
Addendum to Planning Statement

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

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1 Introduction

- 1.0.1 The Development Consent Order (DCO) application for the Yorkshire and Humber CCS Cross Country Pipeline was submitted in June 2014, under Section 37 of the Planning Act 2008. The Project is a proposed carbon dioxide transportation and storage system to support the provision of carbon capture and storage (CCS) technology in the Yorkshire and Humber Region. This is a nationally significant infrastructure project (NSIP) as defined under section 14(1) (g) of the Planning Act 2008.
- 1.0.2 Further to the submission of the application in June 2014, discussions have been ongoing with East Riding of Yorkshire Council, Selby District Council and North Yorkshire County Council on Statements of Common Ground. Since the DCO has been submitted and accepted, these authorities have also had the opportunity to view the DCO submission documents, and in particular, have made some observations on the Planning Statement, including reference to a number of Local Plan policies which were not directly considered in the Planning Statement (document 7.1).

1.1 STRUCTURE OF ASSESSMENT

- 1.1.1 An addendum to the Planning Statement has therefore been prepared in response to the comments received from relevant Local Planning Authorities, and provides further clarification regarding a number of Local Plan policies in the context of the Onshore Scheme.
- 1.1.2 The addendum is structured in two sections; the first section directs the reader to the relevant chapter(s) of the Environmental Statement (ES) where numerous Local Plan policies have been considered, but have not been explicitly addressed in the Planning Statement. Section 2 of the addendum provides an overview and analysis of those policies not originally considered in the DCO submission, under headings specific to the relevant Local Authority and appropriate Development Plan Document.
- 1.1.3 The analysis in section 2 provides a brief overview of the Local Plan policy objective(s) and whether or not the policy is consistent with the objectives of the primary policy document for determining NSIPs (NPS EN-1).
- 1.1.4 If a Local Plan policy conflicts with NPS (EN-1), then in accordance with paragraph 4.1.5 of that document, the NPS prevails for the purposes of

decision making given the national significance of the infrastructure, and no further assessment is provided.

- 1.1.5 If a Local Plan policy is consistent with the relevant objectives of NPS (EN-1), then a further analysis of that Local Plan policy is provided.

2 Policy Framework

- 2.0.1 Section 104 of the Planning Act 2008 (the “Planning Act”) applies in decisions where a National Policy Statement has effect, and so therefore applies to the application for development consent for the Yorkshire and Humber CCS Cross Country Pipeline as EN-1 has effect in relation to the Onshore Scheme. Section 104(2) of the Planning Act states that in determining an application for a DCO, the Secretary of State (“SoS”) must have regard to:
- (a) any relevant NPS;
 - (b) the appropriate marine policy documents;
 - (c) any local impact report;
 - (d) any matters prescribed in relation to development of the description to which the application relates; and
 - (e) any other matter that the decision maker thinks is both important and relevant to its decision.
- 2.0.2 NPS (EN-1) makes clear that the SoS should take account of the importance the Government places on demonstrating CCS, and the potential deployment of this technology beyond the demonstration stages (which the Project is), in considering consent of CCS projects and associated infrastructure.
- 2.0.3 Paragraph 5.10.13 of EN-1 provides that where an application conflicts with a proposal in a development plan, the SoS “should take account of the stage which the development plan document [...] has reached in deciding what weight to give the plan for the purposes of determining the planning significance of what is replaced, prevented or precluded. The closer the development plan document [...] is to being adopted by the LPA, the greater weight which can be attached to it.”
- 2.0.4 Decisions under the Planning Act 2008 for Nationally Significant Infrastructure Projects are therefore determined against National Policy Statements, and not, as in the case of Town and Country Planning Act submissions the LPA Development Plan. The Development Plan however

remains a material consideration in the determination of an application for a DCO.

2.0.5 Any reference to IPC in NPS (EN-1) should now be read as PINS.

2.1 SECTION 1

Planning Policies already considered in the Environmental Statement

- 2.1.1 Through ongoing dialogue with National Grid and the production of their Local Impact Reports (LIR), East Riding of Yorkshire Council and Selby District Council have identified a number of Local Plan policies which have not been considered in the Planning Statement (document 7.1). However, whilst these Local Plan policies have not been specifically included in document 7.1, they have been considered elsewhere in the DCO submission and in particular the ES.
- 2.1.2 Table 1 has therefore been prepared to direct the reader to the relevant chapter(s) of the ES where each of the Local Plan policies have been considered.

