

NOTIFICATION OF INTENTION TO SUBMIT A CHANGE REQUEST

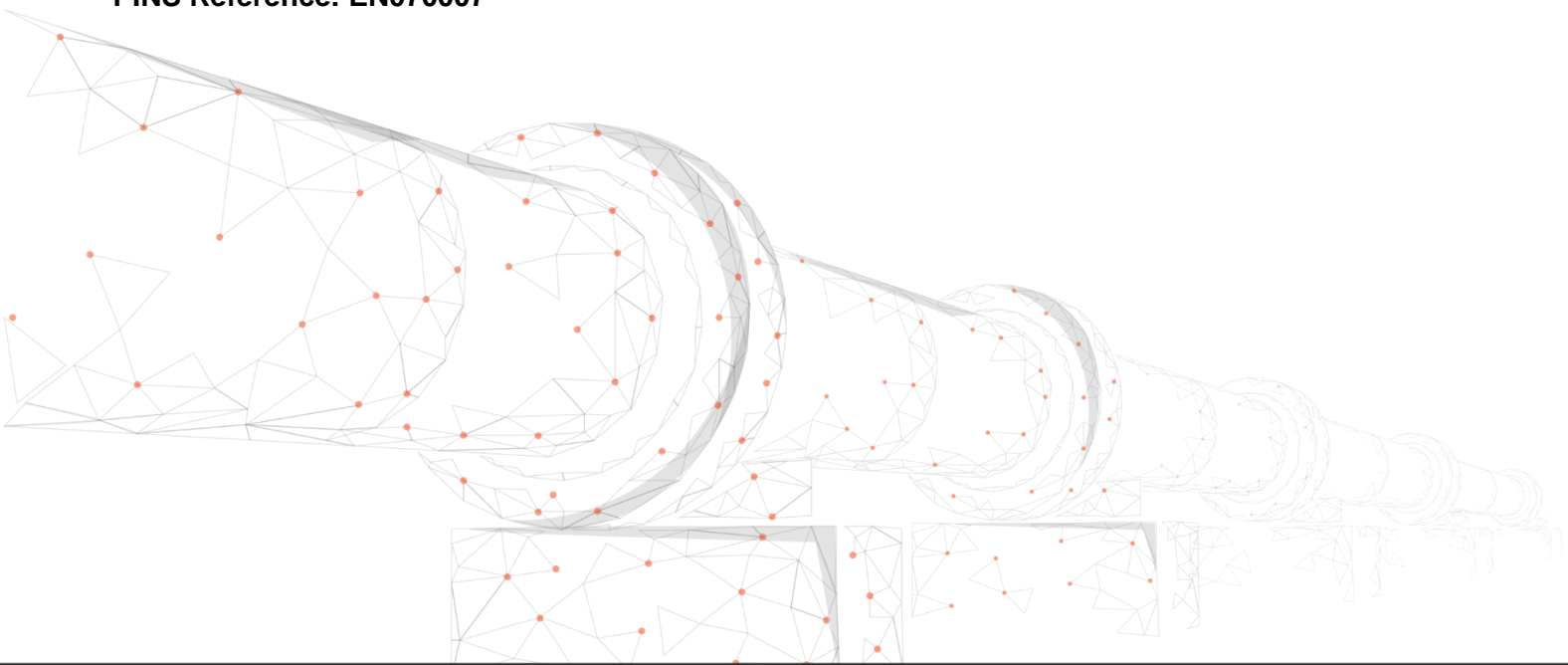
HyNet Carbon Dioxide Pipeline

Planning Act 2008

Document Reference Number D.7.5

Applicant: Liverpool Bay CCS Ltd

PINS Reference: EN070007



REVISION: 01

DATE: March 2023

DOCUMENT OWNER: WSP UK Limited

PUBLIC

Jake Stephens

Case Manager – National Infrastructure
(Environment)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Registered Office
Liverpool Bay CCS Ltd
Eni House, 10 Ebury
Bridge Road
London SW1W 8PZ

Dear Mr Stephens,

EN070007 HyNet Carbon Dioxide Pipeline – Notification of Intention to Submit A Change Request

This letter is a notification of the Applicant’s intention to submit a change request for the attention of the Examining Authority (ExA).

