference2.1**) [Revision 7 submitted at Deadline 9].
Biomass/Waste Impacts – Noise and Vibration – mitigation	Paragraph 2.5.57 states: As described in EN-1, the primary mitigation for noise for biomass and EfW generating stations is through good design to enclose plant and machinery in noise-reducing buildings, wherever possible, and to minimise the potential for operations to create noise. Noise from gas turbines should be mitigated by attenuation of exhausts to reduce any risk of low-frequency noise transmission. Paragraph 2.5.58 states: Noise from features including sorting and transport of material during operation of biomass or EfW generating stations is unavoidable. Similarly, noise from apparatus external to the main generating stationmay be unavoidable. This can be mitigated through careful plant selection.	Paragraph 3.7.64 and 3.7.65 (replaces adoptedEN-3 paragraph 2.5.57) states: As described in Section 5.12.15 of EN-1, the primary mitigation for noise for biomass and EfW generating stations is through good design to enclose plant and machinery in noise-reducing buildings, wherever possible, and to minimise the potential for operations to create noise. Noise from gas turbines should be mitigated by attenuation of exhausts to reduce any risk of low-frequency noise transmission. Paragraph 3.7.66(no change to adopted EN-3 paragraph 2.5.58).	Descriptions of noise generating aspects of the Proposed Development, together with assessment of construction and operational noise and vibration impacts are presented in Sections 4 and 8 of ES Chapter 7: Noise **(Document Reference 6.2.7**) [REP8-006]. The mitigation of construction and operational noise is discussed in Section 7 and residual effects are discussed in Section 9 of ES Chapter 7: Noise **(Document Reference 6.2.7**) [REP8-006]**.**

Biomass/Waste Impacts – Odour, insect and vermin infestation – Applicant's Assessment	Paragraph 2.5.60 states: The applicant should assess the potential for insect infestation and emissions of odour as set out in EN-1 Section 5.6 with particular regard to the handling and storage of waste forfuel.	Paragraph 3.7.42 (replaces adopted EN-3 paragraph 2.5.60) states: Applicants should assess the potential for insect infestation and emissions of odour as set out in EN-1 Section 5.7 with particular regard to thehandling and storage of waste for fuel.	The Application is accompanied by a Statutory Nuisance Statement **(Document Reference 5.6**) [APP-040] which details the possible sources of statutory nuisances (including odour and insects etc.) and how they may be mitigated or limited. The Statutory Nuisance Statement **(Document Reference 5.6**) [APP-040] details that only matters addressed by the Environmental Protection Act 1990 which have been assessed in the EIA as having the potential for significant effects are air quality, noise, visible plumes, and lighting. The Statement concludes that the Project would have no significant air quality or lighting nuisance effects following the implementation of the identified embedded mitigation measures. The residual effects of construction noise are predicted to be of moderate significance at most. Following discussions with North Lincolnshire Council, ES Chapter 5 was updated at Deadline 4 to include an odour assessment (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9].This qualitative assessment detailed that, due to the design of the Project inherently creating an 'ineffective pathway' for odour emissions, it is reasonable to conclude the risk of odour nuisance is low to negligible.
Biomass/Waste Impacts – Odour, insect and vermin infestation – IPC Decision Making	Paragraph 2.5.61 states: The IPC should satisfy itself that the proposal sets out appropriate measures to minimise impacts on local amenity from odour, insect andvermin infestation.	Paragraph 3.7.103 (replaces adopted EN-3 paragraph 2.5.61) states: The Secretary of State should satisfy itself that the proposal sets out appropriate measures to minimise impacts on local amenity from odour, insect and vermin infestation.	A tabulated summary of mitigation measures for the Project is also presented in ES Chapter 19: Mitigation (**Document Reference 6.2.19**) [REP8-009]. During construction, works will be undertaken in line with a Construction Environmental Management Plan (CEMP) which will include good practice measures to reduce impacts on sensitive receptors. The CEMP will be produced by the construction contractor in accordance with the Code of Construction Practice(CoCP) provided in Annex 7 to the ES (**Document Reference 6.3.7**) [

			Revision 6 submitted at Deadline 9]. The Operational Environmental Management Plan (OEMP) (**Document Reference 6.3.8**) [REP8-010] contains the necessary inspection and monitoring measures to demonstrate that mitigation measures are implemented properly, in a timely manner and work asanticipated. The provision of a detailed OEMP is secured by Requirement 4 of the draft DCO **(Document Reference 2.1)** [Revision 7 submitted at Deadline 9].
Biomass/Waste Impacts – Odour, insect and vermin infestation – Mitigation	Paragraph 2.5.62 states: In addition to the mitigation measures set out in EN-1, reception, storage and handling of waste and residues should be carried out within defined areas, for example bunkers or silos, within enclosed buildings at EfW generating stations.	Paragraph 3.7.67 (no change to adopted EN-3 paragraph 2.5.62).	The Project comprises the works as set out in Schedule 1 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] and includes fuel reception and storagefacilities, consisting of vehicle ramps, a tipping hall, shredder, bunker hall and cranes (Work number 1). These elements (excluding the ramps) are within an enclosed negative pressure building to effectively eliminate the potential for odour to be emitted outside the plant.
	Paragraph 2.5.63 states: To minimise potential for infestation,the time between reception, processing and combustion of wastemay be limited by consent requirements.	Paragraph 3.7.68 (replaces adoptedEN-3 paragraph 2.5.63) states: To minimise potential for infestation, operators are required to produce a written management system as part of their environmental permit and this will include consideration of odour, insect and vermin management. The EA and NRW will regulate facilities against this plan	Paragraph 3.2.2.4 of Chapter 3 of the ES (**Document Reference 6.2.3**) [REP6-018] details that the RDF will be delivered to the ERF by a combination of rail, road,and river transport. Upon arrival at the ERF, the RDF enters the enclosed delivery area under negative pressure, where it will be tipped into the bunker hall. No such requirement is therefore considered necessary in the draft DCO (**Document Reference 2.1**) .[Revision 7 submitted at Deadline 9].
Biomass/Waste Impacts – Waste Management – Applicant's assessment	Paragraph 2.5.66 states: An assessment of the proposed waste combustion generating station should be undertaken that examines the conformity of the scheme with the waste hierarchy and the effect of the scheme on the relevant waste plan or plans where a proposal is likely to	Paragraph s 3.7.43 and 3.7.44 (replaces adoptedEN-3 paragraph 2.5.66). EfW plants need not disadvantage reuse or recycling initiatives where the proposed development accords with the waste hierarchy.	The RDF Supply Assessment (**Document Reference 5.2**) [REP3-041] concludes thatenergy from waste using RDF feedstock is consistent within the waste hierarchy principles as it diverts waste from landfill, the recyclable materials have been extracted from the feedstock and the operation has flexibility in terms of calorific value and waste composition of its feedstock. ERFs have a fundamental part to play in the waste

