

East Riding of Yorkshire Council

Local Impact Report

Replacement Humber high pressure gas pipeline replacement project (feeder 9) between the existing Above Ground Installation (AGI) at Paull on the north bank within the East Riding and Goxhill on the south bank in North Lincolnshire

By National Grid Carbon Ltd

LPA Reference 15/01624/SOS

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Contact Officer: Matthew Sunman



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Appendices

1. Planning Committee minutes 3 September 2015

1. Introduction

- 1.1. This report has been prepared by East Riding of Yorkshire Council in accordance with the advice and requirements set out in the Planning Act 2008 and Advice Note One: Local Impact Reports. It represents the Council's Local Impact Report (LIR) on the proposal. A LIR as defined in Section 60(3) of the 2008 Act is a 'report in writing giving details of the likely impact of the proposed development in the authority's area (or any part of that area). The content of the LIR is a matter for the Local Authority concerned as long as it falls within the statutory definition. The Council should cover any topics they consider relevant to the impact of the proposed development on their area, and should draw on existing local knowledge.
- 1.2. The Local Authority is not required to carry out its own consultation with the community (including Parish Council's). The community has had the opportunity through the applicant's consultation process to make their observations known. The report sets out the positive, neutral and negative local impacts but does not need to carry out a balancing exercise. The LIR will assist the Examining Authority by identifying local issues and including an appraisal of the development's compliance with local policy and guidance. A view on the relative importance of different social, environmental or economic issues and the impact of the scheme on them is also of assistance to the Examining Authority.
- 1.3. The Local Authority's views on the Development Consent Order articles, requirements and obligations are considered, including views on specific mitigation or compensation measures.
- 1.4. This LIR for the replacement Humber high pressure gas pipeline project (feeder 9) considers the impact of the proposal at an existing Above Ground Installation (AGI) at Paull on the north bank within the East Riding both during construction and when operational as this is the visible part of the proposal within the East Ridings administrative boundary. The works required for the underground pipeline and landfall are below ground works and the principal impacts would be during construction. The Local Planning Authority will be responsible for discharge of conditions therefore comments are also made on the Requirements as set out in Part 3 of the Development Consent Order.
- 1.5. A Statement of Common Ground has been agreed that sets out the issues that the ERYC are in agreement with National Grid. Issues that are agreed within this LIR have formed the basis for agreement of the Statement of Common Ground.
- 1.6. This report does not consider land ownership issues.

2. Background and Description of Development

- 2.1. National Grid Carbon is a subsidiary of National Grid plc, created to develop and manage National Grids infrastructure in the UK.
- 2.2. The existing pipeline, known as Feeder 9, is a pivotal pipeline to manage the peak gas demand, transporting approximately 20% of the UK gas supply during the winter period. The gas is delivered to the distribution networks which serve 10.8 million consumers.
- 2.3. The existing crossing was laid and commissioned in 1984 by dredging a channel approximately 30m wide and 4m deep then pulling the pipe across the estuary. Backfilling of the trench was via the natural process of tidal flows within the estuary, with some additional clay backfill close to the northern shore.
- 2.4. The riverbed in the Humber Estuary is extremely mobile, with strong tidal currents of up to four knots. Surveys in 2008 had shown that the sediment above the existing crossing had deteriorated. In view of this, the frequency of the surveys was subsequently increased. In 2009 surveys showed tidal patterns had eroded the river bed covering the crossing, leading to part of the pipe becoming exposed. Between 2010 and 2011 short term (up to 10 years) remedial works were undertaken using innovative engineering solution to protect the pipe with gravel filled bags and concrete 'frond mattresses' placed over the top. These incorporated plastic fronds to mimic seaweed and encourage the settlement of sand and silt. This solution ensured the pipeline would continue to operate normally in the short term and inspections by National Grid maintenance teams have shown that it has been effective and successful.
- 2.5. Should the existing crossing need to be taken out of service, entry capacity from the Easington area (including Norwegian imports and current UK storage) would be reduced to less than 50% of current levels south of the Humber Estuary resulting in the need to curtail supplies in this location during a significant proportion of the year. Alternative supplies would be required, which would have knock-on effects elsewhere in the National Transmission System (NTS). The national importance of the No.09 crossing to the gas supply industry means that a replacement pipeline is essential to the functioning of the NTS.
- 2.6. A 'Need Case' has been prepared by National Grid Gas (December 2014) (DCO Documentation Reference 7.4). The document includes more detailed information relating to the need for the development, having been prepared to 'inform statutory consultees and other stakeholders of the need to replace the existing gas pipeline crossing underneath the Humber Estuary to ensure National Grid Gas complies with its license requirements, particularly its safety obligations'.