The change request is being prepared primarily in response to engagement with landowners and other key stakeholders. It is also intended to implement changes the Applicant has identified through design work and engagement with potential contractors.

The change includes relocation of some surface works, which would change the Order Limits, and which would result in changes in the land subject to compulsory acquisition. The Applicant is accordingly adopting the approach that it is likely that the ExA will consider the change to be material.

This Notification of Intention to Submit a Change Request letter (**document reference D.7.5**) includes consideration of the environmental impact in **Section 2** below; a summary of the proposed changes in **Section 3**; the Applicant’s clarifications to the assessment presented in the 2022 ES in **Section 4**; the Applicant’s proposed approach to consultation in **Section 5**; and the Applicant’s view as to how this could be accommodated within the examination timetable in **Section 6**.

1. Introduction

The Development Consent Order (DCO) Application was submitted on 3 October 2022 and was accepted for Examination on 31 October 2022. Since that time, the Applicant has continued to engage with interested parties with a view to addressing their comments and agreeing common ground, while also continuing with project development and design refinement. This work has resulted in the Applicant deciding to seek a change request to the

DCO Application to accommodate a number of changes arising from such ongoing engagement.

This letter accordingly notifies the ExA that the Applicant is preparing, and intends to submit, a change request and provides a summary of the scope of the proposed request.

While materiality of any change is a matter for determination by the ExA, the Applicant considers that it is likely that the changes sought are material. The proposed changes are not however individually or collectively so substantial or different in character as to be a different project.

The Applicant has undertaken additional Environmental Impact Assessment (EIA) of all of the changes proposed within this document. An explanation of the work undertaken is set out in **Section 2** below. The purpose of this is to ensure that the environmental impacts of those proposed amendments have been appropriately assessed with any likely significant environmental effects identified, and to satisfy the requirements of the Infrastructure Planning (EIA) Regulations 2017 (as amended) (the 'EIA Regulations').

At this time, the conclusions of the assessments as set out in the submitted Environmental Statement (ES) are not considered by the Applicant to change.

The Applicant also anticipates the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 Regulation 4 will apply to the changes sought and consultation under those regulations will be required ('Regulation 4 consultation').

2. Environmental Impact Assessment

The Applicant has undertaken further work to assess how the proposed changes would affect the environmental assessments reported in the DCO Application and the extent to which these would be different as a result of the proposed changes detailed in **Section 3**.

The Applicant intends to provide updates to the DCO Submission to address changes to the environmental assessments.

An ES was submitted to the Planning Inspectorate in October 2022 as part of a DCO application (EN070007) for the HyNet Carbon Dioxide Pipeline development (hereafter referred to as the 'DCO Proposed Development'). The ES sets out the findings of the full EIA that was carried out for the scheme. The previously submitted ES is hereafter referred to as the '2022 ES'. A number of confirmatory environmental surveys completed following the finalisation of the ES in September 2022 were submitted and accepted by the ExA as part of the Applicant's Section 51 advice response on 14 March 2023, and these along with the 2022 ES forms part of the baseline for the further work carried out to assess the proposed changes.

The Applicant has produced a 2023 ES Addendum Change Request 1 (**document reference D.7.7**) to be submitted with the change request to update the findings of the 2022 ES in response to the proposed changes to the DCO Proposed Development. The amendments are accordingly described in **Section 3**.

The 2023 ES Addendum Change Request 1 (**document reference D.7.7**) demonstrates that the environmental impacts of those proposed amendments have been appropriately assessed with any likely significant environmental effects identified.