	involve more than one local authority	Applicants should undertake an assessment of the proposed waste combustion generating station examining the conformity of the scheme with the waste hierarchy and the effect of the scheme on the relevant Waste Local Plans or plans where a proposal is likely to involve more than one local authority.	hierarchy, particularly to reduce the amount of non-recyclablewaste going to landfill. The RDF Supply Assessment (**Document Reference 5.2**) [REP3-041] details that theProject meets the objectives of the North Lincolnshire Council's Waste Strategy, as the facility will take RDF feedstock made from residual waste previously subject to recycling at separate collection or Materials Recovery Facility (MRF), and so the production of feedstock to be recovered in the facility will not negatively influence recycling targets. The location of the facility is also consistent with adopted and emerging policy in the waste local plan as set out in the Planning Statement (**Document Reference 5.1**) [REP2-017] whichexplains that the Core Strategy 2011 (CS20) states that new and enhanced facilities for the treatment andmanagement of waste will be located at five broad locations, including Flixborough Industrial Estate. The emerging Local Plan (submission version) also states that new waste management facilities should be located in sustainable locations that are appropriate tothe proposed waste management use and its operational characteristics, and where impacts on the community and the environment can be avoided or addressed appropriately. New EfW facilities will be supported provided that they meet specified criteria, including that they follow a sequential approach to site selection, including on employment sites (emerging Policy WAS2: Waste Facilities).

	Paragraph 2.5.67 states: The application should set out the extent to which the generating station and capacity proposed contributes to the recovery targets set out in relevant strategies and plans, taking into account existing capacity.	Paragraph 3.7.45 (replaces adopted EN-3 paragraph 2.5.67) states: Applicants should set out the extent to which the generating station and capacity proposed is compatible with, and supports long-term recycling targets, taking into account existing residual waste treatment capacity and that already in development.	In terms of fuel availability, the RDFSupply Assessment (**Document Reference 5.2**) [REP3-041] – subsequently updated in REP3-022 and REP6-032 - provides analysis of fuel availability on botha national and local (regional level. Assuming all EfW capacity is required to have carbon capture by 2035 to comply with the Net Zero Strategy, the report projects a capacity gap based on existing and committed capacity of over 2 million tonnes nationally and around 1.1 million tonnes at the local (East Midlands and Yorkshire) level in 2035 if low-CCS potential projects are excluded (even assuming that very ambitious recycling targets are met). The use of RDF does not displace the levels of recycling that can be achieved with commercial viability.
	Paragraph 2.5.68 states: It may be appropriate for assessments to refer to the Annual Monitoring Reports published by relevant waste authorities which provide an updated figure of existing waste management capacity and future waste management capacity requirements.	Paragraph 3.7.46 (no change to adopted EN-3 paragraph 2.5.68).	Section 3.7 of the RDF Supply Assessment (**Document Reference 5.2**) [REP3-041]considers residual waste treatment capacity that is operational and under development and estimates how much residual waste cannot be processed by energy recovery facilities in England. Section 3.4 details the data sources used.
	Paragraph 2.5.69 states: The results of the assessment of the conformity with the waste hierarchy and the effect on relevant waste plans should be presented in a separate document to accompany the application to the IPC.	Paragraph 3.7.47 (replaces adopted EN-3 paragraph 2.5.69) states: The results of the assessment of the conformity with the waste hierarchy and the effect on relevant waste plans shouldbe presented in a separate document to accompany the application to the Secretary of State.	The results of the assessment of the Project's conformity with the waste hierarchy and the effect on relevant waste plans is detailed in the RDF Supply Assessment (**Document Reference 5.2**)[REP3-041].

Biomass/Waste Impacts – Waste Management – IPC decision making	Paragraph 2.5.70 states: The IPC should be satisfied, with reference to the relevant waste strategies and plans, that the proposed waste combustion generating station is in accordance with the waste hierarchy and of an appropriate type and scale so as not to prejudice the achievement of local or national waste management targets in England and local, regional or national waste management targets in Wales. Where there are concerns in terms of a possible conflict, evidence should be provided to the IPC by the applicant as to why this is not the caseor why a deviation from the relevant waste strategy or plan is nonetheless appropriate and in accordance with the waste hierarchy	Paragraphs 3.7.104 and 3.7.105 (replaces adopted EN-3 paragraph 2.5.70) states: The Secretary of State should be satisfied, with reference to the relevant waste strategies and plans, that the proposed waste combustion generating station is in accordance with the waste hierarchy and of an appropriate type and scale so as not to prejudice the achievement of local or national waste management targets in England and local, regional or national waste management targets in Wales. Where there are concerns in terms of a possibleconflict, evidence should be provided to the Secretary of State by the applicant as to why this is not the case or why a deviation from the relevant waste strategy or plan is nonetheless appropriate and in accordance with the waste hierarchy. The Secretary of State should also consider whether a requirement, including monitoring, is appropriate to ensure compliance with the waste hierarchy.	The RDF Supply Assessment (**Document Reference 5.2**) [REP3-041] concludes thatenergy from waste using RDF feedstock is consistent within the waste hierarchy principles as it diverts waste from landfill, the recyclable materials have beenextracted from the feedstock and the operation has flexibility in terms of calorific value and waste composition of its feedstock. ERFs have a fundamental part to play in the waste hierarchy, particularly to reduce the amount of non-recyclable waste going to landfill. In terms of fuel availability, the RDFSupply Assessment (**Document Reference 5.2**) [REP3-041] – subsequently updated in REP3-022 and REP6-032 - provides analysis of fuel availability on botha national and local (regional) level. Assuming all EfW capacity is required to have carbon capture by 2035 to comply with the Net Zero Strategy, the report projects a capacity gap based on existing and committed capacity of over2 million tonnes nationally and around 1.1 million tonnes at the local (East Midlands and Yorkshire and Humber) level in 2035 if low-CCS potential projects are excluded (even assuming that very ambitious recycling and residual waste targets are met). The use of RDF does not displace the levels of recycling that can be achieved with commercialviability.

Biomass/Waste Impacts – Residue Management – Introduction	Paragraph 2.5.72 states: Generating stations that burn waste (even if mixed with biomass fuel) produce two types of residues: • combustion residue is inert material from the combustion chamber. The quantity of residue produced is dependent on the technology process and fuel type but might be as much as 30% (in terms of weight) of the fuel throughput of the generating station; and • fly ash, a residue from flue gas emission abatement technology and usually 3-4% (in terms of weight) of the fuelthroughput of the generating station.	Paragraph 3.7.48 (no change to adopted EN-3 paragraph 2.5.72).	Section 4.3.13 of ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] recognises that combustion process produces two types of ash and goes on to describe each in turn: • bottom ash; and • flue gas treatment (FGT) residue.
	Paragraph 2.5.73 states: Under the WID the two residues from waste combustion generating stations cannot be mixed; they must be disposed of separately, under different regimes.	Paragraph 3.7.49 (replaces adopted EN-3 paragraph 2.5.73) states: The two residues from waste combustiongenerating stations cannot be mixed; they must be disposed of separately, under different regimes.	Section 4.3.13 of ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] and ES Chapter 15: Waste (**Document Reference 6.2.15**)[APP-063] describes how the two residues will be disposed of separately. In relation to bottom ash, the material will be utilised on site for integration into concrete blocks in the Concrete Block Manufacturing Facility (CBMF), after metals have been separated. A small quantity of rejected incinerator bottom ash will require disposal via landfill. FGTr will be processed in the RHTF using a carbonation process, producing an aggregate. This aggregate will be used to produce concrete blocks in the CBMF.