Table 1: Local Plan policies identified by ERYC and SDC in the ES	
East Yorkshire Borough Local Plan (1997) – East Riding of Yorkshire Council	
ES Chapter	Local Plan Policy
Relevant Planning Policy (document 6.6.2)	EN5, EN9
Ecology and Nature Conservation (document 6.9)	EN5, EN9
Local Planning Policies – Ecology (document 6.9.1)	EN5, EN9
Local Landscape Planning Context – Relevant Policies (document 6.11.1)	EN3, EN20
Air Quality (document 6.12)	EN9
The Boothferry Borough Local Plan (1999) – East Riding of Yorkshire Council	
ES Chapter	Local Plan Policy
Relevant Planning Policy (6.6.2)	EN27, EN28, EN65
Local Planning Policy (document 6.8.1)	EN2
Ecology and Nature Conservation (document 6.9)	EN27, EN28
Local Planning Policies – Ecology (document 6.9.1)	EN27, EN28

Table 1: Local Plan policies identified by ERYC and SDC in the ES	
6.9.1)	
Archaeology and Cultural Heritage (document 6.10)	EN2, EN56
Plans and Policies (document 6.10.1)	EN2, EN56
Local Landscape Planning Context – Relevant Policies (document 6.11.1)	EN2, EN46a
Beverley Borough Local Plan (1996) – East Riding of Yorkshire	
ES Chapter	Local Plan Policy
Relevant Planning Policy (6.6.2)	E1, E15, E16, E17, E19, D18
Ecology and Nature Conservation (document 6.9)	E13, E15, E16, E19
Local Planning Policies – Ecology (document 6.9.1)	E13, E15, E16, E19
Local Landscape Planning Context – Relevant Policies (document 6.11.1)	E1, E10, E25, E37
The Selby District Local Plan – Selby District Council	
Local Landscape Planning Context – Relevant Policies (document 6.11.1)	ENV1

2.2 SECTION 2

East Riding of Yorkshire Council

2.2.1 The tables below set out those Local Plan policies which require clarification as a result of ongoing discussions with East riding of Yorkshire Council, including publication of the Council's Local Impact Report (LIR). The relevant documents and policies contained within are considered in the following order:

- East Yorkshire Borough Local Plan (1997) – East Riding of Yorkshire Council;
- The Boothferry Borough Local Plan (1999) – East Riding of Yorkshire Council;
- Beverley Borough Local Plan (1996) – East Riding of Yorkshire Council;
- East Riding of Yorkshire Local Plan Draft Strategy Document (January 2014);
- The Joint Structure Plan for Kingston Upon Hull and the East Riding of Yorkshire (2005) – East Riding of Yorkshire Council;
- East Riding of Yorkshire Joint Minerals Local Plan (2004); and
- East Inshore and East Offshore Marine Plan (2014).

East Yorkshire Borough Local Plan (1997) – East Riding of Yorkshire Council

Policy and Objective	Analysis
<p>EN15 – Mineral Consultation Zones</p> <p>Proposals within the defined mineral consultation zones (other than those related to the working of minerals) will be permitted where they will not constrain the future exploitation of the mineral reserve or conflict with other relevant plan policies.</p>	<p>Policy EN15 applies to proposals within Mineral Consultation Zones (MCZ) and seeks to support development which will not constrain the future exploitation of the mineral reserve.</p> <p>The Onshore Scheme crosses an Area of Search as shown in the East Riding of Yorkshire Joint Minerals Local Plan (2004) at Gransmoor and Lissett (AOS02.) A similar, but smaller, Area of Search at the same location is also identified in the emerging minerals local plan (SG4). The Onshore Scheme will also cross the following Mineral Safeguarding Area (MSA) as identified in the emerging plan: MSGA01 (sand and gravel) at several locations, MSGA02 (limestone) near Market Weighton, MSGA09 (industrial chalk) near Bracken and MSGA12 (silica sand) near Market Weighton.</p> <p>In considering the above, it is relevant to note that the ERYC emerging minerals plan is not yet an adopted Development Plan Document and is still subject to further consultation and scrutiny. As such, it is reasonable to assume that not all of the above MSAs will be carried forward in the adopted document, and for the purposes of decision making, the emerging plan should only attract limited weight (as stated by ERYC in their LIR).</p> <p>NPS (EN-1) states that 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 (EN-1, para 5.10.9). In addition, where a proposed development has an impact upon a MSA, the IPC should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources (EN-1, para 5.10.22).</p> <p>Policy EN15 is consistent with the relevant guidance in NPS (EN-1) in that it seeks to safeguard future mineral reserves. However, NPS (EN-1) includes a subtle difference in</p>