The Applicant will also provide updates to the following documentation which would be affected by the change request (the Examination Library reference of the current version is also included):

- Book of Reference (BoR) [**AS-023**]
- Statement of Reasons [**AS-021**]
- Draft Development Consent Order (dDCO) [**AS-016**]
- Land Plans [**AS-010**]
- Work Plans [**AS-012**]
- AROW Plans [**AS-013**]
- Habitat Regulations Assessment [**APP-226**]
- Outline Construction Environmental Management Plan [**AS-055**]
- Outline Construction Traffic Management Plan [**APP-224**]
- Outline Surface Water Drainage Strategy [**APP-241 to APP-244**]
- Register of Environmental Actions and Commitments [**AS-053**]

3. Changes Proposed

Change 1: Relocation of Work No. 51, Cornist Lane Block Valve Station (BVS), to the south east by 120 metres. (Applicant's reference PS01)

The proposed change would move the BVS (Work No. 51) location from the existing location into the next field. An alteration in the current access (Work No. 52) would also be required.

This change is being proposed in response to a request from the affected landowner and has been agreed with them in principle. The amended location would benefit the landowner by resulting in lower agricultural land take, and an increase in the distance between the

nearest residential property and the BVS. The proposed new access route to the BVS has also been agreed with the landowner.

The change would bring new land currently outside into the Order Limits. It would remove plots 25-01, 25-04 and 25-06. It would also result in the amendments to plot[s] [25-03, 25-05, 25-07] in Land Plans [AS-010] to include plots [25-08, 25-09, 25-10, 25-11] within the Land Plans Rev C to be submitted with the change request.

One new ownership interest would be affected by the proposals and a new lessee (an agricultural tenant) would be affected. Both the new ownership interest and the new lessee have been consulted on this change. The Work Plans [AS-012], Land Plans [AS-010], draft DCO (dDCO) Schedules [AS-016], Statement of Reasons [AS-021] and Book of Reference [AS-023] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 8, 9, 10, 11, 12, 14, 15, 16, 17, 18 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 2: Extension of the Order Limits of Work Nos. 41 and 42 with the addition of Plot no 18-20a, to the north west and west, at New Bridge Farm, and addition to the Works of the removal of a slurry tank (Applicant's references PS02a and PS02b).

The proposed change is to extend the Order Limits to increase the pipeline corridor width for Work Nos. 41 and 42. This change is proposed in response to the recent construction of a slurry tank within the Order Limits located in Work No 41.

The location of the slurry tank creates a pinch point between ancient woodland to the west and the holdings of New Bridge Farm to the east. The Applicant is therefore proposing two changes in this location to allow for two options (PS02a or PS02b) while it works with the landowner to seek to find an acceptable location for the slurry tank and work with Natural Resources Wales (NRW) to develop mitigation to protect the adjacent ancient woodland. Both options require an extension of the Order Limits to the northwest and west, towards the ancient woodland south of Holywell Road.

Option PS02a would involve removal of the slurry tank at New Bridge Farm and the pipeline would be constructed outside of the 15m ancient woodland buffer. The relocation of the slurry tank to another site has not been assessed as part of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**) as, if required, it will be secured through a separate planning consent and associated environmental considerations.

Option PS02b would involve retention of the slurry tank at New Bridge Farm in its current location and the pipeline constructed outside of the ancient woodland but with work taking place within the 15m ancient woodland buffer.

The change would bring new land currently outside the Order Limits into the Order Limits by bringing in a new plot 18-20a.

No new ownership interests would be affected by the proposals as the proposed new location is within the same ownership as the current. The Work Plans [AS-012], Land Plans [AS-010] and Book of Reference [AS-023] would require to be amended.

The proposed change PS02a was scoped into the assessment of likely significant effects for Chapters 6, 9, 10, 13, 14, 16 and 19, and PS02b scoped in for Chapters 9, 10, 13, 15, 16 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change PS02a and PS02b did not result in significant changes to the original assessment in the 2022 ES.

Change 3: Relocation of Work No. 45, Northop Hall Above Ground Installation ('AGI') to the west by 75 metres. (Applicant Reference: PS03)

The proposed change would move the Northop Hall AGI (Work No. 45) location by approximately 75m from the existing location into the next field to the west. An alteration to the current access in Work No. 46 would be required. The construction compound (Work No.44C) is to be retained in the same location. The proposed change would require a new access route (Work No. 45B) to the new location of the AGI.

This change is being proposed in response to a request from the affected landowner and has been agreed with them in principle. The amended location of the AGI would benefit the landowner by resulting in lower agricultural land take. The proposed new access route to the AGI (Work No. 45B) has also been agreed with the landowner.