- 2.7. The Project the subject of this LIR, replacement Humber high pressure gas pipeline (feeder 9), will comprise includes onshore and offshore works for the construction of the replacement cross county and sub-estuary pipeline within a bored tunnel beneath the Humber Estuary for transporting gas at high-pressure between an existing Above Ground Installation (AGI) at Paull on the north bank within the East Riding of Yorkshire and Goxhill on the south bank within North Lincolnshire.
- 2.8. The scheme includes:
- Approximately 6km of pipeline of up to 1050mm diameter with a maximum operating pressure of 70barg from Goxhill AGI to Paull AGI comprised of approximately 5.03km of concrete lined tunnel under the Humber Estuary with a minimum internal diameter of 3.65m and a maximum internal diameter of 4m;
 - Approximately 120m of pipeline laid onshore at Goxhill and 400m at Paull for connections to each AGI,
 - Cathodic protection facilities at either end of the pipeline; connection works and minor modifications at Paull AGI,
 - Connection works to the existing pipeline at the Goxhill AGI,
 - Two construction compounds, one each side of the river at Goxhill and Paull, adjacent to existing AGI's and,
 - Associated works for permanent and temporary accesses, highways works, drainage works, temporary spoil storage, lay-down and work areas and ancillary works.
- 2.9. The tunnel beneath the Humber Estuary will be excavated using a boring machine. It will start at Goxhill working northwards to Paull. All of the excavated material will be removed southwards towards and stored at Goxhill.
- 2.10. For the offshore pipeline under the Humber Estuary design standards require that the pipeline should be located at such a depth to give a depth cover of not less than 7m from the true bed of the watercourse, after the removal of silting, to the top of the tunnel.
- 2.11. The pipeline, when installed onshore, would be typically laid to contour at a depth of cover of not less than 1.2m from the original surface of the top of the pipe. The trench would be excavated so that pipes are evenly bedded throughout their length. Minor variations in contour would be excavated in order to minimise field bending.
- 2.12. The minimum depth of cover for the onshore section of the pipeline in relation to a public highway is 2m. The depths of highway crossings are also influenced by third party services and the depth of adjacent ditches.

- 2.13. The pipeline is designed to have a minimum operational life of 40 years and the tunnel a minimum design life of 100 years. The existing pipeline will be left in situ and filled with an inert gas due to the disturbance caused by its removal. This decision has been taken because the Humber Estuary is of both national and international importance for fauna, flora and wetland habitats – benefitting from various designations including Special Area of Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and Ramsar.

3. Pre Application Consultation

- 3.1. The Council’s Strategic Planning team and a wide range of other stakeholders has been involved over the past several years in pre-application consultation with the applicant.
- 3.2. The Council as one of the main stakeholders has been closely involved in the process leading up to this application from the start and has entered into a Planning Performance Agreement with National Grid. The dialogue and level of consultation has exceeded all minimum expectations as set out in the 2008 Planning Act and Environmental Impact Assessment Regulations, and the Strategic Planning team are satisfied that the final submission reflects views as submitted by the Council’s officers in all rounds of pre-application consultation.

4. Planning History

- 4.1. There is no planning history relevant to the application site.

5. Planning Policy

- 5.1. The Development Plan (in relation to the onshore works) comprises the saved policies of the Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire (2005) (JSP) and the Holderness District Wide Local Plan (1999) (HDWLP). When adopted the East Riding Local Plan will be the overarching planning policy document for the East Riding which will supersede the JSP and HDWLP identified above.

Joint Structure Plan for Kingston upon Hull and the East Riding of Yorkshire (2005) (JSP)

DS4	Development strategy in rural areas
DS7	Development infrastructure
SP1	Settlements and their settings
SP4	Landscape Character
SP5	Design of new development
ENV3	Species protection
ENV7	Archaeological remains

NAT8 Coastal management

Holderness District Wide Local Plan (HDWLP) (1999)

G1 Sustainable economic development
G2 Sustainable location of development
G3 General environmental protection
G4 General protection of sites of nature conservation
G5 Landscape protection
G6 Design of new development
G7 Planning and design considerations
Env2 Trees and hedgerows
Env5 Coastal zone general
Env6 Coastal protection
Env11 Estuarine coastal zone
Env12 Conserving international important sites
Env13 Conserving nationally important sites
Env16 Species protection
Env17 Wildlife corridors
Env24 Conservation Areas
Env25 Conservation Areas – design considerations
Env35 External Lighting
Tr7 Car parking
Tr8 Traffic management
U3 Gas
U4 Gas storage
U5 Gas: reception development
U10 Run-off
U12 Areas liable to flooding

Submitted East Riding Local Plan (2014) and associated schedule of changes (March 2015) (ERLP)

S1 Presumption in favour of sustainable development
S2 Addressing climate change
S4 Supporting development in villages and the countryside
S8 Connecting people and places
EC5 Supporting the energy sector
ENV1 Integrating high quality design
ENV2 Promoting a high quality landscape
ENV3 Valuing our heritage
ENV4 Conserving and enhancing biodiversity and geodiversity
ENV6 Managing environmental hazards
A5 Holderness and Coastal sub area

National Planning Policy

National Planning Policy Framework

National Planning Practice Guidance

National Policy Statement EN-1

National Policy Statement EN-4

Other Relevant Documents

East Inshore and East Offshore Marine Plan (2014)

East Riding of Yorkshire Landscape Character Assessment (2005)

6. Key Issues

East Riding of Yorkshire Council considers the key issues in relation to the onshore elements of this National Significant Infrastructure Project to be:

- Local planning policy context
- Landscape and visual impact
- Biodiversity, ecology and trees
- Highways issues
- Public rights of way and countryside access
- Residential amenity
- Drainage and flood risk
- Groundwater protection
- Coastal erosion
- Heritage assets
- Socio-economic issues
- Conditions/requirements

6.1. Local Policy Context

6.1.2. The national policy position is set out in the National Planning Policy Framework (NPPF) which confirms planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. National Policy Statements (NPS) have been issued in respect of Nationally Significant Infrastructure Projects. Section 3.8 of EN-1 notes that gas will continue to play an important part in the UK's fuel mix for many years to come and requires gas supply infrastructure must, amongst other things, be sufficient to meet peak demand; allow for sustainable delivery of large volumes of gas and provide access to the most competitive gas supplies. EN-4 provides specific guidance relating to gas supply infrastructure and gas and oil pipelines. It is intended to be read alongside EN-1. These NPS's are material considerations which must be taken into account alongside the Development Plan by the examining authority.