Policy and Objective	Analysis
	<p>that safeguarding mineral resources should be accommodated <u>as far as possible</u>. It is on this basis that the Onshore Scheme has been developed.</p> <p>The Onshore Scheme does not impact any preferred areas of extraction as identified in the Joint Minerals Local Plan or any sites with existing consents for extraction.</p> <p>Where the Onshore Scheme impacts on MSZs, the route selection process included mineral impact as part of the criteria.</p> <p>The provisional MCZ at Bracken comprises land near the processing plant. The pipeline route lies between this MCZ and a residential property and the final route selection sought to balance the impact on these two users. The MCZ relates to land in the vicinity of the processing plant and is separate from the MCZ which surrounds the extraction area which is some 500m from the pipeline route. As a result, the MCZ is not designed to protect mineral reserves and the pipeline should not therefore constrain the future exploitation of it.</p> <p>The MCZ at Gransmoor and Lissett has not been proven in terms of viable reserves and the geology as shown by the British Geological Survey is variable. This is supported by the boreholes that have been carried out along this section of the pipeline route by National Grid in their route selection and background studies which have shown significant clay horizons with only narrow seams of sand occurring. The quarries which operate in this area appear to follow a narrow band of alluvium deposit on the BGS plans and none are located outside of this material. Routing was selected following consultation with interested parties to minimise the impact upon this area whilst maintaining the security of the scheme.</p> <p>Due to the size of the MCZ at Gransmoor and Lissett, complete avoidance would have been almost impossible and complete avoidance of MCZs is not required by NPS (EN-1). The Onshore Scheme is a linear project and any impact has been kept to a minimum by limiting the affected width in line with National Grid policy for high pressure cross</p>

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	<p>country pipelines. The pipeline will not cause any minerals to be sterlised due to severance, as crossing of the pipeline by quarry plant and machinery, including field conveyors, will be permitted by National Grid.</p> <p>In light of this, it is considered that as far as possible, the Onshore Scheme has been routed so not to constrain the future exploitation of local mineral reserves and has therefore been developed in accordance with the principles of NPS (EN-1).</p>

The Boothferry Borough Local Plan (1999) – East Riding of Yorkshire Council

Policy and Objective	Analysis
<p>EN64 – Land Drainage</p> <p>The local planning authority will require that development proposals take account of the need to secure effective land drainage measures and encourage the control of the level of water in the land drainage system which is important to nature conservation.</p>	<p>Policy EN64 seeks to ensure development proposals take account of the need to secure effective drainage.</p> <p>NPS (EN-1) states that where a 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.</p> <p>In considering an application for development consent, NPS (EN-1) states that the IPC should focus on whether the development itself is an acceptable use of the land, and on the impacts of that use, rather than the control of processes, emissions or discharges themselves. The IPC should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. It should act to complement but not seek to duplicate them (EN-1, para 4.10.3).</p> <p>The Onshore Scheme is a long linear project covering a large proportion of agricultural</p>

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	<p>land and will therefore affect existing land drainage systems.</p> <p>The Onshore Scheme has considered drainage through the Drainage Report (document 7.7) and details of land drains are appended to the Construction Report (document 7.6). Many commitments are made to both the construction and operational aspects of the scheme to address any risks of pollution, and to ensure that the Onshore Scheme is compliant with existing regulatory regimes. The principal measures are those included in the Code of Construction Practice (document 7.5) and specifically cover Land Drainage Consents.</p> <p>The Scheme has been sensitively designed to secure appropriate land drainage measures whilst seeking suitable opportunities for enhancement (i.e. at the Barmston Pumping Station).</p> <p>The development has therefore been developed in accordance with the principles of NPS (EN-1) and Policy EN64.</p>
<p>EN74 – Mineral Consultation Zones</p> <p>The Council will, in determining proposals within the mineral consultation zones set out in the proposals map; take into account the need to safeguard potential mineral deposits. Where development is considered to limit the future extraction of minerals it will be allowed providing the limitation can be overcome by the use of appropriate conditions.</p>	<p>Policy EN74 is not considered relevant to the development as there are no MCZs in the Boothferry Local Plan that would be affected by the Onshore Scheme. As such, no further assessment is required.</p>

Beverley Borough Local Plan (1996) – East Riding of Yorkshire Council

Policy and Objective	Analysis
<p>P1 – General Development Policy</p> <p>In areas shown without specific notation on the Proposals Map, the existing uses of land are intended to remain largely undisturbed. Where there are proposals for change, development proposals will be assessed against the development plan having regard to any other material considerations and interests of acknowledged importance.</p>	<p>Policy P1 is a general development policy in the Beverley Borough Local Plan.</p> <p>NPS (EN-1) provides a comprehensive list of generic and technology-specific impacts to be applied when considering applications for Development Consent. The broad requirements of Policy P1 are considered to be encapsulated in the overriding objectives of NPS (EN-1).</p> <p>The Planning Statement demonstrates that the Onshore Scheme is in compliance with the specific criteria for energy infrastructure in NPS (EN-1) and so no further assessment is required in relation to Policy P1.</p>
<p>D18 – Drainage</p> <p>Development proposals will only be approved if they include satisfactory arrangements for disposing of foul and surface water discharges. Where satisfactory arrangements are not available then proposals may be approved subject to the submission of a satisfactory scheme and its implementation before the development is brought into use.</p>	<p>Policy D18 seeks to secure satisfactory arrangements for disposing of foul and surface water discharges.</p> <p>The Onshore Scheme will result in alterations to surface water discharge along the length of the pipeline route and will include arrangements for the disposal of foul water from the Barmston Pumping Station. As such, Policy D18 is applicable to the Onshore Scheme.</p> <p>NPS (EN-1) states that where a 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.</p> <p>Drainage and water discharge have been considered in both the ES (Safety Statement and Water Resources, documents 6.4.7 and 6.6 respectively) and in other supporting</p>