The change would bring new land currently outside the Order Limits into the Order Limits to accommodate the surface water drainage from the AGI. It would also result in amendments to plots(s) [20-13, 20-18, 20-15] in Land Plans [AS-010] to include plots [20-13a, 20-13b, 20-19a, 20-19b and 20-19c]. No new ownership interests would be affected by the proposals as the proposed new location is within the same ownership as the current. The Work Plans [AS-012], Land Plans [AS-010] and Book of Reference [AS-023] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 9, 10, 11, 12, 14, 15, 16, 17, 18 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 4: Extension of the Order Limits of Work No. 23 and addition of Plot no 9-14a, 9-16a, 9-16b, 9-18a 9-18b and 9-19a, to the north to reduce the impact on veteran trees near Backford Brook (Applicant Reference: PS04)

The proposed change is to extend the Order Limits to the north, which would increase the pipeline corridor width (Work No. 23). This is in response to comments from the landowner who raised concern with the potential loss of trees within the Order Limits in Work No. 23.

The indicative alignment of the Newbuild Carbon Dioxide Pipeline near the crossing of the brook includes an open trenched crossing that would result in the loss of veteran trees. That loss is due to spatial constraints associated with the Shropshire Union Canal and existing buried utilities in this area.

The Applicant has therefore explored options to reduce the potential environmental impact in this location and has held further discussions with the landowner. The extension of the Order Limits to the north will avoid loss of veteran trees at this location as far as practicable.

The change would bring new land currently outside the red line into the Order Limits. It would involve the addition of plots 9-14a, 9-16a, 9-16b, 9-18a, 9-18b and 9-19a and a change to the size of plot 9-18. No new ownership interests would be affected by the proposals as the proposed new location is within the same ownership as the current. The Work Plans [AS-012], Land Plans [AS-010] and Book of Reference [AS-023] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 9, 10, 15, 16, 18 and 19 of the 2023 ES Addendum Change Request 1 (document reference D.7.7). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 5: Extension in construction working hours to include Saturday morning working (Applicant Reference PS05)

The proposed change seeks to update the construction methodology. The addition of Saturday mornings to the project working hours will allow the construction programme to be executed in a more efficient and timely manner.

The operation and maintenance phases of the DCO Application have not changed due to the proposed change request.

The proposed change was scoped into the assessment of likely significant effects for Chapters 6, 10, 15, 16, 17 and 19 of the 2023 ES Addendum Change Request 1 (document reference D.7.7). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 6: Extension of the Order Limits at Work No. 3 to enable access to Ince AGI from the adopted highway (Applicant Reference PS06)

The proposed change would extend the Order Limits at Ince AGI in two locations to provide access to and egress from the public highway. This is in response to comments from the landowner who confirmed the former access point shown in Work No. 3 is under private ownership. One change extends along a private road under the ownership of Peel to join the public highway at Pool Lane, requiring the addition of plots 1-01a, 1a-01, 1a-02, 1a-03 and 1a-04 and extension of Work No. 3. The second change, located to the south, creates a link to the public highway at Ash Road, requiring the addition of plots 1-06a, 1-06b and 1-06c, and extension of Work No. 3.

The change would bring new land currently outside the Order Limits into the Order Limits. No new ownership interests would be affected by the proposals as the proposed new location is within the same ownership as the current. The Work Plans [AS-012], Land Plans [AS-010] and Book of Reference [AS-023] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 8, 10, 16, 17, 18 and 19 of the 2023 ES Addendum Change Request 1 (document reference D.7.7). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 7: Additional footway and cycleway diversion along Chester Road adjacent to the 2 Sisters Industrial Facility at Work No. 34 and the Temporary stopping up of a footway and cycleway along Chester Road/Brookside at Work No. 44 (Applicant Reference PS07)

The proposed change would introduce an additional pedestrian and cycleway diversion along Chester Road, adjacent to the 2 Sisters Industrial Facility shown in Work No. 34 to execute the trenchless crossing under Chester Road. This change also seeks to temporarily stop the pedestrian footway and cycleway during the duration of the construction period to execute the trenchless crossing under Chester Road, Brookside, shown in Work No. 44. The footway and cycleway form part of the highway for which street works powers, including the ability to temporarily restrict use are sought. While for vehicular traffic this will be a partial width closure with traffic management, for the footway and cycleway there is insufficient width to safely retain this alongside the vehicular traffic and a separate diversion to maintain the through route is therefore being proposed in addition to the vehicular traffic management.

