
Covering Letter

The Yorkshire and Humber (CCS Cross Country Pipeline) Development Consent Order

*Under Regulation 5(2)(q) of the Infrastructure Planning
(Applications: Prescribed Forms and Procedure)
Regulations 2009*

The Secretary of State
c/o The Planning Inspectorate
National Infrastructure Directorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

By Courier

FAO: Mr Iwan Davies, Case Manager

18th June 2014

Dear Iwan,

**PINS Reference Number: EN070001 Planning Act 2008
The proposed Yorkshire and Humber (Carbon Capture and Storage Cross Country Pipeline)
Development Consent Order.**

Please find enclosed an application from National Grid Carbon Limited under Section 37 of the Planning Act 2008 for development consent for the Yorkshire and Humber Carbon Capture and Storage Cross Country Pipeline project, a cross country onshore pipeline. The Project is a proposed carbon dioxide transportation and storage system to support the provision of Carbon Capture and Storage technology in the Yorkshire and Humber Region. This is a nationally significant infrastructure project as defined under section 14(1)(g) of the Planning Act 2008.

We enclose with this letter:

1. a completed application form and electronic application index;
2. three sets of all application documents in hard copy;
3. six DVDs each containing a set of the application documents; and
4. confirmation of BACS payment of £4,500.00 in respect of the application fee.

The application is made in accordance with section 37 of the Planning Act 2008, the applicable regulations (including the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009), relevant guidance (including Planning Act 2008: application form guidance) the and relevant advice notes (including Advice Note Six: preparation and submission of application documents).

Securing our energy supply for future generations.



The application documents include not only those specifically required by Regulation 5(2) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009, but also some additional material in support of the application as detailed in Section 23 of the application form.

The application includes a request for powers of compulsory acquisition of rights over land, further details of which are provided in the Statement of Reasons (Document 4.1).

For the purposes of regulation 6(4) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 we set out below the prescribed information to accompany the application:

(a) the name of the proposed pipeline:

CCS Pipeline 001 (for Cross Country Pipeline).
CCS Pipeline 002 (for White Rose connection).

(b) the owner of the proposed pipeline:

National Grid Carbon Limited.

(c) the start and end point of the proposed pipeline:

The Yorkshire and Humber Carbon Capture and Storage Cross Country Pipeline project will run from the proposed Drax PIG Trap (466716 East – 428130 North or thereabouts) near the village of Drax in the administrative district of Selby, North Yorkshire, to the mean low water mark (517123 East – 460610 North or thereabouts) to the north of the village of Barmston, in the administrative area of East Ridings of Yorkshire. The actual “cross country pipeline” will run from the proposed Camblesforth Multi-Junction (466991 East – 425437 North or thereabouts) to the proposed Barmston Pumping Station (515739 East – 460822 North or thereabouts).

(d) the length of the proposed pipeline in kilometres:

The total length of the Yorkshire and Humber Carbon Capture and Storage Cross Country Pipeline project is approximately 74km, and the length of the actual “cross country pipeline” is approximately 67km (measured from the co-ordinates given above on a horizontal plane).

(e) the external diameter in millimetres of the proposed pipeline:

The external diameter of the pipeline from Drax PIG Trap to the Camblesforth Multi-Junction (including the connecting pipeline spur to the White Rose Power Project) is up to 324 mm. The external diameter of the actual “cross country pipeline” from the Camblesforth Multi-junction to the Barmston Pumping Station is up to 610 mm. The external diameter of the pipeline from the Barmston Pumping Station to the mean low water mark is up to 610 mm.

(f) what will be conveyed by the proposed pipeline:

During the operation of the project the proposed pipeline will convey carbon dioxide.

(g) whether the grant of any rights in land or consents to road or river crossing works are required and if so whether they can be obtained by agreement:

Rights in land and/or consents to road and river crossing works are required as part of the Yorkshire and Humber Carbon Capture and Storage Cross Country Pipeline, and while National Grid Carbon Limited is using its endeavours to obtain these by agreement, it does not yet have that agreement.