	Paragraph 2.5.75 states: The regulations on waste disposal for waste combustion and flue gas residues from biomass combustion are intended to reduce the amount ofwaste that is sent to landfill. Waste combustion fly ash is classified as a hazardous waste material and needsto be managed as such.	Paragraph 3.7.51 (no change to adopted EN-3 paragraph 2.5.75).	Section 4.3.13 of ES Chapter 5: Air Quality (**Document Reference 6.2.5**) [Revision 3 submitted at Deadline 9] and ES Chapter 15, Waste (**Document Reference 6.2.15**)[APP-063] describes how the two residues will be disposed of separately. In relation to bottom ash, the material will be utilised on site for integration into concrete blocks in the Concrete Block Manufacturing Facility (CBMF), after metals have been separated. A small quantity of rejected incinerator bottom ash will require disposal via landfill. FGTr will be processed in the RHTF using a carbonation process, producing an aggregate. This aggregate will be used to produce concrete blocks in the CBMF
	Paragraph 2.5.76 states: Waste management is covered in the Environmental Permit for operation of waste or biomass generating stations. (See Section 5.14 of EN-1.)	Paragraph 3.7.52 (replaces adopted EN-3 paragraph 2.5.76) states: Waste management is covered in the Environmental Permit for operation of waste or biomass generating stations. (See Section 5.15 of EN-1.)	The Project will require and Environmental Permit. It isacknowledged that waste management during operations will be covered by the Permit.
Biomass/Waste Impacts – Residue management – Applicant's assessment	Paragraph 2.5.77 states: The assessment should include the production and disposal of residues as part of the ES. Any proposals for recovery of ash and mitigation measures should be described.	Paragraph 3.7.53 (replaces to adopted EN-3 paragraph 2.5.77) states: Applicants should include the production and disposal of residues as part of the ES. Any proposals for recovery of ash and mitigation measures should be described.	ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063] provides the assessment of potential effects related to waste for the Project. Section 5 of the Chapter describes the assessment methodology and the assumptions made in relation to ash. In terms of recovery of ash and mitigation. Paragraph 7.3.1.3 of ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063] details that concrete block manufacturing facility (CBMF) will take the waste generated by the ERF (in the form of incinerator bottom ash (IBA) and Flue Gas Treatment Residue (FGTr)) and turn it into a valuable product. The CBMF will receive approximately 125,000 tonnes of treated IBA and FGTr per year.

	Paragraph 2.5.78 states; Applicants should set out the consideration they have given to the existence of accessible capacity in waste management sites for dealing with residues for the planned life of the power station.	Paragraph 3.7.54 (no change to adopted EN-3 paragraph 2.5.78).	Paragraph 5.1.1.3 of ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063] explains that the estimated waste volumes arising from the construction and operation phases have been considered, to determine the likely significant residual effects. This includes the extent to which existing facilities are able to accommodate different waste types arising from the Project, such that the capacity of existing facilities being compromised. ES Chapter 15, Waste (**Document Reference 6.2.15**) [APP-063] concludes that with the proposed mitigationin place, as identified in Section 7.3 and 7.4 of the Chapter, and the requirement to operate within the conditions of an Environmental Permit there will be nosignificant waste management effects during operation.
	N/A	Paragraph 3.7.55 (added to draft EN-3) states: Applicants must ensure proposals do not result in an over-capacity of EfW waste treatment provision at a local or national level.	Tables 1-4 of Applicant's response to ExA's second written questions, [REP6-032]) states that if all existing EfW facilities are assumed to continue operating, and current recycling targets (65% by 2035) and residual waste reduction targets (50% by 2042) are met, there would be a slight overcapacity at UK and regional level but a slight under-capacity at local level. The Closing Submissions **(Document Reference 9.37]** explains the Applicant's position in relation to this matter i.e. that it is reasonable to assume that older facilities that do not have R1 status and have low potential to incorporate CCUS will increasingly be unable to compete and a number of these will therefore be forced to close or require significant investment to refurbish or rebuild them. In the majority of cases this would require a new planning permission or DCO, in addition to new environmental permits, the process of which would be expensive and time consuming with no certainty that they would be granted.

			The RDF Supply Assessment (**Document Reference 5.2**) [REP3-041] shows that when non R1 and EfW with low potential to incorporate CCS are excluded, there is a significant capacity gap at a national and local level. Furthermore, the RDF Supply Assessment (**Document Reference 5.2**) [REP3-041] – subsequently updated in REP3-022 and REP6-032 - notes that it is unrealistic to assume that all of the existing EfW fleet will be retrofitted with carbon capture. Assuming all EfW capacity is required to have carbon capture by 2035 to comply with the Net Zero Strategy, the report projects a capacity gap based on existing and committed capacity of over 2 million tonnes nationally and around 1.1 million tonnes at the local (East Midlands and Yorkshire and Humber) level in 2035 if low-CCS potential projects are excluded (even assuming that very ambitious recycling and residual waste targets are met).
Biomass/Waste Impacts – Residue management – IPC decision making	Paragraph 2.5.81 states: The IPC should be satisfied that management plans for residue disposal satisfactorily minimise the amount that cannot be used for commercial purposes. The IPC shouldgive substantial positive weight to development proposals that have a realistic prospect of recovering residues.	Paragraphs 3.7.107 and 3.7.110 (replaces adoptedEN-3 paragraph 2.5.81) state: The Secretary of State should be satisfied that management plans for residue disposal satisfactorily minimise the amount that cannot be used for commercial purposes. The Secretary ofState should give substantial positive weight to development proposals that have a realistic prospect of recovering residues.	Recovery and use of residues to the maximum extent practicable is an integral part of the Project design through the inclusion of the concrete block manufacturing facility (CBMF). This is secured throughRequirement 18 of the draft DCO (**Document Reference 2.1)** [Revision 7 submitted at Deadline 9]. The management of residues remaining after recovery and use in the CBMF will be through implementation of the Environmental Management System that will be required as part of the Environmental Permit. Section 2 of the Operational Environmental Management Plan (OEMP) (**Document Reference 6.3.8**) [REP8-010] explains that as an Environmental Permit will be required to operate the ERF and related aspects of the Project, the Applicant has not sought to duplicate the controls secured by the environmental permitting regime.