Policy and Objective	Analysis
	<p>application documents such as the Drainage Report (document 7.7).</p> <p>For surface water quality, work will be undertaken in accordance with the Code of Construction Practice (document 7.5) and appropriate method statements, and consents/licences will be obtained from environmental regulators including the Environment Agency. In addition, it is also relevant to note that the Draft DCO (document 3.1) includes at Schedule 3(9), a requirement for National Grid to submit details of water management to the relevant Local Authority, prior to the commencement of development of that stage. Document 3.1 also includes a schedule of works and structures to be included at the Barmston Pumping Station (including water management) which are required to be submitted for approval by the relevant Local Planning Authority following Development Consent.</p> <p>On the basis of the above, National Grid have adequately considered the issue of drainage and have set in place sufficient measures in the Draft DCO to satisfy the tests of NPS (EN-1) and Policy D18.</p>
<p>D19 - Groundwater</p> <p>Development proposals which on the basis of published information available at the date of the application and on the advice of the NRA will pose an unacceptable risk to the quality of groundwater will only be approved where there is an over-riding need for the development and the proposal contains measures designed to minimise the risk to the quality of</p>	<p>Policy D19 seeks to only approve development that poses an unacceptable risk to the quality of groundwater, where there is an over-riding need for the development, and the proposal contains measures designed to minimise the risk to the quality of groundwater.</p> <p>NPS (EN-1) acknowledges that infrastructure development can have adverse effects on the water environment, including groundwater. For decision making, NPS (EN-1) states that 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 (NPS EN-1, para 5.15.6).</p> <p>The Onshore Scheme has the potential for effects on soils, geological and hydro geological characteristics and so Policy D19 is relevant. Document 6.7 of the ES</p>

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groundwater.	<p>'Geology, hydrology and ground conditions' provides a summary of the existing groundwater relevant to the Onshore Scheme as well as the potential effects. This document also demonstrates that the residual effects on groundwater are considered not to be significant, and consequently there will be no unacceptable risk to the quality of groundwater.</p> <p>The development therefore accords with the relevant guidance in NPS (EN-1) and Policy D19.</p>
<p>IN12 – Mineral Consultation Area</p> <p>In determining proposals within the Mineral Consultation Zones set out in the Proposals Map, account will be taken of the need to safeguard the value of mineral deposits. Development which will limit the future extraction of minerals will only be approved if the limitation can be overcome by the use of appropriate conditions or a planning obligation.</p>	<p>Policy IN12 is not considered relevant to the development as there are no MCZs in the Beverley Local Plan that would be affected by the Onshore Scheme. As such, no further assessment is required.</p>

East Riding of Yorkshire Local Plan Draft Strategy Document (January 2014)

Policy and Objective	Analysis
<p>S8 – Connecting people and places</p> <p>A. New development should ensure that people and places are well</p>	<p>Policy S8 outlines a number of criteria which seek to ensure that people and places are well connected.</p> <p>By virtue of its design and function, the Onshore Scheme is not considered to facilitate</p>

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<p>connected.</p> <p>B. The overall role and function of the Strategic Transport Network, as shown in Figure 7, will be protected and/or enhanced, having regard to the investment priorities, policies, and proposals of the <i>Local Transport Plan</i> and other related strategies.</p> <p>C. Transport schemes that improve the overall capacity and coverage of the transport network will be supported. Where appropriate land will be safeguarded for these schemes in the <i>Allocations Document</i>, <i>Bridlington Town Centre Area Action Plan</i>, or a <i>Neighbourhood Development Plan</i>.</p> <p>D. The role and function of the East-West Multi-Modal Transport Corridor, which serves the transport needs of Key Employment Sites, will be protected and/or enhanced, where appropriate, to enable the efficient and integrated movement of freight by, and between, different transport modes.</p> <p>E. Roadside facilities essential to support the safety and welfare of</p>	<p>or have any relevance to the objectives (A-G) of Policy S8. As such, this policy is not engaged and no further assessment is required.</p>

Policy and Objective	Analysis
<p>motorists will be supported, where they are of an appropriate scale and meet an identified need.</p> <p>F. Existing and future port operations at Goole within the Operational Port Area, as shown on the <i>Policies Map</i>, will be safeguarded from development which would conflict with this use.</p> <p>G. Existing wharf and rail facilities on the Aire and Calder Canal, River Ouse, Humber Estuary, and elsewhere will be safeguarded to maintain a choice of sustainable transport modes.</p> <p>H. Existing and disused public transport, cycling and footpath networks and facilities, including Public Rights of Way, will be enhanced and/or protected, particularly within and linking to the Major Haltemprice Settlements, Principal Towns, and Towns.</p> <p>I. Proposals which facilitate integration between different modes of travel, especially walking, cycling and public transport, will be encouraged.</p>	