We note the Secretary of State’s requirement under Section 55 of the Act to decide whether to accept this application by the end of the period of 28 days beginning with the day after the day on which this application is received. To assist with this process, please find attached to this Cover Letter National Grid’s completed Section 55 Acceptance of Applications Checklist detailing compliance with the criteria set out in s55 of the Planning Act 2008.

As such, please acknowledge safe receipt of this letter and enclosures and we look forward to receiving confirmation that the application is accepted for examination in due course.

Should you have any queries, please contact me using the email address and/or mobile number below.

Yours faithfully



Richard Gwilliam
Senior Consents Officer
National Grid

Richard.gwilliam@nationalgrid.com

07901 117401

The Planning Act 2008 Section 55 Acceptance of Applications*

(Appendix 2 of [advice note six: Preparation and submission of application documents](#))

- (1) The following provisions of this section apply where the Secretary of State receives an application that purports to be an application for an order granting development consent.
- (2) The Secretary of State must, by the end of the period of 28 days beginning with the day after the day on which the Secretary of State receives the application, decide whether or not to accept the application.
- (3) The Secretary of State may accept the application only if the Secretary of State concludes -
 - (a) that it is an application for an order granting development consent,
 - (b) deleted
 - (c) that development consent is required for any of the development to which the application relates,
 - (d) deleted
 - (e) that the applicant has, in relation to a proposed application that has become the application, complied with Chapter 2 of Part 5 (pre-application procedure), and
 - (f) that the application (including accompaniments) is of a standard that the Secretary of State considers satisfactory.
- (4) The Secretary of State, when deciding whether the Secretary of State may reach the conclusion in subsection (3)(e), must have regard to -
 - (a) the consultation report received under section 37(3)(c),
 - (b) any adequacy of consultation representation received by the Secretary of State from a local authority consultee, and
 - (c) the extent to which the applicant has had regard to any guidance issued under section 50.
- (5) In subsection (4) -

“local authority consultee” means -

 - (a) a local authority consulted under section 42(1)(b) about a proposed application that has become the application, or
 - (b) the Greater London Authority if consulted under section 42(1)(c) about that proposed application;

“adequacy of consultation representation” means a representation about whether the applicant complied, in relation to that proposed application, with the applicant’s duties under sections 42, 47 and 48.
- (5A) The Secretary of State when deciding whether the Secretary of State may reach the conclusion in subsection (3)(f) must have regard to the extent to which -
 - a) the application complies with the requirements in section 37(3) (form and contents of application) and any standards set under section 37(5) and
 - b) any applicable guidance given under section 37(4) has been followed in relation to the application.
- (6) If the Secretary of State accepts the application, the Secretary of State must notify the applicant of the acceptance.
- (7) If the Secretary of State is of the view that the application cannot be accepted, the Secretary of State must -
 - (a) notify that view to the applicant, and
 - (b) notify the applicant of the Secretary of State’s reasons for that view.
- (8) If in response the applicant modifies (or further modifies) the application, subsections (2) to (7) then apply in relation to the application as modified.

* Section 55 of the Planning Act 2008 as amended by the Localism Act 2011

DISCLAIMER - This is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate (National Infrastructure Directorate) to complete. Completion or self assessment by the applicant does not hold weight at the acceptance stage.

NB: See DCLG Application Form Guidance for guidance on how the application form should be completed and what should be included with it.

Section 55 Acceptance of Applications

Section 55 Application Checklist¹

Section 55(2) Acceptance of Applications			
Within 28 days (starting day after receipt) the Secretary of State must decide whether or not to accept the application.	Date received	28 day due date	Date of decision
	19 th June 2014	17 th July 2014	
Section 55(3) – the Secretary of State may <u>only</u> accept an application if the Secretary of State concludes that:-			Case Officer Comments
1. s55(3)(a) It is an application for an order granting development consent			Acceptance Inspector Notes
1.1 Does the application state on the face of it that it is an application for a development consent order (DCO) under the 2008 Act, or equivalent words?		Document 5.1 (Exec Summary and para 1.2.2) Document 1.2 and 1.3	
Acceptance Inspector Summary - s55(3)(a)			
2. s55(3)(c) That development consent is required for any of the development to which the application relates			
NB:- Development consent is required for development to the extent that the development is or forms part of a nationally significant infrastructure project (NSIP) (s31). NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15-30.			
2.1 Is the development an NSIP. Or does it form part of an NSIP.		Document 5.1 (Exec Summary and paras 1.2.2 and 3.1.4) Document 3.1 Schedule 1	
Acceptance Inspector Summary - s55(3)(c)			
3. s55(3)(e) That the applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)			
3.1 Did the applicant before carrying out the s.42 consultation either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed to provide an environmental		Yes, Regulation 6 letter submitted	