			Paragraph 7.3.1.3 of ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063] details that the RHTF will take the waste generated by the ERF (in the form of incinerator bottom ash (IBA) and Flue Gas Treatment Residue (FGTr)) and turn it into an aggregate for use in the CBMF. The CBMF will receive approximately 125,000 tonnes of treated IBA and FGTr per year. Paragraph 7.3.1.5 of ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063] explains that the CBMF will combine the treated ash with imported sand and cement, delivered by road, river and train, to manufacture 285,000 tonnes of concrete blocks per year. The manufactured blocks will then be exported to market from the Project via road, river and train. The Indicative Phasing Plan (**Document Reference 4.9**) [APP-023] details the phasing of each element ofthe Project. Requirement 2 of the draft DCO(**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] provides that the authorised development must not be commenceduntil a written scheme setting out the proposed phasing has been submitted to and approved by the relevant planning authority. The approved phasing plan must be complied with thereafter. It is therefore considered that there is a realistic prospect of recovering residues as described in ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063].
	Paragraph 2.5.82 states: The IPC should consider what requirements it may be appropriate to impose. If the EA has indicated that there are no known barriers to it issuing an Environmental Permit for operation of the proposed biomass/waste fuelled	Paragraph 3.7.111 (replaces adopted EN-3 paragraph 2.5.82) states: The Secretary of State should consider what requirements it may be appropriate to impose. If the EA has indicated that there are no known barriers to it issuing an Environmental Permit for operation of	An Environmental Permit will be required for the Project. At this stage, the EA has not indicated that there are no known barriers to issuing an Environmental Permit.

	generating station and agrees that management plans suitably minimise the wider impacts from ash disposal, any residual ash disposal impacts should have limited weight.	the proposed biomass/waste fuelled generating station and agrees that management plans suitably minimise the wider impacts from ash disposal, any residual ash disposal impacts should have limited weight.	
Biomass/Waste Impacts – Residue management – Mitigation	Paragraph 2.5.83 states: The environmental burdens associated with the management of combustion residues can be mitigated through recovery of secondary products, for example aggregate or fertiliser, rather than disposal to landfill. The IPC should give substantial positive weight to development proposals that have a realistic prospect of recovering these materials. The primary management route for fly ash is hazardous waste landfill. However, there may be opportunities to reuse this material for example in the stabilisation of industrial waste. The management of hazardous waste will be considered bythe EA through the Environmental Permitting regime.	Paragraphs 3.7.69 to 3.7.71 (replaces adoptedEN-3 paragraph 2.5.83). The environmental burdens associated with the management of combustion residues can be mitigated through recovery of secondary products, for example aggregate or fertiliser, rather than disposal to landfill. The primary management route for fly ash is hazardous waste landfill; however, there may be opportunities to reuse this material for example in the stabilisation of industrial waste. The management of hazardous waste will be considered by the EA or NRW through the Environmental Permitting regime.	Paragraph 7.3.1.3 of ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063] details that the residue handling and treatment facility (RHTF) will take the waste generated by the ERF (in the form of incinerator bottom ash (IBA) and Flue Gas Treatment Residue (FGTr)) and turn it into an aggregate for use in the CMBF. The CBMF will receive approximately 125,000 tonnes of treated IBA and FGTr per year. Paragraph 7.3.1.5 of ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063] explains that the CBMF will combine the treated ash with imported sand and cement, delivered by road, river and train, to manufacture 285,000 tonnes of concrete blocks per year. The manufactured blocks will then be exported to market from the Project via road, river and train. The Indicative Phasing Plan (**Document Reference 4.9**) [APP-023] details the phasing of each element of the Project Requirement 2 of the draft DCO (**Document Reference 2.1**) [Revision 7 submitted at Deadline 9] provides that the authorised development must not be commenceduntil a written scheme setting out the proposed phasing has been submitted to and approved by the relevant planning authority. The approved phasing plan must be complied with thereafter. It is therefore considered that there is a realistic prospect of recovering residues as described in ES Chapter 15: Waste (**Document Reference 6.2.15**) [APP-063].

			Flue gas treatment residue will be processed in the RHTF to produce an aggregate for use in the CBMF using captured CO2. It is acknowledged that the management of hazardouswaste will be considered by the EA through the Environmental Permitting regime.
Biomass/Waste Impacts – water quality and resources – introduction	Paragraph 2.5.84 states: Generic water quality and resource impacts are set out in Section 5.15 of EN-1. The design of water cooling systems for EfW and biomass generating stations will have additional impacts on water quality, abstraction and discharge. These may include: • discharging water at a higher temperature than the receiving water, affecting the biodiversity of aquatic flora and fauna; • use of resources may reduce the flow of watercourses, affecting the rate at which sediment is deposited, conditions for aquatic flora and potentially affecting migratory fish species (e.g. salmon); • fish impingement and/or entrainment – i.e. being taken into the cooling system during abstraction; and • discharging water containing chemical anti-fouling treatment of water for use in cooling systems may have adverse impacts on aquatic biodiversity.	Paragraph 3.7.56 (no change to adopted EN-3 paragraph 2.5.84).	ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018] details that the cooling system for the ERF will consist of either ACC or ABC,both of which will be located on the roof of the turbinehall to reduce the footprint of the ERF. These cooling methods use air as the working fluid and no not needa water supply. Water required for operation of the ERF and other buildings within the Energy Park Land will be derived from the main Anglian Water utilities network; there will be no abstractions or discharges from or to the River Trent. Table 13 of ES Chapter 10: Ecology and Nature Conservation (**Document Reference 6.2.10**) [APP-058] assesses that there will be no significant effect on aquatic invertebrates as a result of the Project. The table also assesses that there will be no significant effect on the aquatic habitats of the Humber Estuary SAC, SPA and Ramsar site.

Biomass/Waste Impacts – water quality and resources – Applicant's assessment	Paragraph 2.5.85 states: Where the project is likely to have effects on water quality or resources the applicant should undertake an assessment as required in EN-1, Section 5.15. The assessment should particularly demonstrate that appropriate measures will be put in place to avoid or minimise adverse impacts of abstraction and discharge of cooling water.	Paragraph 3.7.57 (replaces adopted EN-3 paragraph 2.5.85) states: Where the project is likely to have effects on water quality or resources the applicant should undertake an assessment as required in EN-1, Section 5.16. The assessment should particularlydemonstrate that appropriate measures will be put in place to avoid or minimise adverse impacts of abstraction and discharge of cooling water.	ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] presents thefindings of the assessment of likely significant effects on the water environment as a result of the Project. Section 7 of ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] details that there will be no abstractions or discharges from or to the River Trent. All operational water will be sourced from the mains. Domestic foul water will be discharged to Severn Trent sewer network. Trade effluent (operational process foul water) will be treated and re-used on site. Refer to the Indicative Drainage Strategy for further details (**Document Reference 6.3.5**) [REP5-019]
	N/A	Paragraph 3.7.59 (added into draft EN-3) As river and sea temperatures rise (as a result of already locked-in climate change) then the operational constraints necessary to protect ecosystems will also increase. Applicants should consider climate risks when designing water cooling systems – ensuring they're fit for the future.	ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018] details that the cooling system for the ERF will consist of either ACC or ABC,both of which will be located on the roof of the turbinehall to reduce the footprint of the ERF. These cooling methods use air as the working fluid and no not needa water supply. The air coolers have been conservatively sized to allow for summer temperatures.
Biomass/Waste Impacts – water quality and resources – IPC Decision making	Paragraph 2.5.86 states: The IPC should be satisfied that the applicant has demonstrated measures to minimise adverse impacts on water quality and resources as described above and in EN-1.	Paragraph 3.7.112 (replaces adopted EN-3 paragraph 2.5.86) states: The Secretary of State should be satisfied that the applicant has demonstrated measures to minimise adverse impacts on water quality and resources as described above and in Section 5.16 of EN-1.	Section 7 of ES Chapter 9, Water Resources and Flood Risk (**Document Reference 6.2.9**) [REP6-020] describes the mitigation measures considered in the assessment. This includes mitigation that is integral to the design of the Project and good practice mitigation measures that the Project is committed to adopting. With the implementation of the mitigation as set out in ES Chapter 9, Water Resources and Flood Risk (**Document Reference 6.2.9**) [REP6-020], along with the measures set out in the CoCP (**Document Reference 6.3.7**) [Revision 6 submitted at Deadline 9], the ES concludes that the impacts of the