The Joint Structure Plan for Kingston Upon Hull and the East Riding of Yorkshire (2005) – East Riding of Yorkshire Council

Policy and Objective	Analysis
<p>DS4 – Development Strategy in Rural Areas</p> <p>The countryside should function as an attractive and viable environmental, economic and recreational resource, with existing villages providing for most of the everyday needs of local communities. Limited development will be allowed in existing villages if this meets local needs and contributes to sustaining the role of the settlement. Housing development in existing settlements must conform to the requirements of JSP Policy H7.</p>	<p>Policy DS4 seeks to secure two objectives. The first is to ensure the countryside functions as an attractive and viable environmental, economic and recreational resource with existing villages providing most of the everyday needs for local communities. The second is to only allow limited development in existing villages if this meets local needs and contributes to sustaining the role of the settlement. Policy DS4 states that housing development in existing settlements must conform to the requirements of Joint Structure Plan, Policy H7.</p> <p>At para 5.10.3, NPS (EN-1) recognises that many forms of energy infrastructure will need to utilise the countryside and undeveloped greenfield land.</p> <p>The Onshore Scheme has been developed to avoid impacts on the countryside through considered alignment of the Pipeline Envelope. Where short term landscape impacts arise from construction phases, there will be mitigation implemented in the form of landscape reinstatement and enhancement. The majority of the development will be subterranean and so will not result in permanent visual affects to the countryside. Where development must be sited above ground, for example Above Ground Installations, these will be integrated into the landscape through responsive design. The Onshore Scheme has therefore been developed in such a way to ensure the countryside remains as an attractive and viable environmental, economic and recreational resource.</p> <p>In relation to the second part of Policy DS4, the pipeline route does pass through any existing villages and the Onshore Scheme is not for housing and so no further assessment is required.</p> <p>Where relevant, the Onshore Scheme has been developed in line with the principles of NPS (EN-1) and Policy DS4.</p>

Policy and Objective	Analysis
<p>DS7 – Development Infrastructure</p> <p>Development should provide, or contribute towards, the provision or improvement of community services and facilities, transportation improvements, environmental improvements and any other infrastructure, directly related to and necessary for the development to proceed.</p>	<p>Policy DS7 sets out a number of improvements which developments may be expected to deliver in order to proceed.</p> <p>Part 5 of NPS (EN-1) provides specific guidance for the assessment of Generic Impacts for applicants and the examining authority when considering energy infrastructure development. Under each assessment heading in NPS (EN-1), key considerations for IPC decision making and suggested mitigation are listed.</p> <p>NPS (EN-1) states that to consider the potential effects of an NSIP, the IPC will find it helpful if the applicant sets out information on the likely significant social and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated.</p> <p>The ES includes chapters which consider and evaluate the likely significant social and economic effects of the development, and outlines how any likely significant negative effects will be avoided or mitigated.</p> <p>Where appropriate, this approach to development of the Onshore Scheme is consistent with the objectives of NPS (EN-1) and Policy DS7.</p>
<p>SP1 – Settlements and their settings</p> <p>The character and distinctiveness of settlements and their settings will be protected and enhanced. Important features in and around settlements should be identified, protected and respected. Special consideration should be given to:</p>	<p>Policy SP1 is a general development policy which seeks to ensure development protects and enhances the distinctiveness of settlements.</p> <p>NPS (EN-1) does not stipulate any requirement to protect or enhance the character and distinctiveness of settlements in line with the objectives of Policy SP1. As such, this policy is not engaged and no further assessment is provided.</p>

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<ul style="list-style-type: none"> (i) historic street and development patterns; (ii) important skylines and views; (iii) valuable open areas within settlements; and (iv) important edges and settings to settlements. 	
<p>SP4 – Landscape Character</p> <p>a) The distinctive character of the Yorkshire Wolds, Jurassic Hills, Vale of York, Holderness, Humber Estuary and Ouse and Trent Levels’ Regional Landscape Character Areas should be protected. Development should protect and where necessary enhance or restore distinctive landscape character.</p> <p>(b) Local Development Frameworks will provide landscape guidelines based on local landscape types within each of the Regional Landscape Character Areas. Particular attention should be given to the unique local landscapes of:</p> <ul style="list-style-type: none"> (i) Goole and Crowle Lowlands; 	<p>Criterion (a) of Policy SP4 seeks to protect and where necessary enhance or restore distinctive landscape character and is relevant to the Onshore Scheme.</p> <p>Criterion (b) provides guidance for the development of Local Development Frameworks and so is not relevant to consideration of the Onshore Scheme.</p> <p>There are no Nationally Designated Landscapes within the Study Area of the Onshore Scheme, however there are areas and features of landscape value, including the Yorkshire Wolds, which are designated at a local level.</p> <p>NPS (EN-1) acknowledges that local landscapes do exist that are highly valued locally and protected by local designation. Where a local development document has policies based on landscape character assessment, these should be paid particular attention. However, local landscape designations should not be used in themselves to refuse consent, as this may unduly restrict acceptable development.</p> <p>NPS (EN-1) progresses to state that in reaching a judgement, 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</p>