6.1.3. The Development Plan currently comprises the Joint Structure Plan (JSP) and the Holderness District Wide Local Plan (HDWLP). In accordance with paragraph 215

of the NPPF due weight can be given to relevant policies in the existing plans depending on the degree of consistency with the NPPF.

- 6.1.4. Paragraph 216 of the NPPF also allows weight to be given to relevant policies in the emerging East Riding Local Plan according to the stage of preparation of the plan, the extent to which there are unresolved objections and the degree of consistency between the relevant policies and the NPPF. When adopted the East Riding Local Plan will be the overarching planning policy document for the East Riding which will supersede the JSP and HDWLP identified above. The emerging ERLP will comprise three documents:- the Strategy Document, the Allocations Document and the Bridlington Town Centre Area Action Plan. The Submission Strategy Document (“the SSD”), Submission Allocations Document (“the SAD”) and Submission Policies Maps (“the SPM”) were published for consultation last year. These, together with a schedule of proposed changes and all responses received to the consultation, were submitted to the Secretary of State and public hearing sessions have finished. Consultation on proposed modifications to the plan was held between 30 March and 11 May 2015.
- 6.1.5. The pipeline itself would be sub-surface, and the land restored to its current state following construction. The main impacts of the pipeline would therefore be those arising from and during construction, as well as alterations to Paull AGI within the open countryside which forms the principal policy issue in relation to this proposal.
- 6.1.6. Joint Structure Plan policy DS4 states that the countryside should function as an attractive and viable environmental, economic and recreational resource. Policy DS7 requires development to contribute to the provision of environmental improvements and any other infrastructure necessary for development to proceed. The proposal, by its nature, must run through the open countryside to create a functional link between the AGI locations.
- 6.1.7. HDWLP policy G2 seeks to ensure development is located where services, facilities and a transport network already exist or can be provided efficiently and with minimum environmental impact. Policies G6 and G7 provide criteria to be taken into account when considering planning applications including effects on the appearance, character and context of the locality, amenity, nature conservation, heritage assets, agricultural land, community facilities and natural resources. Policy U3 is clear that the council will support provisions of equipment and structures to meet the gas supply needs provided they have no adverse effects upon amenity of residents and the environment. Policy U5 also requires new developments for the distribution of gas to have close operational links to existing facilities and should be located within or close to existing sites and where costal erosion does not threaten the developments during their expected lifetime. These policies require consideration of detailed matters which are broadly compliant with the aims and key principles of the NPPF. These matters are considered in each of the relevant sections below, however none of the policies in the HDWLP prevent this form of development in principle.

- 6.1.8. Policy S4 (D) of the Submitted Strategy Document also allows for certain types of development in the countryside, including at point 9 'Energy development and associated infrastructure, where a countryside location is required for operational reasons'. The proposal clearly meets this criteria set out in policy S4 (D). Further, policy EC5 supports energy developments including Gas Supply Infrastructure where any adverse impacts can be satisfactorily minimised and any residual harm is outweighed by public benefits.
- 6.1.9. In principle there are no objections to this type of development in the open countryside by adopted local planning policy subject to the development being acceptable in terms of other material considerations, and the Submitted East Riding Local Plan offers specific support for the principle of such a development. The following sections consider the more detailed elements of the proposal.
- 6.1.10. In addition to the Development Plan the East Inshore and East Offshore Marine Plan published by the Marine Management Organisation is a material consideration to be taken into account by the examining authority.

6.2. Landscape and Visual Impact

- 6.2.1. Policy SP1 of the JSP seeks to ensure that the character and distinctiveness of settlements and their settings will be protected and enhanced. Policy SP5 is concerned with development proposals achieving a high standard of design that respect local landscape and settlement character and harness landscape distinctiveness.
- 6.2.2. Policy G5 of the HDWLP seeks to protect the landscape of Holderness and looks to development to minimise impacts on the landscape through careful attention including siting, mass, design, existing features and planning design. Policy Env2 requires new development to consider as far as reasonably practical to retain existing healthy trees and hedgerows, and to provide new planting using native species as an integral part of the Scheme. Policy Env11 states that development within the estuarine coast is required to safeguard environmental features of importance which includes its predominantly rural character. Policy U3 of the HDWLP advises that proposals for the provision of equipment and structures to meet gas supply needs will be supported by the Council provided there are no adverse effects upon the environment.
- 6.2.3. Policies SP1, SP5, G5, Env2, Env11 and U3 are broadly consistent with the approach of the NPPF.
- 6.2.4. The only permanent landscape and visual impacts that would arise would be the alterations to Paull AGI. The pipeline itself would be below ground and the land would be re-instated to its current state following completion of construction.
- 6.2.5. A Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the ES. It appears to have been prepared in an appropriate manner that is consistent

with recognised best practice and guidance, notably the Landscape Institute/IEEMA's 'Guidelines for Landscape and Visual Impact Assessment' (Third Edition) (2013), as well as other associated published advice and technical guidance. It is clear and concise and appears to draw sound and reasonable conclusions regarding the likely landscape and visual impacts of this development in accordance with the guidance. It is therefore regarded to form a suitable basis upon which to assess the landscape and visual impacts of this proposal.