			construction and decommissioning of the Project will not result in any significant effects on flooding and the water environment other than one exception: moderate adverse effects on Lysaght's Drain are predicted temporarily during the constructionworks themselves. In terms of the operational phase of the Project, and similarly with the implementation of the mitigation as set out in ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9**) [REP6-020], the ES concludes that the effects of Project operation will result in a significant effect at just one receptor and only during a breach scenario: the commercial building at Flixborough Wharf, located to the north ofthe Wharf.
Biomass/Waste Impacts – water quality and resources– mitigation	Paragraph 2.5.87 states: In addition to the mitigation measures set out in EN-1, design of the cooling system should include intake and outfall locations that avoid or minimise adverse impacts. There should also be specific measures to minimise fish impingement and/or entrainment and the discharge of excessive heat to receiving waters.	Paragraph 3.7.72 (no change to adoptedEN-3 paragraph 2.5.87).	Section 7 of ES Chapter 9: Water Resources and Flood Risk (**Document Reference 6.2.9)** [REP6-020] details that there will be no abstractions or discharges from or to the River Trent for cooling. All operational water will be sourced from the mains. Domestic foul water will be discharged to Severn Trent sewer network. Trade effluent (operational process foul water) will be treated and re-used on site. Refer to the Indicative Drainage Strategy for further details (**Document Reference 6.3.5**) [REP5-019]. ES Chapter 3, Project Description and Alternatives (**Document Reference 6.2.3**) [REP6-018] details that the cooling system for the ERF will consist of either ACC or ABC, both of which will be located on the roof of the turbine hall to reduce the footprint of the ERF. These cooling methods use air as the working fluid and do not need a water supply.

Table 3: EN-5 NPS Accordance Table

National Policy Statement for Electricity Networks Infrastructure (EN-5) **Assessment and Technical Specific Information – Assessment of the specific impacts as set out in EN-5 (2011) and Draft EN-5 (2023) is considered below.**			
Policy	**EN-5 Policy Text**	**Draft EN-5 Policy Text**	**Assessment**
Part 2.3 – General assessment principles forelectricity networks	Paragraph 2.3.1 states: EN-1 explains in Section 4.9 that the Planning Act aims to create a holistic planning regime so that the cumulative effects of different elements of the sameproject can be considered together. Therefore the Government envisages that, wherever reasonably possible, applications for new generating stationsand related infrastructure should be contained in a single application to the IPC. Paragraph 2.3.2 states: However, particularly for generating stations and the related electricity networks, this may not always be possibleor represent the most efficient approach to the delivery of new infrastructure. This could be, for example, because of the differing lengths of time needed to prepare the applications for submission tothe IPC, or because a network applicationrelates	Paragraph 2.7.1 (replaces adopted EN-5Paragraph 2.3.1) states: EN-1 explains in Section 4.10 that the Planning Act 2008 aims to create a holistic planning regime,such that the cumulative effects of the same project can be considered together. Paragraph 2.7.2 states: Accordingly, the government envisages that,wherever reasonably possible, applications for new generating stations and their related infrastructure should be contained in a singleapplication to the Secretary of State. However, a consolidated approach of this kind may not always be possible, nor represent the most efficient strategy for delivery of new infrastructure. Paragraph 2.7.3 and 2.7.4 (replaces adopted EN-5 paragraph 2.3.2) states: This could be, for example, due to the differing lengths of time needed to prepare the applications for submission to the Secretary of State, or because a network application relates to multiple generation	The Applicant acknowledges the aim of the Planning Act 2008 to create a holistic planning regime and has included related infrastructure, where reasonably possible, within this application. This includes private wire networks. Schedule 1, Part 1 of the Draft DCO (**Document Reference 2.1**) [REP6-004] detail all the Works included within the application**.**

	to multiple generation projects or because the works involved are strategic reinforcements required for a number of reasons. It may also be relevant that the networks application and a related generating station application are likely to come from two different legal entities, or be subject to different commercial and regulatory frameworks. Case studies illustrating the different scenarios that mayarise can be found in a report prepared bythe Electricity Networks Strategy Group Planning Working Group . Early engagement with the IPC is encouraged in such circumstances. Paragraph 2.3.3 states: Where an electricity networks infrastructure project is submitted to the IPC without an accompanying applicationfor a generating station, the IPC should have regard to the matters specified in paragraph 4.9.3 of EN-1, as well as the need for the proposed infrastructure (as set out in Part 3 of EN-1). Circumstancesin which the IPC considers it appropriate to consider a networks application separately from related proposals may include where, although the proposed generating station has yet to be consented, there is clear evidence of demand in that: • the project is wholly or substantially supported by connection agreements or contractual arrangements toprovide connection; or the project is based on	projects (which could be onshore or offshore), or because the works involved are strategic reinforcements required for a number of reasons. 2.7.4 It may also be the case that the networks infrastructure application and the application for a related generating station will of necessity come from different legal entities, or from entities subject to different commercial and regulatory frameworks. Paragraphs 2.7.5, 2.8.1 and 2.8.3 (added to draft EN-5) states: It will also be common for applications to be submitted for the general purpose of reinforcing the network, which will be critical to deliver especially in light of the drive towards net zero, including the ambition for up to 50GW of offshore wind by 2030, and a CNP (see EN-3). A strategic approach to network planning proposed through the Centralised Strategic Network Planning process under the Ofgem-led Electricity Transmission Network Planning Review (ETNPR) will identify strategic investments intended to facilitate achieving net zero and decarbonisation targets. In these cases (i.e. where the application is a reinforcement project in its own right and does not accompany an application for a	