The Applicant has consulted the relevant Highway Authority on the proposed footway diversion being submitted as part of this change request who have agreed to the delivery.

The change would not use any additional land outside of the Order Limits. No new ownership interests would be affected by the proposals as the proposed new location is within the same ownership as the current.

The proposed change was scoped out of assessment of likely significant effects for all Chapters in the 2023 ES Addendum Change Request 1 (**document reference D.7.7**).

Change 8: Reduction of the Order Limits at Work No. 3 to remove a section of the Hapsford railway line spur (Applicant Reference PS08)

This proposed change will remove a section of the Hapsford Railway Line Spur shown in Work No. 3. The land is no longer required to facilitate the DCO Application.

The Applicant wants to ensure that possession of land only occurs where necessary across the Order Limits.

There are no changes to plots and no new land interests or affected landowners. The Work Plans [**AS-012**], Land Plans [**AS-010**] and Book of Reference [**AS-023**] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 10, 16, 18 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 9: Reduction of the Order Limits to remove two residential properties and amenity curtilage at Grove Road Work No. 13 (Mollington) and Halls Green Lane Work No. 25 (South of Stanlow) (Applicant Reference PS11)

This proposed change will remove the full residential curtilage of two properties from the Order Limits. The properties are located at Grove Road (Mollington) shown in Work No. 13 and Halls Green Lane (South of Stanlow) shown in Work No. 25. The two properties were included in error.

The Applicant wants to ensure that possession of land only occurs where necessary across the Order Limits and to consolidate the approach taken by the scheme that no compulsory acquisition powers are sought in respect of residential properties (other than small areas under highway verges) across the Order Limits.

There are no changes to plots and no new land interests or affected landowners. The Work Plans [**AS-012**], Land Plans [**AS-010**] and Book of Reference [**AS-023**] submitted in response of Section 51 Advice and accepted by the ExA on 14 March 2023 already include this proposed change.

The proposed change was scoped into the assessment of likely significant effects for Chapters 10, 15, 16 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 10: Reduction of the Order Limits to remove part of the east bank of the River Gowy at Work No. 13A (Applicant Reference PS12)

This proposed change will remove part of the east bank of the River Gowy shown in Work No. 13A. The change is pursuant to further consultation with an occupier of the land who has confirmed that there is an existing lease of the land for the purposes of fishing.

The Applicant wants to ensure that possession of land only occurs where necessary across the Order Limits and, after additional work in this location, it was considered that there was sufficient space to reduce the Order Limits without impeding the construction phase of the DCO Proposed Development.

The proposed change would therefore result in a removal of plot 6-12. There are no new land interests or affected landowners. The Work Plans [**AS-012**], Land Plans [**AS-010**] and Book of Reference [**AS-023**] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for the Chapters 10, 16 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 11: Extension of the Order Limits to include a new private access track at Work No. 32A. Reduction of the Order Limits to remove an access track from the B5129 at Work No. 33 (Applicant Reference PS13)

The proposed change would extend the Order Limits (Work No. 32A) to revise the access at Work No. 33. The change would also reduce the Order Limits at Work No. 32 to remove an access point.

This change is being proposed in response to a request from the affected landowner and has been agreed with them in principle. The revised access would utilise an existing private track and therefore avoid any conflict with the landowner's farmstead. The change would reduce the Order Limits and remove plot 14-31. The change would bring new land currently outside the Order Limits into the Order Limits and include the addition of plots 14-30a and 15-01a. No new ownership interests would be affected by the proposals as the proposed new location is within the same ownership as the current. The Work Plans [**AS-012**], Land Plans [**AS-010**] and Book of Reference [**AS-023**] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 9, 10, 16 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 12: Clarification of construction methodology to allow non-road mobile machinery to cross features at the surface of trenchless crossings (Applicant Reference PS15)

The proposed change would update the construction methodology to allow non-road mobile machinery to cross the surface of nineteen trenchless crossings along the proposed pipeline route.