- 6.2.4. A series of viewpoints have been analysed as part of the assessment and the locations of these have been discussed as part of the ongoing preparation of the application. The positions of the viewpoints appear to be from a suitable geographic spread and from a range of aspects and distances and are therefore regarded to be appropriate and satisfactory for a development of this nature, scale and location. This viewpoint analysis provides an important assessment of key and representative views from a range of locations at varying distances and aspects and adds value to the information provided in this chapter of the Environmental Statement. The analysis is supported by a collection of photomontages.
- 6.2.5. The mitigation of landscape and visual effects is also detailed in the Landscape and Visual Assessment and this considers the landscaping proposals for all aspects of the proposal. The mitigation takes forward the principles of considered design process and appropriate landscape reinstatement. The measures that are used to avoid impacts where practicable and to integrate the development into the immediate landscape setting are regarded to be appropriate to the nature of the proposal. The planting proposals appear appropriate, given their nature, scale and location, and the mixes are considered to be satisfactory in these instances.
- 6.2.6. The findings and conclusions of the Landscape and Visual chapter will need to be a key element of the examining authority's decision-making process and, based on the information that has been submitted with the application, it appears that there is sufficient detail provided to allow the examining authority to make an appropriate decision in respect of the proposed development.
- 6.2.7. The rural farmland on the north bank of the Humber estuary is considered to be of high local value and high sensitivity. Its low flat or gently undulating openness with a sense of tranquillity and relative dark night skies and relationship with the broad expanse of the Humber Estuary beyond the sea defences are considered important characteristics.
- 6.2.8. The only permanent above ground work is within the existing AGI, which is already well screened by planting. The scheme includes temporary large scale compounds that would result in an alteration to the landscape as a result of arable fields being replaced with construction infrastructure. In reality it is considered the scale of the compounds would, for the most part, be absorbed by local landscape features and would have a minor local change on the landscape characteristics of LCA 21D: Paull Farmland. In consideration of the high sensitivity afforded to this local landscape,

the scheme construction would result in short term adverse effect of moderate significance. Post construction during reinstatement of the landscape, it is considered there would be very minor local change over a very short period i.e. less than 12 months and thereafter resulting in no impact on the landscape.

- 6.2.9. Visual receptors identified were typically local comprising isolated farmsteads and rural properties and users of the Public Rights of Way and local roads. There are also several settlement locations where the intermittent transient construction traffic would be a visible element. Of the visual receptors identified on the Paull side include the residential property at Lakes Farm and the users of PROW, the car park to the nature reserve and Thorngumbald Road. Consequently the residents and users of the identified receptors, because of their high or medium nature (sensitivity) are considered to experience short term adverse effect of moderate significance. Post construction during the landscape reinstatement works it is considered that there would be no effect on local views other than very minor change on local views on Thorngumbald Road.
- 6.2.10. Overall the nature of the effect of the rural undesignated but locally valued landscape at Paull during construction is not considered to be significant as the landscape elements affected would be of a limited nature and influence of the scheme would be contained to a small part of the overall study area. On completion of the works, landscape features and agricultural land would be reinstated and the elements affected would be replaceable within a relatively short time period with no long-term effects on the character of the landscape. In addition the scheme would be designed to minimise its visual intrusion on local receptors. There would be no long term effect on the landscape. Requirement 7 of the draft DCO would ensure details of hedgerows and trees to be removed and reinstated are to be submitted and agreed with the LPA before work commences. Requirement 12 of the draft DCO would ensure the submission and agreement of a reinstatement plan as part of a Construction Environmental Management Plan (CEMP) with the LPA before development commences. Requirement 16 of the draft DCO would be sufficient to ensure that all land used temporarily during construction is reinstated to its former condition and use within 12 months of completion of the development, to reduce the wider impacts of the development.

6.3. Biodiversity, Ecology and Trees

- 6.3.1. The application includes detailed information on ecology within the Environmental Statement, covering both locally and nationally important identified sites and protected and notable species. Natural England will provide comment on sites of national and international importance, including comments on the specific Habitats Regulations Assessment which has been submitted and concludes that there would be no likely significant effects on protected sites.
- 6.3.2. Policies ENV2 and ENV3 of the Joint Structure Plan seek to protect strategic nature conservation sites and protected species. Similarly policies Env12, Env13, Env16

and Env17 of the Holderness District Wide Local Plan seek to restrict development that would have an adverse impact on designated sites or protected species unless there are exceptional circumstances or material considerations which outweigh the special interest of the site, and harm can be avoided, mitigated or compensated for. These policies are broadly compliant with the NPPF which seek to minimise impacts on biodiversity and provide net gains where possible.