	reasonably anticipated future requirements. This might be because it is located in an area where there is likely to be either significant increased generation or a significant increase in load on the existing network. An example of how this could be demonstrated is Round 3 for offshore windfarms where site licensing arrangements will give aclear indication of the areas withinwhich future applications for consent will be received. Paragraph 2.3.4 states: If the IPC believes it needs to probe further then factors it may wish to consider include whether the project would make a significant contribution to the promotion of renewable energy, the achievement of climate change objectives, the maintenance of an appropriate level of security of electricitysupply or whether it helps achieve otherenergy policy objectives. Paragraph 2.3.5 states: • The IPC should also take into account that National Grid, as the owner of the electricity transmission system in Englandand Wales, as well as Distribution Network Operators (DNOs), are required under section 9 of the Electricity Act 198910 to	generating station, or is not underpinned by a contractually-supported agreement to provide an as-yet unconsented generating station with a connection), the Secretary of State should have regard to the need case for new electricity networks infrastructure set out in Section 3.3 of EN-1. Paragraphs 2.8.3 and 2.8.4 (replaces adopted EN-5paragraph 2.3.5) states: The Secretary of State should also take into account that Transmission Owners (TOs) andDistribution Network Operators (DNOs) are required under Section 9 of the Electricity Act1989 to bring forward efficient and economical proposals in terms of network design. TOs and DNOs are also required to facilitate competition in the generation and supply of electricity, and electricity distributors have a statutory duty to provide aconnection where requested. Paragraphs 2.8.5 to 2.8.7 (replaces adopted EN-5paragraph 2.3.6) states: Given that individual electricity lines are only component parts of a country-spanning network, it may arise that a single application covers works to be undertaken at different geographical locations. Where it can be demonstrated that such a set of works will reinforce the network as a whole, or reinforcethe network to accommodate a subset of newconnections, the Secretary of State should bewilling – in line with the need statement set out in Section 3.3 of EN-1 – to accept an application seeking development consent for the entire set of	

	bring forward efficient and economical proposals in terms of networkdesign, taking into account current and reasonably anticipated future generation demand. National Grid is also required to facilitate competition in the supply and generation of electricity and so has a statutory duty to provide a connection whenever or wherever one is required. Paragraph 2.3.6 states: Given that electricity lines form part of a network, there may also be circumstanceswhere a single application contains works in different geographical locations. Where it can be demonstrated that a series of works will reinforce the network as a whole and meet the need set out in EN-1, the IPC should be willing to accept an application that seeks development consent for the entire set of works. Applicants should discuss potential applications of this nature with the IPC inadvance of submitting a formal application.	works. Applicants should ensure that any such applications are kept to a scale which they can manage within the statutory timescales and discuss putative applications of this kind with the Planning Inspectorate before formally submitting an application.	
Part 2.4 – Climate change adaptation	Paragraph 2.4.1 states: Part 2 of EN-1 provides information regarding the Government's energy and climate change strategy including policiesfor mitigating climate change. Section 4.8 of EN-1 sets out the generic	Paragraphs 2.3.1 and 2.3.2 state: Section 4.9 of EN-1 sets out the generic considerations that Applicants and the Secretary of State should take into account inorder to ensure that electricity networks infrastructure is resilient to the effects of	Climate change risk impacts are addressed within ES Chapter 16: Major Accidents and Disasters (**Document Reference 6.2.16**) [Revision 1 submitted at Deadline 9], and in the site-specific floodrisk assessment presented in Annex 3 (**Document Reference 6.3.3**) [APP-070].

	considerations that applicants and the IPCshould take into account to help ensure that electricity networks infrastructure is resilient to climate change. As climate change is likely to increase risks to the resilience of some of this infrastructure, from flooding for example, or in situations where it is located near the coast or an estuary or is underground, applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it would be resilient to: - flooding, particularly for substations that are vital for the electricity transmission and distribution network; - effects of wind and storms onoverhead lines; - higher average temperatures leading to increased transmissionlosses; and - earth movement or subsidence caused by flooding or drought (forunderground cables). Paragraph 2.4.2 states: Section 4.8 of EN-1 advises that the resilience of the project to climate change should be assessed in the Environmental Statement (ES) accompanying an application. For example, future increasedrisk of flooding would be covered in any flood risk assessment (see Section 5.7 in EN-1).	climate change. As climate change is likely toincrease risks to the resilience of some of this infrastructure, from flooding for example, or insituations where it is located near the coast or an estuary or is underground, Applicants should in particular set out to what extent the proposed development is expected to be vulnerable, and, as appropriate, how it has been designed to be resilient to: • flooding, particularly for substations that arevital to the network; and especially in light of changes to groundwater levels resulting fromclimate change • the effects of wind and storms on overhead lines • higher average temperatures leading to increased transmission losses • earth movement or subsidence caused by flooding or drought (for underground cables) • coastal erosion – for the landfall of offshoretransmission cables and their associated substations in the inshore and coastal locations respectively Paragraph 2.3.3 (replaces adopted EN-5paragraph 2.4.2) states: Section 4.9 of EN-1 advises that the resilience of the project to the effects of climate change mustbe assessed in the Environmental Statement (ES) accompanying an application. For example,future increased risk of flooding would be covered in any flood risk assessment (see Section 5.8 in EN-1).	

		Add final bullet coastal erosion – for the landfall of offshore transmission cables and their associated substations in the inshore and coastal locations respectively.	
Part 2.5 – Consideration of good design	Paragraph 2.5.1 states: Section 4.5 of EN-1 sets out the principlesfor good design that should be applied to all energy infrastructure. Paragraph 2.5.2 states: Proposals for electricity networks infrastructure should demonstrate good design in their approach to mitigating the potential adverse impacts which can be associated with overhead lines, particularly those set out in Sections 2.7 to 2.10 below.	Paragraph 2.4.1 and 2.4.2 (replaces adopted EN-5paragraph 2.5.1) states: The Planning Act 2008 requires the Secretary of State to have regard, in designating an NPS, and in determining applications for development consent, to thedesirability of good design. Applicants should consider the criteria for good design set out in EN-1 Section 4.6 at an early stage when developing projects. Paragraphs 2.4.3 and 2.4.4 (replaces adopted EN-5paragraph 2.5.2) states: However, the Secretary of State should bear in mind that electricity networks infrastructuremust in the first instance be safe and secure, and that the functional design constraints of safety and security may limit an applicant's ability to influence the aesthetic appearance of that infrastructure. While the above principles should govern the design of an electricity networks infrastructure applicationto the fullest possible extent – including in itsavoidance and/or mitigation of potential adverse impacts (particularly those detailed in Sections 2.9-2.14 below) – the functional performance of the infrastructure in respect of security of supply and public and occupational safety must not thereby be threatened.	The Design and Access Statement (DAS) (**Document Reference 5.3**) [REP6-009] provides an explanation of how the design of the Project has evolved in the lead-up to submission of the Application. The principles built into the illustrative design are set out inthe Design Principles and Codes Document (**Document Reference 5.12**) [REP7-008], compliance with which is secured by Requirements 3 and 6in the draft DCO (**Document Reference 2.1)** [REP6-004]..