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(ii) Lower Derwent Valley; (iii) Spurn; and (iv) Flamborough Head.	<p>that the IPC considers reasonable.</p> <p>The route of the Onshore Scheme has been designed to minimise loss of mature trees wherever possible, particularly within the more sensitive landscape of the Yorkshire Wolds. Immediately post construction, farmland will be cultivated and returned to agricultural use; fenced boundaries will be reinstated and gaps in hedgerows will be replanted; and where mature trees have to be removed, they will be replaced at a ratio of 4 to 1. These measures will ensure the distinctive character of the Yorkshire Wolds will be maintained and protected in line with the principles of NPS (EN-1) and more specifically criterion (a) of Policy SP4.</p>
<p>SP5 – Design of New Development</p> <p>Development proposals should achieve a high standard of design that:</p> <ul style="list-style-type: none"> (i) respects local landscape and settlement character including building styles and materials; (ii) integrates visually and physically with its surroundings; (iii) harnesses local heritage and landscape distinctiveness; (iv) maximises the use of sustainable construction material and techniques; (v) makes it easy and safe for people to move around and through the 	<p>Policy SP5 is a general development policy relating specifically to design.</p> <p>NPS (EN-1) provides a comprehensive list of generic and technology-specific impacts to be applied when considering applications for Development Consent, including a requirement to achieve a high standard of design in line with the broad objectives of Policy SP5 (criteria i-v).</p> <p>The Planning Statement has demonstrated that the Onshore Scheme is in overriding compliance with NPS (EN-1) and so in this regard no further assessment of Policy SP5 is required.</p> <p>Criteria (vi)-(vii) are not relevant to the Onshore Scheme.</p>

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<p>development;</p> <p>(vi) encourages a vibrant mix of uses either on the site or across a wider area; and</p> <p>(vii) facilitates walking, cycling and the use of public transport.</p>	
<p>ENV3 – Species Protection</p> <p>Development that is likely to have an adverse effect on species identified through UK Wildlife Acts, Regulations and Biodiversity Action Plans, will not be allowed unless it can be demonstrated that there is an overriding need for the development and/or appropriate mitigating compensation measures are provided. The level of protection afforded to species and any necessary mitigation/compensation measures should reflect their relative international, national or local importance.</p>	<p>Policy ENV3 seeks to safeguard protected species and ensure the level of protection reflects their relative international, national or local importance.</p> <p>NPS (EN-1) states that where 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 (NPS EN-1, para 5.3.3).</p> <p>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 (NPS EN-1, para 5.3.8).</p> <p>Habitat and protected species surveys of the pipeline route, AGI sites and surrounding area began in early 2012 and were completed in October 2013. The findings of relevant surveys have been used to inform the final pipeline envelope and the location, layout and design of AGIs.</p> <p>The Onshore Scheme will have potential effects on legally protected species, however, a suite of surveys have been carried out and the effects have been assessed taking into account appropriate timing of works, prompt re-instatement, landscape planting, limited</p>

Policy and Objective	Analysis
	<p>night working and appropriate construction lighting.</p> <p>In order to re-affirm that these mitigation measures remain sufficient, pre-construction surveys will be undertaken at appropriate times. The residual effects following the incorporation of mitigation measures on undesignated habitats are assessed as being not significant.</p> <p>The work undertaken in the ES therefore demonstrates that where impacts on protected species have been identified, the level of mitigation proposed is appropriate and proportionate, relative to the international, national or local level of importance.</p> <p>The development is therefore in accordance with the relevant guidance in NPS (EN-1) and the principles of Policy ENV3.</p>
<p>ENV7 – Archaeological remains</p> <p>Nationally important archaeological remains and their settings will be physically preserved and development that is likely to have an adverse effect should not be allowed. Scheduled Ancient Monuments and other sites of archaeological significance will be identified in Local Development Frameworks.</p> <p>Archaeological remains will be protected unless an overriding need for the development is demonstrated. When development affecting such sites is</p>	<p>Policy ENV7 seeks to resist development that would have an adverse effect on nationally important archaeological remains.</p> <p>NPS (EN-1) states that 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.</p> <p>For decision making, NPS (EN-1) states that 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 (NPS EN-1, para 5.8.17).</p> <p>No nationally important archaeological remains have been identified within the pipeline envelope. Early consultation with stakeholders such as English Heritage, close working</p>