- 6.3.3. The Ecology and Nature Conservation document (Document 6.7) identifies a study zone of 5km from the application boundary and considers all the statutory and non-statutory local sites which may be affected by the proposal, including Local Nature Reserves, Sites of Importance for Nature Conservation and designated and candidate Local Wildlife Sites, protected habitats and protected and notable species records within the study area.
- 6.3.4. The ecological study provides an ecological baseline which has been derived from initial desk-based studies followed by a series of habitat and species surveys. The ecological study considers how the impacts of the proposal on the sites can be mitigated through construction methods and reinstatement after construction. For habitats, this includes minimising the area of disturbance, protecting interest features such as trees and hedgerows from adverse impacts of construction, and ensuring habitats are fully restored in as short a time as possible. In relation to species, mitigation measures are proposed including providing adequate buffer zones, controlling working times and providing alternative habitats.
- 6.3.5. The Councils nature Conservation and Ecology Officer has confirmed within his response that *“the findings and conclusions of the Ecology and Nature Conservation chapter of the Environmental Statement will need to be a key element of the Examining Authority's decision-making process and, based on the information that has been submitted with the application, it appears that there is sufficient and satisfactory information provided to allow the Examining Authority to make an appropriate decision in respect of the proposed development?”*.
- 6.3.6. In addition to protecting species and designated sites Local Plan policies also seek to protect trees and hedgerows. Policy Env2 of the Holderness District Wide Local Plan seeks specifically to protect and retain healthy trees and hedgerows were reasonable practicable and additional planting using native species as part of an integral part of the scheme or immediate locality. Policy ENV1 of the Submitted East Riding Local Plan follows and seeks to secure biodiversity enhancements and incorporate hard and soft landscaping into new developments.
- 6.3.7. The submitted application includes a number of proposed landscaping and biodiversity enhancements. These include retention of the majority of hedgerows around and within the site, bunding and close boarded fencing around the works area, lighting design to reduce light spill, where possible top soil stripping outside winter period (October to March), installation of barn owl boxes, retention of ditch network around and within the application site and up to 10m buffer zone, minimise

ditch crossings, passive removal (displacement) if required and water vole monitoring during dewatering exercise. The Development Consent Order includes requirements (conditions) preventing development until a scheme of site water management (condition 5), site waste management (condition 6), tree and hedgerow removal (condition 7), Construction Environmental Management (condition 12) and External lighting (condition 17) have been submitted to and agreed in writing, and no development on environmental mitigation land (condition 18). These conditions are considered to be suitable to secure ecological protection and enhancement as detailed in the application.

6.4. Highway Issues

- 6.4.1. Paull AGI is currently accessed via Thorngumbald Road which adjoins the site on its north eastern boundary. If approved, this scheme would be serviced by light traffic, HGV and abnormal loads, with the majority of the construction traffic made up of light vehicles for the transport of personnel and material deliveries. Construction materials would be transported to and from the site by HGV vehicles such as articulated lorries, tipper wagons and concrete trucks. Abnormal loads would be delivered using low loaders and employees would mainly arrive by car.
- 6.4.2. The route used to access the site would be via a temporary two-way haulage road utilising the private track servicing Rose Hill Farm, Low Paull Farm, Sewage Treatment Works and Rose Hill AGI. The track connects Farbridge Road near the junction with Paull Road to Thorngumbald Road near Paull AGI. The route returns to the public highway for a short distance on Thorngumbald Road before entering the site. This route avoids the villages of Paull and Thorngumbald.
- 6.4.3. The proposals have been assessed to ensure that all practicable and necessary mitigation measures will be implemented to negate any road safety, vehicle capacity problems or damage to the existing highway infrastructure occurring.
- 6.4.4. Proposed requirement 15 of the draft DCO includes the requirement for a traffic management plan to be submitted. For clarity and thoroughness the Highway Control Officer would recommend that this requirement be superseded with the following three requirements:
 - 1) Prior to the commencement of the development the provision of the temporary compounds, vehicle parking, loading, off-loading and manoeuvring facilities for the contractors carrying out the construction works shall be provided and no other building or construction works shall be commenced until the temporary compound, vehicle parking, loading, off-loading and manoeuvring facilities have been provided in accordance with the approved details. The approved compound, vehicle parking, loading, off-loading and manoeuvring facilities shall be retained during the lifespan of the construction works.

- 2) The Traffic Management Plan (TMP) incorporating details of deflectograph and or visual/video surveys of the haul and delivery route to the site, including the programme and methodology for improvements and repairs and the funding provision for improvements/repairs shall be adhered to for the duration of the works as identified in the submitted application. In addition during the construction period any improvement or repair works on the approved routes shall be completed in accordance with the approved programme and methodology and the TMP shall be updated in consultation with the Local Planning Authority.
- 3) Development shall not begin on the site until the publicly maintainable highway has been improved by widening in accordance with the submitted details.

6.4.5. These additional requirements are suggested to ensure that the highway is appropriately maintained during construction and that any necessary improvement and repairs are appropriately made. Should this not be acceptable to the Inspector, it is recommended that requirement 15 be expanded to make specific reference to the requirement for details within the traffic management plan to include temporary vehicle parking, loading, off-loading and manoeuvring facilities for contractors, and a programme and methodology for improvements and repairs together with the funding provision.

6.5. Public Rights of Way and Countryside Access

- 6.5.1. The NPPF at paragraph 75 requires planning policies to protect and enhance public rights of way and access. Compliant with this principle, policy S8 of the Submitted East Riding Local Plan offers protection to rights of way.
- 6.5.2. Three public rights of way adjoin the Paull AGI, Footpath 1 and 2 to the north east and Footpath 6 to the south east. The replacement pipeline would be bored under Footpath 6, whilst the sites access would cut across footpaths 1 and 2. The application will affect the Public Rights of Way but the supporting documentation puts mitigation in place and if approved the necessary consents and powers to close the footpaths during construction.
- 6.5.3. The Public Rights of Way team raise no objection to the proposed works to the rights of way.

6.6. Residential Amenity

- 6.6.1. A core principle of the NPPF is to ensure a good standard of residential amenity. Policy ENV1 of the Submitted East Riding Local Plan and G3 of the Holderness District Wide Local Plan required proposals to have regard to the amenity of existing residents. More generally policies G6 and G7 of the Holderness District Wide Local Plan seeks to ensure development respects the area's character and relationship to the local context by ensuring it is appropriate in terms scale, mass, design, materials, layout and siting in relation to adjoining buildings.