The Applicant considers that by allowing non-road mobile machinery to cross features (primarily roads) at specific trenchless crossing locations, it will improve project execution by enabling greater efficiencies in the construction schedule and reducing the build period. In addition, this will remove vehicle movements from the local public highway, and associated noise and emissions.

The operation and maintenance phases of the DCO Application have not changed due to the proposed change request.

The proposed change was scoped into the assessment of likely significant effects for Chapters 16, 17 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 13: Reduction of the Order Limits at Work No. 31 to remove part of a Public Right of Way (PRoW) along the south bank of the River Dee (Applicant Reference PS17)

The proposed change would reduce the Order Limits at Work No. 31 to remove part of a PRoW along the south bank of the River Dee.

This change is being proposed in response to consultation with NRW and has been agreed with them in principle.

The Applicant wants to ensure that possession of land only occurs where necessary across the Order Limits and as such, can remove this land and deliver the Newbuild Carbon Dioxide Pipeline within the amended Order Limits.

The proposed change would therefore result in the removal of plots 14-09, 14-10, 14-12, 14-13, 14-15, 14-16, 14-17, 14-18 and 14-19. There are no new land interests or affected landowners. The Work Plans [**AS-012**], Land Plans [**AS-010**] and Book of Reference [**AS-023**] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 10, 16 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 14: Reduction of the Order Limits at Work No. 18 to remove a section of the Shropshire Union Canal (Applicant Reference PS18)

The proposed change would reduce the Order Limits at Work No. 18 to remove a section of the Shropshire Union Canal.

This change is being proposed in response to consultation with Canal & River Trust and has been agreed with them in principle.

The Applicant wants to ensure that possession of land only occurs where necessary across the Order Limits and as such, can remove this land and deliver the Newbuild Carbon Dioxide Pipeline within the amended Order Limits.

There are changes to plots and no new land interests or affected landowners. The Work Plans [**AS-012**], Land Plans [**AS-010**] and Book of Reference [**AS-023**] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 10, 16 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 15: Amendment to the access for the Shotton Lane Construction compound at [REDACTED] near Ewloe to reduce impact on [REDACTED] (Applicant Reference PS19)

The proposed change would amend the proposed access track at [REDACTED] for the Shotton Lane Construction Compound.

The Applicant undertook additional survey work which has been submitted and accepted by the ExA as part of the Applicant's Section 51 submission on the 14 March 2023.

Subsequent site investigation and survey results identified that the Order Limits were in close proximity to [REDACTED]. By amending the route of the access track the Applicant can retain access and remove a potential impact on an existing [REDACTED]. Access is now routed to the north of the [REDACTED].

[REDACTED] have been changed from Temporary possession of land to Permanent acquisition of subsurface to accommodate the pipeline construction corridor as a result of the amended route of the access track. There are no new land interests or affected

landowners. The Work Plans [AS-012], Land Plans [AS-010] and Book of Reference [AS-023] would require to be amended.

The proposed change was scoped into the assessment of likely significant effects for Chapters 10, 16 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 16: Additional PRow diversion near Stanlow at Work No. 6 (Applicant Reference PS20)

The proposed change would introduce an additional Public Right of Way diversion located to the south of Stanlow, shown in Work No. 6. This sequenced diversion of the PRow (Thornton-le-Moors FP2) was erroneously missed from the DCO Application submitted in October 2022.

The change would not utilise any additional land outside of the Order Limits. No new ownership interests would be affected by the proposals as the proposed new location is within the same ownership as the current.

The proposed change was scoped into the assessment of likely significant effects for Chapters 16 and 19 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessments concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

Change 17: Extension of Order Limits to include existing access from Bridleway (Picton PR4) at Work No. 16a (Applicant Reference PS24)

The proposed change would extend the Order Limits to include a new access from an existing bridleway (Picton PR4) at Work No. 16A.