Policy and Objective	Analysis
<p>acceptable in principle, mitigation of damage should be sought through preservation of remains in situ wherever possible and those parts destroyed or changed will be formally recorded.</p>	<p>with the design team and the completion of non-intrusive surveys (site walkover and geophysical survey of the route) have resulted in a large number of archaeological assets being avoided through careful routeing.</p> <p>For those assets which remain within the Pipeline Envelope, mitigation has been proposed in the form of archaeological excavation and recording. These archaeological mitigation measures have been incorporated into the Code of Construction Practice (document 7.5) and a commitment has been made through Schedule 3, Requirement 12 (Archaeology) of the DCO (document 3.1).</p> <p>The Onshore Scheme is therefore in accordance with the relevant guidance in NPS (EN-1) and Policy ENV7.</p>
<p>NAT 8 – Coastal Management</p> <p>Land in the JSP area will be maintained and improved by:</p> <ul style="list-style-type: none"> (i) reclaiming currently derelict and contaminated land; (ii) avoiding the contamination of land through development proposals; and (iii) avoiding where possible development that would result in the loss of Best and Most Versatile agricultural land. Where there is an overriding need for development, this will be 	<p>Policy NAT8 outlines three principles to maintain and improve land covered by the Joint Structure Plan. This includes reclaiming currently derelict and contaminated land; avoiding contamination through development; and avoiding where possible, development that would result in the loss of BMV agricultural land.</p> <p>NPS (EN-1) does not place a requirement on the applicant to reclaim derelict and contaminated land. On this basis criterion (i) is in direct conflict with NPS (EN-1) and should not carry any weight for decision making purposes.</p> <p>In respect of criterion (ii), NPS (EN-1) states that applicants should 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.</p> <p>In respect of criterion (iii), NPS (EN-1) states that 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</p>

Policy and Objective	Analysis
<p>directed, where possible, to land of the lowest grade first unless other sustainability considerations suggest otherwise.</p>	<p>quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations (NPS EN-1, para 5.10.8).</p> <p>For decision making, NPS (EN-1) states that the IPC should ensure that applicants do not site their scheme on the BMV agricultural land without justification (NPS EN-1, para 5.10.15).</p> <p>The effect on geology and ground conditions is considered in document 6.7 (Geology Hydrogeology and Ground Conditions), where the residual effects are considered not to be significant and the risk of contamination is very low. This appropriately reflects the objectives of criterion (ii).</p> <p>In considering the requirements of criterion (iii), the Onshore Scheme is partly located in an area with a higher than the national average presence of the BMV agricultural land.</p> <p>Document 6.8 (Land Use and Agriculture) of the ES summarises the potential effects of the Onshore Scheme on land use including agricultural land use. The construction work is relatively short term and there is a commitment made to stripping, storing and reinstating agricultural soils in a way that protects the physical properties of the soil necessary to return the land to full productivity. Where possible, the loss of BMV agricultural land has been avoided which is consistent with the objectives of criterion (iii).</p> <p>The Onshore Scheme is therefore in accordance with the relevant guidance in NPS (EN-1) and the relevant criterion of Policy NAT 8.</p>

East Riding of Yorkshire Joint Minerals Local Plan (2004)

Policy and Objective	Analysis
<p>AGG3 – Sand and Gravel Areas of Search</p> <p>The extension of existing sand and gravel working within the Areas of Search at Brandesburton and Leven, Gransmoor and Lissett, and North Cave and defined in Inset Maps 3, 4 and 5 will be permitted provided they are needed to secure continuity of supply and a supply cannot be adequately maintained without transporting minerals significant distances by road.</p>	<p>Policy AGG3 relates only to the extension of existing sand and gravel working within certain Areas of Search.</p> <p>Whilst the Onshore Scheme will pass through an Area of Search at Gransmoor and Lissett, the development does not seek consent to extend the existing sand and gravel working within this Area of Search.</p> <p>As such, Policy AGG3 is therefore not considered relevant to determination of the Onshore Scheme and no further assessment is required.</p>

East Inshore and East Offshore Marine Plan (2014)

Policy and Objective	Analysis
<p>EC3</p> <p>Proposals that will help the East marine plan areas to contribute to offshore wind energy generation should be supported.</p>	<p>Policy EC3 offers support for proposals that will help the East marine plan areas contribute to offshore wind energy generation.</p> <p>Policy EC3 is not relevant to determination of the Onshore Scheme as the development will not directly help the East marine plan areas contribute to offshore wind energy generation. As such, no further assessment is required.</p>