¹ References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate National Infrastructure Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

statement in respect of that development. EIA Regulation 6	on the 21 st January 2013, Regulation 8 letter 15 th February 2013 (See Document Ref 6.4.2)	
NB:- The Secretary of State must have regard to the Consultation Report, and any adequacy of consultation representations received.		
3.2 Have any adequacy of consultation representations been received from “A”, “B”, “C” and “D” authorities.	<i>National Grid have received no negative comments on adequacy of consultation. Table 6, page 20 of Document Reference 5.1</i>	
3.3 If so, do they confirm whether the applicant has complied with the duties under s42, s47 and s48.	<i>Feedback received from local authorities acknowledges compliance with these sections of the act Document 5.1, tables 34 and 48 .</i>	
s42: Duty to Consult		
3.4 Did the applicant consult the following about the proposed application –		
s42(1)(a) person prescribed (statutory consultees set out in Schedule 1 of the APFP Regulations)	Yes, see Document 5.1, chapter 8, Appendices 11 and 12 and chapter 13, appendices 45 and 47.	
s42(1)(b) each local authority within s43. NB:- Definition of “local authority” in s43(3). NB:- Check those listed in consultation report are correct in relation to land shown on the land plans the “B” authority where the application land is in the authority’s area. the “A” authority where any part of the boundary of A’s area is also a part of the boundary of B’s area	Yes, see Document 5.1, chapters 8.4, 13.3 and 16.3. Appendices 9, 11, 12, 45, 55 and 56.	

the "C" authority (upper tier) where the application land is in that authority's area the "D" authority where such authority shares a boundary with a "C" authority		
s42(1)(c) the Greater London Authority (if in Greater London area)	n/a	
s42(1)(d) each person in one or more of s44 categories Category 1 – owner, lessee, tenant or occupier of land. Category 2 – person interested in the land or has power to sell and convey the land or to release the land. Category 3 – person entitled to make a relevant claim. NB:- There is no requirement to check the accuracy of the list(s) or whether the applicant has made diligent inquiry.	Yes, see Document 5.1, chapters 8.5, 13.4, 17.2 and 6appendices 20, 53 and 54.	
s45: Timetable for s42 Consultation		
3.5 Did the applicant notify s42 consultees of the deadline for receipt of consultation responses.	Yes, see Document 5.1, Table 6 page 24.	
3.6 Was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents.	Yes, see Document 5.1 Table 6, page 24	
s46: Duty to notify Secretary of State of proposed application		
3.7 Did the applicant supply information to notify Secretary of State of proposed application.	Yes, Document Reference 5.1, paragraph 7.1.4, appendix 14.	
3.8 Was the information supplied to the Secretary of State at the same as it was sent to the s42 consultees.	Prior to s42 consultees. See Document Reference 5.1 paragraph 7.1.4 and 8.2	
3.9 Was this done on or before commencing consultation under s42.	Prior to s42 consultees. See Document Reference 5.1 paragraph 7.1.4 and 8.2	
s47: Duty to consult local community		
3.10 Did the applicant prepare a statement of community consultation on how it intended to consult people living in the vicinity of the land ("the SOCC").	Yes Document Reference 5.1 chapter 9 and	