Part 2.6 – Impacts of electricity networks	Paragraph 2.6.1 states: Part 5 of EN-1 contains policy for the IPCwhen assessing potential impacts of energy infrastructure projects (generic impacts). It also contains information to assist the interpretation of the impact sections of all the energy NPSs. When considering impacts for electricity networks infrastructure, all of the genericimpacts covered in EN-1 are likely to be relevant, even if they only apply during one phase of the development (such as construction) or only apply to one part of the development (such as a substation). This NPS sets out additional technology-specific considerations on the following generic impacts considered in EN-1: • Biodiversity and GeologicalConservation; • Landscape and Visual; and • Noise and Vibration. Paragraph 2.6.2 states: In addition, this NPS also sets out technology-specific considerations for the impact of EMFs, which is not an impactconsidered in EN-1. Paragraph 2.6.3 states: The impacts identified in Part 5 of EN-1 and Part 2 of this NPS are not intended tobe exhaustive. Applicants are required to assess all likely significant effects of their proposals (see Section 4.2 of EN-1) and the IPC should consider any impacts which it determines are relevant and important to its decision.		The potential effects on health from exposure to electromagnetic fields is considered in Section 6 of ES Chapter 17: Health (**Document Reference 6.2.17**) [APP-065].
Part 2.10	Paragraph 2.10.1 states:	Paragraphs2.9.44 and 2.9.45 (no change to	The electric cables for the District Heat and Power Wire

Electric and Magnetic Fields (EMFs)	Power frequency Electric and Magnetic Fields (EMFs) arise from generation, transmission, distribution and use of electricity and will occur around power lines and electric cables and around domestic, office or industrial equipment that uses electricity. EMFs comprise electric and magnetic fields. Electric fieldsare the result of voltages applied to electrical conductors and equipment. Fences, shrubs and buildings easily blockelectric fields. Magnetic fields are produced by the flow of electric current; however unlike electric fields, most materials do not readily block magnetic fields. The intensity of both electric fields and magnetic fields diminishes with increasing distance from the source. Paragraph 2.10.2 stages: Undergrounding of a line would reduce the level of EMFs experienced, but high magnetic field levels may still occur immediately above the cable. It is not theGovernment's policy that power lines should be undergrounded solely for the purpose of reducing exposure to EMFs. Although there may be circumstances where the costs of undergrounding are justified for a particular development, thisis unlikely to be on the basis of EMF exposure alone, for which there are likelyto be more cost-efficient mitigation measures. Undergrounding is covered inmore detail in paragraphs 2.8.8 – 2.8.9 (landscape and visual).	adopted EN-5 paragraph 2.10.1). Paragraphs 2.9.46 and 2.9.47 (replaces adopted EN-5paragraph 2.10.2) states: All overhead power lines produce EMFs. These tend to be highest directly under a line, and decrease to the sides at increasing distance. Although putting cables underground eliminates the electric field, theystill produce magnetic fields, which are highest directly above the cable. EMFs can have both direct and indirect effects on human health. The direct effects occur in terms of impacts on the central nervous system resulting in its normal functioning being affected. Indirect effects occur through electric charges building up on the surface of the body producing a micro shock on contact with a grounded object, or vice versa, which, depending on the field strength and other exposure factors, can range from barely perceptible	Networks (DHPWNs) will be buried throughout their length and will operate at a voltage of 11 or 33 kV. The routes of theDHPWNs involve burial predominantly below roads and in open land. The pathway for public exposure to any health effects will therefore be minimal spatially and in duration. Thepotential for health effects from the buried and relatively low voltage DHPWN electric cables is therefore negligible and not considered further in ES Chapter 17: Health (**Document Reference 6.2.17**) [APP-065].

	Paragraph 2.10.3 states: To prevent these known effects, the International Commission on NonIonizing Radiation Protection (ICNIRP) developed health protection guidelines in 1998 for both public and occupational exposure. These are expressed in terms of the induced current density in affected tissuesof the body, “basic restrictions”, and in terms of measurable “reference levels” of electric field strength (for electric fields), and magnetic flux density (for magnetic fields). The relationship between the (measurable) electric field strength or magnetic flux density and induced current density in body tissues requires complex dosimetric modelling. The reference levelsare such that compliance with them will ensure that the basic restrictions are not reached or exceeded. However, exceeding the reference levels does not necessarily mean that the basic restrictions will not be met; this would be atrigger for further investigation into the specific circumstances. For protecting against indirect effects, the ICNIRP 1998 guidelines give an electric field reference of 5kV m-1 for the general public, and keeping electric fields below this level would reduce the occurrence of adverse indirect effects for most individuals to acceptable levels. When this level is exceeded, there is a suite of measures that may be called upon in particular situations, including provision of information, earthing and screening, alongside limiting the field. In some	to being an annoyance or even painful. Paragraphs 2.9.48 to 2.9.50 (no change to adopted EN-5 paragraph 2.10.3).	

	situations there may be no reasonable way of eliminating indirect effects. Paragraph 2.10.4 states: The levels of EMFs produced by power lines in normal operation are usually considerably lower than the ICNIRP 1998 reference levels. For electricity substations, the EMFs close to the sites tend to be dictated by the overhead lines and cables entering the installation, not the equipment within the site. The Stakeholder Advisory Group on extremelylow frequency electric and magnetic fields(ELF EMFs) (SAGE) was set up to provide advice to Government on possibleprecautionary measures that might be needed to limit public exposure to electricand magnetic fields associated with electricity supply. The Government response to recommendations made in SAGE's first interim assessment sets outthose measures that will be taken as a result of the recommendations. Paragraph 2.10.5 states: The Health Protection Agency's (HPA) Centre for Radiation, Chemical and Environmental Hazards (CRCE) provides advice on standards of protection for exposure to non-ionizing radiation, including the ELF EMFs arising from the transmission and use of electricity. In March 2004, the National Radiological Protection Board (NRPB) (now part of HPA CRCE), published advice on limiting public exposure to electromagnetic fields. The advice	Paragraphs 2.9.51 and 2.9.53 (no change to adopted EN-5 paragraph 2.10.4). Paragraphs 2.9.53 to 2.9.55 (replaces adopted EN-5paragraph 2.10.5) states: The National Institute for Health Protection's (NIHP) Centre for Radiation, Chemical and Environmental Hazards (CRCE) provides advice on standards of protection for exposure to non-ionizing radiation, including the ELF EMFs arising from the transmission and use of electricity. In March 2004, the National Radiological Protection Board (NRPB) (now part of NIHP CRCE), publishedadvice on limiting public exposure to	

	recommended the adoption inthe UK of the EMF exposure guidelines published by ICNIRP in 1998. These guidelines also form the basis of a 1999 EU Recommendation on public exposure and a Directive on occupational exposure.Resulting from these recommendations, Government policy is that exposure of thepublic should comply with the ICNIRP (1998) guidelines in terms of the EU Recommendation. The electricity industry has agreed to follow this policy. Applications should show evidence of thiscompliance as specified in 2.10.9 below Paragraph 2.10.6 states: The balance of scientific evidence over several decades of research has not proven a causal link between EMFs and cancer or any other disease. The HPA CRCE keeps under review emerging scientific research and/or studies that maylink EMF exposure with various health problems and provides advice to the Department of Health on the possible need for introducing further precautionary measures. Paragraph 2.10.7 states: The Department of Health's Medicines and Healthcare Products Regulatory Agency (MHRA) does not consider thattransmission line EMFs constitute a significant hazard to the operation of pacemakers. Paragraph 2.10.8 states:	electromagnetic fields. The advice recommended the adoption in the UK of the EMF exposure guidelines published by ICNIRP in 1998. These guidelines also form the basis of the Control of Electromagnetic Fields at Work Regulations 2016. Resulting from these recommendations, government policy is that exposure of the public should comply with the ICNIRP (1998) guidelines. The electricity industry has agreed to followthis policy. Applications should show evidence of this compliance as specified in 2.10.11.. Paragraph 2.9.56 (replaces adopted EN-5paragraph 2.10.6) states: The balance of scientific evidence over several decades of research has not proven a causal link between EMFs and cancer or any other disease. The NIHP CRCE keeps under review emerging scientific research and/or studies that may link EMF exposure with various health problems and provides advice to the Department of Health and Social Care on the possible need for introducing further precautionary measures. Paragraph 2.9.57 (no change to adopted EN-5 paragraph 2.10.7). Paragraph 2.9.58 (no change top	