This change is being proposed in response to a request from the affected landowner and has been agreed with them in principle. The Applicant has also engaged further with the Cheshire West and Chester Council Public Rights of Way Team to confirm ownership of the Bridleway. The Council have confirmed that they have no objections to the use of this land but that the Bridleway is not under their ownership and agreement will be required from the landowner. The Applicant is seeking this as part of ongoing engagement.

The change here would allow access during the operational stage of the DCO Proposed Development for maintenance and inspection purposes only.

The change would bring new land currently outside the Order Limits into the Order Limits. It would also result in the addition of plots 7-02a, 7-02b and 7-03a and an amendment of plot 7-02. New ownership interests (but no new landowners) would be affected by the

amendment and therefore further discussions are required. The Work Plans [AS-012], Land Plans [AS-010] and Book of Reference [AS-023] would require to be amended.

The proposed change was scoped out of assessment of likely significant effects for all Chapters in the 2023 ES Addendum Change Request 1 (**document reference D.7.7**).

Change 18: Land Plans Amendments following changes to the DCO Proposed Development Submission (Applicant Reference PS23)

The proposed change would update the Land Acquisition Category (LAC) of the Land Plans. The following plots on the Land Plans have been updated:

- Plot 16-03a
- Plot 9-04

This change is being proposed in response to requests from the affected landowners and has been agreed with them in principle. The Applicant wants to ensure that possession of land only occurs where necessary across the Order Limits and as such, can amend the category here whilst still retaining space to deliver the Newbuild Carbon Dioxide Pipeline.

The change would not utilise any additional land outside of the Order Limits. No new ownership interests would be affected by the proposals as the proposed new location is within the same ownership as the current.

The proposed change was scoped out of assessment of likely significant effects for all Chapters in the 2023 ES Addendum Change Request 1 (**document reference D.7.7**).

4. Clarifications to the assessment presented in the 2022 ES

Chester Road Earth Bund

The existing bund located adjacent to the 2 Sisters Industrial Facility along Chester Road at Work No. 34 will require temporary removal during the construction of the DCO Proposed Development. It will be reinstated once construction is complete.

The impact of the temporary removal and reinstatement of the bund was not assessed in the 2022 ES. The impact of the temporary removal and reinstatement of the bund has been assessed within the 2023 ES Addendum Change Request 1 (**document reference D.7.7**) to be submitted with the change request.

The proposed change was scoped into the assessment of likely significant effects for Chapter 15 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessment concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

24 hour working at trenchless crossings

Within the 2022 ES, it was assumed all areas where trenchless installation techniques were used for construction of the Newbuild Infrastructure Pipelines would include 24-hour working over a period of four weeks. The magnitude of impact was assessed quantitatively for day, evening and night-time hours. However, a quantitative assessment of the significance of effects was only undertaken for day-time hours. For evening and night-time hours, a qualitative assessment was carried out. This approach was undertaken because the detail required for the number and locations of trenchless crossings for a duration of longer than 10 days during evening and night-time hours in any 15 consecutive days or nights was not known at the time of the assessment.

It has subsequently been confirmed that four weeks of 24-hour working will be required at the following six trenchless crossing points:

- TRS 01: Hapsford railway line (and spur to Encirc glass factory)
- TRS 02: A5117 (north of M56 Chester Services)
- TRS 28: River Dee
- TRS 31/32: Chester Road
- TRS 38: Church Lane
- TRS 37: A494

Works at all other trenchless crossings are expected to be less than 10 days during evening and night-time hours in any 15 consecutive days or nights.

The impact of undertaking 24-hour working over a four-week duration at six trenchless crossing locations, and works at all other trenchless crossings being less than 10 days during evening and night-time hours in any 15 consecutive days or nights, has been assessed within the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessment of the significance of effects for evening and night-time hours has also been quantified.

The proposed change was scoped into the assessment of likely significant effects for Chapter 15 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessment concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

River Dee trenchless crossing depth

The trenchless crossing methodology for the River Dee is assumed to be either micro-tunnelling or horizontal directional drilling (HDD). The 2022 ES had assumed that the depth

of the crossing would be 15m for both trenchless crossing methods. However, the depth of the crossing would be a minimum of 15m for HDD or, 8m for micro-tunnelling (distance between the top of the casing and the riverbed).