- 6.6.2. The proposed development could potentially result in disturbance to residential amenity during construction from noise and vibration. The Environment Statement includes documents relating to air quality, noise and vibration and statutory nuisances which accompanied this application. Public Protection have confirmed relevant aspects of air quality impacts have been correctly scoped out of the statement and the appropriate methodology, criteria and guidance have been utilised when assessing likely impacts of noise, vibration and air quality, particularly during the construction phase. Furthermore, the Environmental Design Measures, Mitigation Methods and Commitments and the pre and post Environmental Register of the Construction Environmental Management Plan, demonstrate the best practicable means have been adopted in order to eliminate or mitigate adverse impacts.
- 6.6.3. The submitted draft Development Consent Order seeks to deal with these matters through requirements to limit working hours (requirement 11) and noise management (requirement 13). These requirements are acceptable to Public Protection and would contain adequate protection measures in respect of matters such as air quality, dust, vibration and statutory nuisances.

6.7. Drainage and Flood Risk

- 6.7.1. The NPPF requires a sequential approach to development, seeking to locate development outside flood zones wherever possible unless there are exceptional circumstances. At a local level policy U12 of the Holderness District Wide Local plan is clear that development in areas susceptible to flooding will only be approved provided flood risk on the site or elsewhere is not increased
- 6.7.2. In addition to flood risk policies, local policies seek to achieve satisfactory foul and surface water drainage. Policies U9 and U10 of the Holderness District Wide Local Plan both seek to ensure surface and foul water drainage is appropriately demonstrated for new development and adverse impacts on existing watercourses is avoided. Policy ENV6 of the Submitted East Riding Local Plan requires surface water to be managed so as not to be above greenfield run off rate, and for developments to not increase flood risk elsewhere.
- 6.7.3. The proposed replacement pipeline would tie into the existing AGI at Paull where site ground levels vary between 1.7mAOD and 2.7mAOD, with 2.0mAOD typical. Apart from the kiosk housing cathodic protection and monitoring instrumentation (designed to be flood resistant/resilient) there would be no permanent and new 'critical' infrastructure located above ground. A tunnel would be constructed under the Humber to facilitate the installation of the pipeline. Once the pipeline is installed the tunnel annulus would be flooded (using sea water), to protect the pipe from corrosion, and sealed at both ends. It would, however, be subsurface and therefore not affect surface water run-off. The pipeline would also be fully enclosed and therefore not affected by flooding. The temporary parking areas have the

potential to generate additional volume of rainwater run-off. However a 0.5 to 3m wide filter drain around the perimeter of the parking areas would provide sufficient attenuation storage to mitigate the increase in runoff. After construction, the parking areas will be removed, the existing land use reinstated and there would be no permanent effect on surface water flood risk.

- 6.7.4. Both the Paull AGI and the route of the replacement pipeline within the East Riding are located within flood zone 3. The Environment Agency has confirmed the Site Construction Works constitute '*less vulnerable development*' and the permanent tunnel and surface feature components (i.e. the above ground cathodic protection kiosks and small nitrogen monitoring kiosks) '*essential infrastructure*'.
- 6.7.5. The NPPF finds both parts of proposed development to be acceptable in zones 1 and 2, and also in zone 3 although essential infrastructure is subject to consideration of the exception test. The NPPF sets out that the exception test can be passed where the development provides wider sustainability benefits that outweigh flood risk, and that appropriate measures are taken to reduce flood risk and vulnerability of users of the development. In this case it is accepted that the gas pipeline has a wide benefit; supported by national government policy. The pipeline has a functional requirement to be located in high flood zones that fall between the AGI at Paull and Goxhill that cannot be avoided. The pipeline development within zone 3 is therefore accepted.
- 6.7.6. The pipeline would be required to cross the Humber Estuary but a non-open cut method is proposed, thus the watercourse and its capacity would be unaffected by the proposed works.
- 6.7.7. Requirement 5 of the draft DCO would ensure a site water management plan is submitted and approved by the local planning authority before development commences. Requirement 8 of the draft DCO would require drainage methods for temporary and permanent works to be agreed with the local planning authority before development commences on site. Requirement 9 of the draft DCO would necessitate an agricultural land drainage scheme to be submitted to and approved by the local planning authority to ensure during and following construction the efficiency of drainage is maintained within and outside the works limit. These requirements would allow the Council to ensure that the drainage would be satisfactorily managed.
- 6.7.8. There are no objections to the proposal from the Council's Drainage team.

6.8. Groundwater Protection

- 6.8.1. Policy ENV6 of the Submitted East Riding Local Plan seeks to protect source protection zones by avoiding development that would increase the risk of pollution and preventing inappropriate activities unless there are appropriate safeguards in place. Policy G3 of the Holderness District Wide Local Plan seeks to safeguard quality and quantity of water supplies.

- 6.8.2. The Council's Land Contamination section of the Public Protection Division have not raised any objections although it is envisaged that further site specific ground investigations will be undertaken in preparation for the development phase. Furthermore, based on the information provided and the recommendations within the reports, a watching brief is recommended to ensure that any significant unexpected contamination encountered during the earthworks or construction in reported and apparently dealt with. However, this is already included in requirement 14 part 1 of the draft DCO.
- 6.8.3. The proposed method statements for construction and the likely impacts on groundwater should be considered in conjunction with the Environment Agency. Requirement 5 seeks a site water management plan and pollution prevention and control plan to be submitted. The wording of this requirement should be agreed with the Environment Agency, however in principle the wording would be acceptable to allow the Council to deal with the requirement.