	There is little evidence that exposure ofcrops, farm animals or natural ecosystems to transmission line EMFs has any agriculturally significant consequences. Paragraph 2.10.9 states: This NPS does not repeat the detail of theICNIRP 1998 guidelines on restrictions orreference levels nor the 1999 EU Recommendation. Government has developed with the electricity industry a Code of Practice, "Power Lines: Demonstrating compliance with EMF public exposure guidelines – a voluntary Code of Practice", published in February 2011 that specifies the evidence acceptable to show compliance with ICNIRP (1998) in terms of the EU Recommendation. Before granting consent to an overhead line application, the IPC should satisfy itself that the proposal is in accordance with the guidelines, considering the evidence provided by the applicant and any other relevant evidence. It may also need to take expert advice from the Department ofHealth. Paragraph 2.10.10 states: There is no direct statutory provision in the planning system relating to protectionfrom EMFs and the construction of new overhead power lines near residential or other occupied buildings. However, the Electricity Safety, Quality and Continuity Regulations 2002 set out the minimum height, position, insulation and	adoptedEN-5 paragraph 2.10.8). Paragraphs 2.11.8 and 2.11.9 (replaces adopted EN-5paragraph 2.10.9) states: This NPS does not repeat the detail of the ICNIRP 1998 guidelines on restrictions or reference levels. Government has developedwith the electricity industry a Code of Practice, 'Power Lines: Demonstrating compliance with EMF public exposure guidelines – a voluntary Code of Practice', published in February 2011 that specifies theevidence acceptable to show compliance with ICNIRP (1998) guidelines. Before granting consent to an overhead line application, the Secretary of State should be satisfied that the proposal is in accordance with the guidelines, considering the evidence provided by the Applicant and any other relevant evidence. It may also need to take expert advice from the Department of Healthand Social Care.	

	protection specifications at which conductors can bestrung between towers to ensure safe clearance of objects. The effect of these requirements should be that power lines at or below 132kV will comply with the ICNIRP 1998 basic restrictions, although the IPC should be satisfied that this is thecase on the basis of the evidence produced as specified in the Code of Practice. Paragraph 2.10.11 states: Industry currently applies optimal phasing25 to 275kV and 400kV overheadlines voluntarily wherever operationally possible, which helps to minimise the effects of EMF. The Government has developed with industry a voluntary Codeof Practice, “Optimum Phasing of high voltage double-circuit Power Lines – A Voluntary Code of Practice”26, published in February 2011 that defines the circumstances where industry can and willoptimally phase lines with a voltage of 132kV and above. Where the applicant cannot demonstrate that the line will be compliant with the Electricity Safety, Quality and Continuity Regulations 2002, with the exposure guidelines as specified in the Code of Practice on compliance, and with the policy on phasing as specified in the Code of Practice on optimal phasing then the IPC should not grant consent. Paragraph 2.10.12 states: Undergrounding of a line would reduce the level of EMFs experienced, but	Paragraphs 2.11.10 and 2.11.11 (no change to adoptedEN-5 paragraph 2.10.11). Paragraph 2.11.12 (replaces adopted EN-5paragraph 2.10.12) states: Undergrounding of a line would reduce	

	high magnetic field levels may still occur immediately above the cable. It is not theGovernment's policy that power lines should be undergrounded solely for the purpose of reducing exposure to EMFs. Although there may be circumstances where the costs of undergrounding are justified for a particular development, thisis unlikely to be on the basis of EMF exposure alone, for which there are likelyto be more cost-efficient mitigation measures. Undergrounding is covered inmore detail in paragraphs 2.8.8 – 2.8.9 (landscape and visual). Paragraph 2.10.13 states: In order to avoid unacceptable adverse impacts of EMFs from electricity network infrastructure on aviation, the IPC should take account of statutory technical safeguarding zones defined in accordance with Planning Circular 01/03, Paragraph 2.10.14 states: The diagram at the end of this section shows a basic decision tree for dealing with EMFs from overhead power lines towhich the IPC can refer.	the level of EMFs experienced, but high magnetic field levels may still occur immediately above the cable. It is not the government's policy that power lines should be undergrounded solely for the purpose ofreducing exposure to EMFs. Paragraph 2.11.13 and 2.11.14 (replaces adopted EN-5paragraph 2.10.13) states: In order to avoid unacceptable adverse impacts of EMFs from electricity network infrastructure on aviation, the Secretary of State will take account of statutory technical safeguarding zones defined in accordance with Planning Circular 01/0318, or any successor, when considering recommendations for DCO applications. More detail on this issue can be found in Section 5.5 of EN-1. Where a statutory consultee on the safeguarding of technical facilities identifies a risk that the EMF effect of electricity network infrastructure would compromise the effective and safe operationof such facilities, the potential impact and siting and design alternatives will need to have been fully considered as part of the application.	

		Paragraph 2.11.15 (no change to adoptedEN-5 paragraph 2.10.14).	
	Paragraph 2.10.15 states: The applicant should have considered thefollowing factors: • Height, position, insulation andprotection (electrical or mechanical as appropriate) measures subject to ensuring compliance with the Electricity Safety, Quality and Continuity Regulations 2002; • that optimal phasing of high voltage overhead power lines is introduced wherever possible andpracticable in accordance with theCode of Practice to minimise effects of EMFs; and • any new advice emerging from the Department of Health relatingto Government policy for EMF exposure guidelines. However, where it can be shown that theline will comply with the current public exposure guidelines and the policy on phasing, no further mitigation should be necessary. Paragraph 2.10.16 states: Where EMF exposure is within the	Paragraph 2.10.11 (replaces adopted EN-5 paragraph 2.10.15). The applicant should consider the following factors: • height, position, insulation and protection (electrical or mechanical as appropriate) measures subject to ensuring compliance with the Electricity Safety, Quality and Continuity Regulations 2002; • that optimal phasing of high voltage overhead power lines is introduced wherever possible and practicable in accordance with the Code of Practice to minimise EMFs; and • any new advice emerging from the Department of Health and Social Care relating to government policy for EMF exposure guidelines. Paragraph 2.10.13 (no change to adopted EN-5 paragraph 2.10.16).	

	relevant public exposure guidelines, re-routeing a proposed overhead line purelyon the basis of EMF exposure, or undergrounding a line solely to further reduce the level of EMF exposure are unlikely to be proportionate mitigation measures.		