	appendix 10.	
3.11 Were "B" and (where relevant) "C" authorities consulted about the content of the SOCC.	Yes, See Document Reference 5.1 paragraph 7.2 and 9.1, appendices 16 and 17	
3.12 Was the deadline for receipt of responses 28 days beginning with the day after the day that "B" and (where applicable) "C" authorities received the consultation documents.	Yes. See Document Reference 5.1 paragraph 7.2 and 9.1	
3.13 Has the applicant had regard to any responses received when preparing the SOCC. NB:- Check consultation report and adequacy of consultation representation.	Yes, see Document 5.1 paragraphs 7.2 and 9.1.2 to 9.1.5.	
3.14 Has the SOCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SOCC can be inspected.	Yes, see Document 5.1 paragraphs 9.1.5, 9.2.25 to 9.2.27 and appendix 28.	
3.15 Has the applicant carried out the consultation in accordance with the SOCC.	Yes, see Document Reference 5.1 Table 39, page 261.	
3.16 Does the SOCC set out whether the development is EIA development EIA Regulation 10.	Yes, see Document 5.1, Appendix 10, page 7 of 15	
3.17 Does the SOCC set out how the applicant intends to publicise and consult on the preliminary environmental information.	Yes, see Document 5.1, Appendix 10, page 7 of 15	
s48: Duty to publicise the proposed application		
3.18 Did the applicant publish a notice: (APFP Regulation 4(2))		
(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;	Yes, see Document Reference 5.1, chapter 10, appendix 3	
(b) once in a national newspaper;	Yes, see Document 5.1, chapter 10, page 303 and appendix 3	

(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	Yes, see Document 5.1, chapter 10, page 303, appendix 3	
(d) where the proposed application relates to offshore development –		
(i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal.	Yes, see Document 5.1, chapter 10, page 303 appendix 3 Lloyds List and Fishing News.	
3.19 Did the notice include: (APFP Regulation 4(3))		
(a) the name and address of the applicant;	Yes, see Document 5.1, chapter 10, page 303 Appendix 3. (a) Paragraph 1 of s48 notice (b) Paragraph 1 of s48 notice (c) Paragraph 9 of s48 notice (d) Paragraph 5 of s48 notice (e) Paragraph 10 of s48 notice (f) Paragraph 10 of s48 notice. Documents remain available on the Project website. (g) Paragraph 10 and 12 of s48 notice (h) Paragraph 13 of s48 notice (i) Paragraph 13	
(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;		
(c) a statement as to whether the application is EIA development;		
(d) a summary of the main proposals, specifying the location or route of the proposed development;		
(e) a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice;		
(f) the latest date on which those documents, plans and maps will be available for inspection (being a date not earlier than the deadline in sub-paragraph (i));		
(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;		
(h) details of how to respond to the publicity; and		
(i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published.		

	of s48 notice and Document 5.1 Table 42 page 303.	
3.20 Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with EIA Regulation 9(1)(c) (EIA Regulation 11).	See Document 5.1 chapter 11, appendix 41.	
s49: Duty to take account of responses to consultation and publicity		
3.21 Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation. NB:- Check the Consultation Report for responses and whether or not they have led to changes to the application.	See Document 5.1, Tables 34, 41, 43, 48 and 52, pages 165-248, 268-302, 307-319, 332-347 and 354 -363.	
Guidance about pre-application procedure		
NB:- The Secretary of State must have regard to the extent to which the applicant has had regard to guidance issued under s.50. 3.22 To what extent has the applicant had regard to DCLG Guidance, The Planning Act 2008: Guidance on pre-application consultation.	See Document 5.1 Table 7, page 25.	
Acceptance Inspector Summary - s55(3)(e)		
4. s55(3)(f) and s55(5A) The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)		
4.1 Does the application specify the development to which it relates (i.e. which category or categories in sections 14-30 does the application scheme fall).	See Document 1.2 and 1.3	
4.2 Is it made in the prescribed form as set out in Schedule 2 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 ("the APFP Regulations") and includes: a brief statement which explains why it falls within the remit of the Secretary of State a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme	See Document 1.2, 1.3 and 7.8	
4.3 Is it accompanied by the consultation report.	See Document 5.1	
4.4 Is it accompanied by the documents and information set out in APFP Regulation 5(2) and listed below:		
(a) where applicable, the environmental statement required under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 ("the EIA Regulations") and any scoping or screening opinions or directions;	See Documents in Volume 6	