6.9. Coastal Erosion

- 6.9.1. The NPPF requires authorities to identify Coastal Change Management Areas for areas likely to be affected by physical changes to the coast. Policy Env11 of the Holderness District Wide Local Plan is clear that development proposals in the estuarine coastal zone must accord with policy Env5, other nature conservation policies in the plan and environmental measures to safeguard environmental features of importance. Policy Env5 of the Holderness District Wide Local Plan is clear development in the Holderness coastal zone will only be approved were it would not require new or extension of existing coastal or flood defences, would not interfere with natural estuarine or coastal processes, increase flood risk or costal erosion on site or elsewhere or be affected by coastal erosion with the developments expected lifespan, conflict with nature conservation policies or preclude reasonably practical options to conserve or enhance important costal habitats.
- 6.9.2. Paull AGI adjoins a proposed management realignment site and currently benefits from existing flood protection measures. Furthermore it is situated approximately 700 metres from the Humber Estuary. At this distance, together with the existing defences and proposed managed realignment, which are or will be installed to protect the area as a whole rather than the Paull AGI in isolation (as well as the nature conservation benefits), the proposal would not affect coastal erosion or natural estuarine or costal processes within its expected lifespan. Section 9.4 deals with biodiversity and ecology (nature conservation). Thus the proposal complies with policies Env5 and Env11 of the Holderness District Wide Local Plan.

6.10. Heritage Assets

- 6.10.1. A core principle of the NPPF is to conserve and enhance the historic environment. This includes listed buildings, Conservation Areas, Scheduled Ancient Monuments and their settings. This is echoed in policies at a local level including ENV3 of the

Submitted East Riding Local Plan, Env22 and Env25 which all seek to ensure new development preserves the setting of listed buildings and conservation areas.

6.10.2. The Cultural Heritage Assessment (document 6.6 of the Environmental Statement) identified small number of heritage assets that potentially could be affected by the scheme. These are the grade I listed Church of St Andrew west of the application site adjacent to Thorngumbald Road to the south east of Paull Village; the grade II listed Hall and associated Stables and adjoining Coach House (also grade II listed) which stand to the east of the application site close to Boreas Hill Farm and are set back approximately 250m from Dark Lane which links Paull and Thorngumbald. Potential palaeoenvironmental remains, medieval ridge and furrow have also been identified through different analysis, as well as medieval and post-medieval agricultural activity, post-medieval field boundary and enclosure and historic landscape could also be affected by the proposal.

6.10.3. Other receptors identified in the detailed baseline assessment, including:

- Two scheduled monuments - Paull Holme Moated Site and Tower (tower is grade I listed) and Paull point battery, coastal artillery battery and submarine minim establishments (building is grade II listed)
- Three grade II listed buildings – Thorngumbald Clough Low Lighthouse, Thorngumbald Clough High Lighthouse and the Old Lighthouse adjoining Keepers Houses.
- Paull Conservation Area.

These buildings and structures have been scoped out of the assessment as they would not experience impacts as a result of the scheme. This is either because they are located outside the area of impact of the scheme or design measures such as screening have been put in place to remove impacts.

6.10.4. In terms of mitigation, document 6.6 of the Environmental Statement propose that environmental design measures will be put in place to deal with these impacts and an archaeological excavation and archaeological watching brief in advance of construction activity. With environmental design measures in place the overall residual effect on Cultural Heritage receptors would be slight adverse

6.10.5. By its nature the underground pipeline will not have any permanent impact on the setting of listed buildings or the Conservation Area. The most significant levels of impact on their setting will occur during construction stage, which on the Paull side of the estuary is estimated to take 20 months. Once works have been completed and landscaping has matured and settled, the level of impact on the setting of heritage assets would be very minor. The Conservation Officer raises no objection to the proposed development.

- 6.10.6. The protection of the historic environment offered by the NPPF also extends to archaeological deposits. Policy ENV7 of the Joint Structure Plan states that archaeological remains shall be protected unless there is an overriding need for the development, and policy ENV3 of the Submitted East Riding Local Plan requires conservation of archaeology, particularly nationally important archaeology of the Wolds and important wetlands.
- 6.10.7. Humber Archaeology Partnership (HAP) has raised no objections in terms of the methodology desk based assessment, baseline information, assessment/findings and conclusions of document 6.6 from the Environmental Statement. However, HAP does not fully agree with the suggestion of trial trenching along parts of the route on the north bank – solely because, in the absence of any indications from other types of non-intrusive evaluations of where any significant archaeological deposits are likely to be present, any trial trenching is going to be very much ‘hit and miss’. The length of pipeline and the reception shaft on the North Bank sections of this pipeline are going to be relatively modest: it might be more sensible to do this as a ‘Strip, Map and Sample’ exercise – particularly as it was always intended for the soil stripping to be done under archaeological supervision. This does not represent any major disagreement between HAP and the proposal; it is just a slightly different way of approaching the same problem.
- 6.10.8. Since the response from HAP was received, the applicant’s agent has been made aware and confirmed to the Council that they will be discussing HAP’s comments direct with them with the aim of amend the Statement of Common Ground to take them into account.
- 6.10.9. Requirement 10 of the draft DCO states that development may not commence until a written scheme of archaeological investigation for that stage has been submitted and approved by the relevant planning authority. It goes on to state the written scheme must identify areas where a programme of archaeological investigation is required and the measures taken to protect, record and preserve significant archaeological remains that may be found. This wording appears satisfactory as it would allow HAP and the applicant to come to an agreement regarding the most appropriate method of protecting, recording and preserving significant archaeological remains.