The impact of a minimum depth of 15m for HDD or 8m for micro-tunnelling technique for the trenchless crossing of the River Dee has been assessed within the 2023 ES Addendum Change Request 1 (**document reference D.7.7**) to be submitted with the change request.

The proposed change was scoped into the assessment of likely significant effects for Chapter 9 of the 2023 ES Addendum Change Request 1 (**document reference D.7.7**). The assessment concluded that the proposed change did not result in significant changes to the original assessment in the 2022 ES.

5. Consultation

Advice Note Sixteen clarifies that an Applicant who intends to make a request for a material change to a DCO application is expected to consult all those prescribed in the Planning Act 2008 under section 42(a) to (d) who would be affected by the proposed change (giving a minimum of 28 days). Advice Note 15 (Paragraph 2.5) advises that there may still be a need, in the interests of fairness, to carry out consultation on non-material changes. Applicants are recommended to consider whether consultation is required to enable affected persons to make representations on the changes to the application.

The changes proposed have arisen following consultation on the DCO application and having regard to the feedback from stakeholders. The Applicant therefore considers that consultation on the proposed changes in advance of submission is unnecessary as the changes requested are a result of the responses provided to previous consultation and subsequent engagement with interested parties.

The Applicant has prepared Supplementary Environmental Information (SEI) (2023 ES Addendum Change Request 1 (**document reference D.7.7**)) to support the proposed change request. The Applicant notes that there is no statutory requirement to consult on or publicise this SEI under EIA Regulations and that this is noted in Advice Note Sixteen.

It is however anticipated that consultation under the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 is required. Therefore, should the ExA consider that consultation on the SEI is required or desirable, the Applicant suggests that this could be undertaken at the same time as the compulsory acquisition consultation.

Where SEI consultation is required, the Applicant will provide the ExA with copies of consultation responses on the SEI and a final version of the SEI including any proposed changes made in response to consultation no later than the submission of the Certificates of

compliance with the Compulsory Acquisition Regulations. That means that the Applicant would have carried out full consultation on the SEI prior to the ExA's consideration of the initial issues in accordance with the Compulsory Acquisition Regulations. It is therefore considered that no prejudice would be caused to any party by undertaking the SEI consultation in this way.

Examination Timetable Impact - Next Steps

In light of the above, the Applicant has been considering the appropriate approach to bringing forward the Proposed Changes in the context of the requirements of CA Regulations, the Planning Act 2008: Guidance for the examination of applications for development consent (DCLG), and Planning Inspectorate Advice Note Sixteen.

As requested in the guidance the Applicant has provided below an explanation of how this request can be accommodated within the draft examination timetable. While the Applicant has assumed that the Examining Authority uses the maximum of 28 days to consider whether to accept this request, the Applicant would hope that, given that many of these are being brought forward in response to ongoing discussion with the affected landowners and at their request, the full period for consideration of acceptance would not be necessary.

The Applicant acknowledges that any proposed change is ultimately a decision for the ExA.

The Applicant proposes the following next steps and programme:

- Change request to be submitted on 27 March;
- ExA has 28 days to decide whether to accept: decision by 24 April (between Deadlines 1 and 2). An early decision would however be much appreciated, which may allow the remaining timetable to set out below to be accelerated;
- If accepted, Applicant would carry out a 6-week consultation between 24 April and 9 June (assuming newspaper publication dates can be made for week commencing 24 April), consultation would run until 9 June (to allow for two consecutive weeks of newspaper notices as required by the Infrastructure Planning (Compulsory Acquisition) Regulations 2010);
- Consultation report prepared and submitted on: 26 June (between deadlines 4 and 5), and
- Issues could be raised by Interested Parties on the changes in hearings programmed for week commencing 7 August, and further questions could be included in EXQ3 programmed for issue on 15 August.

Yours sincerely,

Martin Currie

Director, Liverpool Bay CCS Ltd