	(Documents 6.4.2 and 6.4.3)	
(b) the draft proposed order;	See Document 3.1	
(c) an explanatory memorandum explaining the purpose and effect of provisions in the draft order;	See Document 3.2	
(d) where applicable, the book of reference (where the application involves any compulsory acquisition);	See Document 4.3	
(e) a copy of any flood risk assessment;	See Document 5.2	
(f) a statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the applicant proposes to mitigate or limit them;	See Document 5.3	
(g) any report identifying any European site to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994 ² applies, or any Ramsar site, which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1);	See Document 5.4	
(h) a statement of reasons and a funding statement (where the application involves any compulsory acquisition);	See Document 4.1 and 4.2	
(i) a land plan identifying:- (i) the land required for, or affected by, the proposed development; (ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land;	See Document 2.1	
(j) a works plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order;	See Document 2.3	
(k) where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation;	See Document 2.4	
(l) where applicable, a plan with accompanying information identifying:- (i) any statutory/non-statutory sites/ features of nature conservation e.g. sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and (iii) water bodies in a river basin management plan,	See Document 2.72 2.74	

² Now Regulation 61 of the [Conservation of Habitats and Species Regulations 2010 SI2010/490](#).

together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development;		
(m) where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (e.g. scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the proposed development;	See Document 2.73 2.74	
(n) where applicable, a plan with any accompanying information identifying any Crown land;	See Document 2.6	
(o) any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping;	See Document 2.8 to 2.71	
(p) any of the documents prescribed by Regulation 6 of the APFP Regulations; NB:- These are documents which are relevant to specific types of project (generating stations, highway related development, railways, harbour facilities, pipelines, hazardous waste facilities, dam or reservoirs). Confirm in each case the type of project and the relevant documents which must be included with the application in each case.	See Document 7.8, chapter 1 and 1.3	
(q) any other documents considered necessary to support the application; and	See Documents 7.1, , 7.3, 7.4, 7.5, 7.6, 7.7 and 7.8	
(r) if requested by the Secretary of State, three paper copies of the application form and other supporting documents and plans.	3 paper copies and 6 DVDs have been provided to the SoS.	
4.5 Are the plans, drawings or sections submitted A0 size or smaller, drawn to an identified scale (not smaller than 1:2500) and, in the case of plans, show the direction of north? APFP Regulation 5(3) NB:- It is not intended that information provided in other documents, such as any Environmental Statement submitted, should be duplicated. It is possible therefore to cross refer to the location of relevant information – see CLG Guidance on application forms paragraphs 33 – 38.	Yes, all plans are A0 or smaller All plans at scale no smaller than 1:2500 with the exception of Key Plans which are not to scale.	
4.6 Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets. APFP Regulation 5(4)	Yes, Documents 2.1, 2.3, 2.4 and 2.5	
4.7 The Secretary of State may give guidance about how the requirements under s37(3) are to be complied with.		
Acceptance Inspector Summary - s55(3)(f) and s55(5A)		

The Infrastructure Planning (Fees) Regulations 2010 (SI106)

Fees to accompany an application

NB:- The Secretary of State must charge the applicant a fee in respect of the decision by the Secretary of State under section 55. If the applicant fails to pay the fee, the Secretary of State need not consider the application until payment is received by the Secretary of State. The fee payable is presently £4,500 and must be paid at the same time that the application is made.

Was the fee paid at the same time that the application was made

Date the fee received and confirmed as bankable

.....

Acceptance Inspector

Case Leader

Signed

Date:

Signed

Date:

Section 55 Acceptance of Applications

Application Checklist

Appendices

[Scheme name]

A Legal Advice

Withheld from publication as potentially falling within one or more of the following categories of information:-

- excepted internal communications and / or
- excepted because publication would adversely affect the course of justice and/or
- exempted information protected by legal professional privilege

B Habitats Regulation Assessment Checklist

Withheld from publication as potentially falling within one or more of the following categories of information:-

- excepted internal communications and / or
- excepted because publication would adversely affect the course of justice and/or
- excepted because its publication would adversely affect the protection of the environment to which the information relates