6.11. Socio-Economic Issues

- 6.11.1. The Environmental Impact Assessment includes a section on socio-economic impacts, focussing primarily on visitors to tourism and recreational facilities. The proposal would not have any direct impact on any such facility, or the setting of them. The largest impacts would be during construction when construction traffic is on the roads which may be used as access to facilities, and there would be temporary visual impacts which road users, including visitors to the area, would experience. It is not considered that these impacts during construction would have any significant impact on users of tourist or recreational facilities.

6.12. Conditions/Requirements

- 6.12.1. The Local Planning Authority is responsible for enforcing the provisions and requirements set out in the Development Consent Order as set out in Part 8 of the 2008 Planning Act. In this case this Council would be responsible for all the requirements relating to onshore works within the East Riding area. The Marine Management Organisation would be responsible for those relating to the coast, and North Lincolnshire Council would be responsible for those relating to their area.
- 6.12.2. The ‘requirements’ are attached to the DCO in the same way conditions may be attached to a planning permission. Proposed requirements have been laid out in Schedule 3 of the Draft DCO submitted by National Grid Gas Ltd.
- 6.12.3. The proposed requirement 1 relates to interpretation of the document and is considered acceptable, requirement 2 provides a time limit for the commencement of development of 5 years which is also considered acceptable. Requirement 3 relates to the stages of authorised development and detailed design approvals. This approach is accepted to ensure that the development is consistent with the development assessed in the Environmental Impact Assessment and considered by the Examining Authority. Requirement 4 seeks to reserve the consideration of layout, scale and external appearance of the pipeline and associated permanent infrastructure; temporary construction and work areas; detailed pipeline route alignment; tunnel construction methodology; and additional lay down, storage and working areas. The submitted documents include plans and a design and access statement which set out design principles and parameters for the pumping station. Therefore although the final details are not yet known, the parameters given are considered acceptable to the Council and there are no objections to this approach whereby the final details are reserved for future agreement.
- 6.12.4. Other requirements relate to site water management, site waste management, removal of trees and hedgerows, hard landscaping and drainage, agricultural land drainage, archaeology, construction hours, construction management, noise, contaminated land and groundwater, construction traffic and access, restoration of land used temporarily for construction, temporary external lighting, environmental mitigation land, requirement for written approval and amendments to approved details. Whilst some of these requirements are needed to satisfy other bodies such as the Environment Agency and Humber Archaeology Partnership, it would be for the Council to manage discharge of these requirements as for normal planning conditions. The proposed wording of the requirements is considered to be appropriate to meet the requirements of the Council in each respect.

7. Conclusion

- 7.1.1. The proposal is for a replacement high pressure gas pipeline which has significant support from national policy and policies S4 and EC5 within the Submitted East Riding Local Plan and U3, U4, and U5 of the Holderness District Wide Local Plan.

There are no local policy objections to the principle of development subject to appropriate consideration of detailed matters.

- 7.1.2. The majority of the development would be the subsurface pipeline, which would generate some temporary impacts during construction but minimal operational impacts. The greatest permanent impacts on the East Riding would be minor external works at Paull AGI to accommodate the new pipeline which would be screened and landscaped.
- 7.1.3. Impacts on the landscape, highway safety, heritage assets, residential amenity, ecology, drainage, flood risk, groundwater protection, coastal erosion and public rights of way have all been thoroughly considered in the submitted application and the proposed requirements. Subject to an amendment to requirement 15 (traffic management plan) set out in the draft DCO, the draft DCO is considered acceptable to ensure matters are satisfactorily controlled during construction and operation.
- 7.1.4. The East Riding of Yorkshire Council does not object to the proposal. The minutes from the Planning Committee meeting of the 3rd September 2015 which considered this Local Impact Report are attached which confirms the views of Members.

That the application be refused because of its impact on an ancient tree belt, traffic issues and concerns arising about the proposal's sustainability.

Motion lost.

Resolved - (a) That the application be deferred for:-

- (i) the receipt of a satisfactory response from the Environment Agency, and
- (ii) inclusion of an additional condition for the provision of a footpath link between the development and the wider HES-A allocation, and

(b) that subject to (a) above the Director of Planning and Economic Regeneration be authorised to approve the application subject to the conditions set out in the Director's report as amended and any additional conditions required by the Environment Agency.

8379 DC PARTNER AUTHORITY, CROSS STREET, BEVERLEY - The Director of Planning and Economic Regeneration submitted a report on an application for consultation by National Grid Gas for a proposed Humber Gas Pipeline Replacement Project (Feeder 9) between an existing Above Ground Installation (AGI) at Paull on the north bank within the East Riding of Yorkshire and Goxhill on the south bank in North Lincolnshire (Application 15/01624/SOS).

At the meeting the Director advised the Committee that no representations or consultation responses had been received on the application following publication of the report.

Resolved - That the Council submits a Local Impact report to the Planning Inspectorate in accordance with the Director's report.

8380 FUTURE PLANNING APPLICATIONS - The Director of Planning and Economic Regeneration submitted a report giving advance notice of planning applications that were currently under consideration and were likely to be submitted to the next or subsequent meetings of the Committee.

Resolved - That the report be noted.