Policy and Objective	Analysis
<p>GOV1</p> <p>Appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa.</p>	<p>Policy GOV1 states that appropriate provision should be made for infrastructure on land which supports activities in the marine area and vice versa. The objective of Policy GOV1 is to promote integration between marine and land use plans in the provision of adequate infrastructure, especially where that infrastructure will predominately support activity in the other environment (i.e. marine or land).</p> <p>The Yorkshire and Humber CCS Transportation and Storage Project is a linear scheme that traverses the Onshore and Offshore environment and consenting jurisdictions, as such activities will be taking place both on land and in the marine area to deliver this infrastructure project.</p>
<p>GOV3</p> <p>Proposals should demonstrate in order of preference:</p> <ul style="list-style-type: none"> a) that they will avoid displacement of other existing or authorised (but yet to be implemented) activities; b) how, if there are adverse impacts resulting in displacement by the proposal, they will minimise them; c) how, if the adverse impacts resulting in displacement by the proposal, cannot be minimised, they will be mitigated against; or d) the case for proceeding with the proposal if it is not possible to minimise or mitigate the adverse 	<p>Policy GOV3 tackles the issue of displacement and seeks to manage competing demands, reduce conflict and promote compatibility in the marine area. Marine Policy Statement (3.8.10) has a particular focus on the impacts of displacement on fishing activity and the need to avoid this.</p> <p>Fisheries effects as a result of the Onshore Scheme will most likely be limited to the intertidal netting that is licensed by the NE-IFCA and EA. Discussions with NE-IFCA have indicated that the mitigation to potential effects will simply be for the affected netsman to move the location of the nets away from the construction area. We consider this to be sufficient mitigation to avoid any effects on the fishery. There could be cumulative effects if Cryeke Beck landfall is constructed at the same time though. Any effects of the offshore works on offshore or intertidal fisheries will be assessed as part of the EIA for the Offshore Scheme.</p> <p>Displacement of existing and authorised activities in the marine area and has formed part of Statement of Common Ground discussions with the Marine Management Organisation.</p>

Policy and Objective	Analysis
impacts of displacement.	
<p>CAB1</p> <p>Preference should be given to proposals for cable installation where the method of installation is burial. Where burial is not achievable, decisions should take account of protection measures for the cable that may be proposed by the applicant.</p>	<p>Policy CAB1 gives preference to proposals where the method of cable installation is burial.</p> <p>The pipeline and associated equipment will be buried for the entirety of the landfall area and so the Onshore Scheme is supported by Policy CAB1</p>

2.2.2 East Riding of Yorkshire Council has indicated that regard should be had to the East Riding of Yorkshire Landscape Character Assessment (2005).

2.2.3 Document 6.11 of the ES deals with Landscape and Visual Assessment and at paragraph 2.2.3 of that report, acknowledges that landscape character assessments have been undertaken at a national, county, and local level, by Natural England, North Yorkshire County Council, Selby District Council and East Riding of Yorkshire Council. These assessments have been used to inform the landscape baseline, and a summary of the relevant assessments is provided in Section 6 of documents 6.11 and 6.11.12. It is therefore considered that the East Riding of Yorkshire Landscape Character Assessment (2005) has been considered sufficiently in the development of the Onshore Scheme.

Selby District Council

2.2.4 Selby District Council has indicated other strategies, policies and guidance which they consider relevant to the Onshore Scheme. These are listed below:

- Natural England NE176, Green Infrastructure Guidance, 2009;
- The Leeds City Region: Green Infrastructure Strategy, August 2010; and
- Selby District Council: Countryside and Green Space Strategy, 2013
- North Yorkshire and York: Local Nature Partnership Strategy, 2014;
- Selby Area Internal Drainage Board: Biodiversity Action Plan, 2009;
- Defra: National Pollinator Strategy and related Buglife: B-Lines Initiative 2011;
- Natural England: Yorkshire and the Humber Green Infrastructure Mapping Project, 2010;

2.2.5 In considering the above, NPS (EN-1), Section 5.10 provides guidance on green infrastructure, stating that 'Green infrastructure' is a cross-cutting generic issue' which does not fit well into the standard Environmental Impact Assessment (EIA) format. The EIA Directive does, however, require assessment of the interaction between effects.

2.2.6 National Grid recognise that Green Infrastructure is mentioned in NPS (EN-1) at Section 5.10, however this Section does not address the link between Green Infrastructure and EIA.

North Yorkshire County Council

- 2.2.7 North Yorkshire County Council (NYCC) have provided two comments for consideration which are addressed below.
- 2.2.8 At 4.8.4, the Planning Statement provides a list documents which comprise the Development Plan for North Yorkshire. In addition to those documents listed, including the saved policies from the 'North Yorkshire Waste Local Plan' (Adopted 2006) and the 'North Yorkshire Minerals Local Plan' (Adopted December 1997), it is also relevant to have regard to the 'Minerals and Waste Joint Plan' for the planning authority areas of North Yorkshire, the City of York and the North York Moors National Park Authority (anticipated adoption is October 2015).
- 2.2.9 Table 5 in the Planning Statement outlines relevant local planning policies by topic area. In addition to those policies listed, regard should also be had to saved Local Plan Policy 5/1 (Waste Minimisation) of the North Yorkshire Waste Local Plan (2006).

3 Planning Balance and Conclusion

- 3.0.1 The Planning Assessment of the proposals is set out in full in the Planning Statement submitted with the application in June 2014.
- 3.0.2 The overall planning balance remains unchanged from the conclusions drawn in the Planning Statement which is strongly in favour of the grant of development consent in line with NPS (EN-1).