

APPLICATION GUIDE (CLEAN)

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

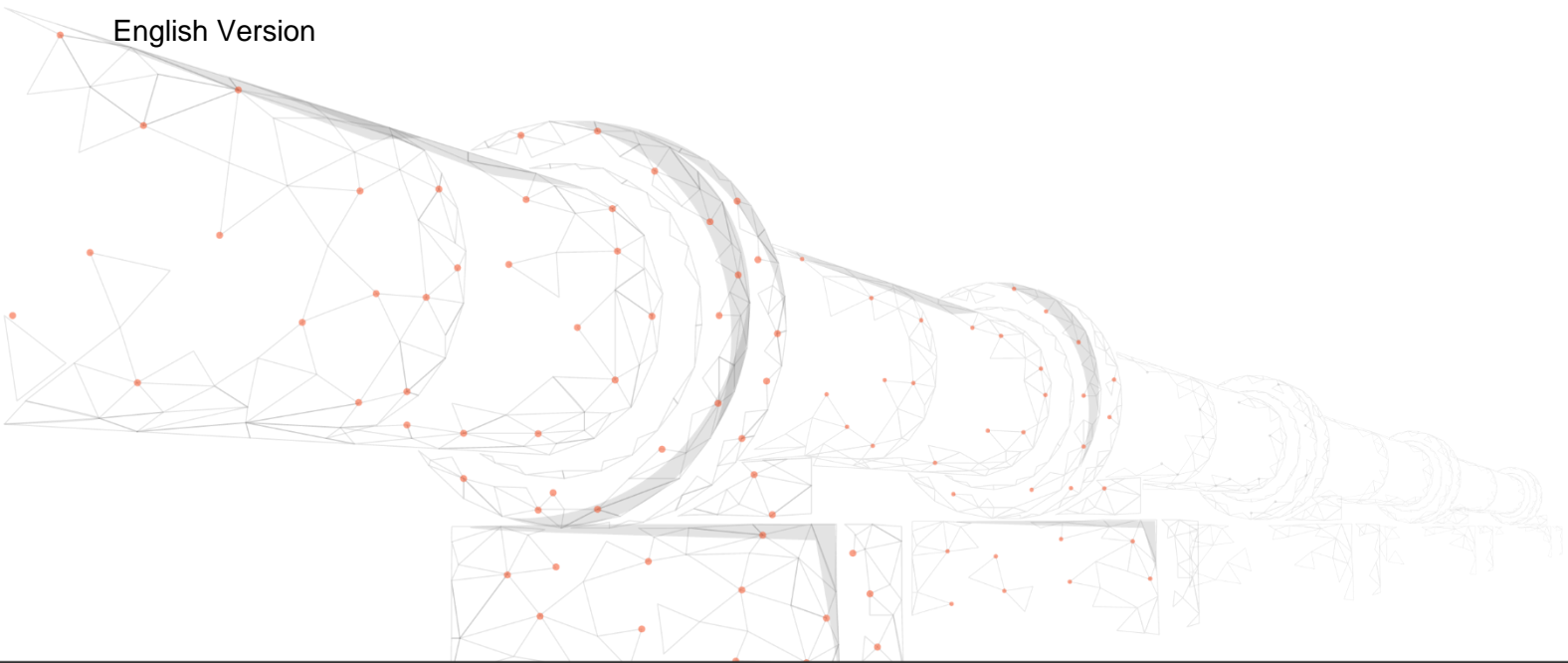
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)

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EXECUTIVE SUMMARY

This Application Guide is submitted on behalf of the Applicant to accompany an application (the 'Application') for a Development Consent Order (DCO) submitted to the Secretary of State (SoS) for Energy Security and Net Zero (DESNZ) pursuant to Section 37 of The Planning Act 2008 (as amended) (PA 2008). The Application relates to the construction and operation of the DCO Proposed Development.

This document provides a brief overview of the Application for the DCO Proposed Development and signposts to the documents that support the Application, so that readers can easily find any documents or information that they are looking for.

This guide should be read in conjunction with the Electronic Application Index (document reference: **D.1.6**), which contains a complete list of all documents submitted with the Application, and the Application Document Tracker [**REP4-002**] which will show any revisions that may be made post acceptance.

The submission is divided into six categories:

1. Application Form
2. Plans
3. Draft Development Consent Orders
4. Compulsory Acquisition Information
5. Reports
6. Environmental Statement ('ES') [and associated documents]
7. Examination Documents

Category 7 (Examination Documents) will be updated post submission of the Application and will include new documents submitted upon acceptance of the Application, or during the examination.

1. INTRODUCTION

1.1. OVERVIEW

- 1.1.1. This Application Guide has been prepared on behalf of the Applicant to support an application (Application) for a Development Consent Order (DCO) that has been submitted to the Secretary of State (SoS) for Energy Security and Net Zero (DESNZ) under Section 37 of the PA 2008. The Application relates to the DCO Proposed Development.

1.2. PURPOSE OF THIS DOCUMENT

- 1.2.1. This Application Guide provides a brief overview of the Application for the DCO Proposed Development and signposts to the documents that make up the Application submitted to the SoS, so that readers of the Application can easily find any documents or information that they are looking for.
- 1.2.2. This guide should be read in conjunction with the Electronic Application Index (document reference **D.1.6**), which contains a complete list of all documents submitted with the Application, and the Application Document Tracker **[REP4-002]** which will show any revisions that may be made upon acceptance or during the examination.
- 1.2.3. Regulation 5 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (APFP Regulations) sets out the documents that all DCO applications must include. It also provides at Regulation 5(2)(o) and (q) for the submission of “any other documents considered necessary to support the application” as well as “any other plans, drawings and sections necessary to describe the proposals”.
- 1.2.4. Regulation 6 of the APFP Regulations sets out specific documentation required in support of DCO applications for particular types of development. Regulation 6(4) applies to the DCO Proposed Development as an application for the construction of a pipeline. Required details outlined in Regulation 6(4)(a), (b), (c), (d), (e) and (f) are set out on the Application Form **[APP-004]**. The required details in Regulation 6(4)(g) are set out in the Land Plans **[REP4-004]**, Draft DCO **[REP4-007]** and the Schedule of Negotiations with Land Interests **[REP4-014]**.
- 1.2.5. The Applicant has advised the SoS under Regulation 8(1)(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 that it proposes to provide an Environmental Statement (ES) in respect of the DCO Proposed Development. The DCO Proposed Development is, therefore, EIA development under Regulation 6 of the

Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

- 1.2.6. This guide provides a brief overview of the documents that have been submitted to satisfy the APFP Regulations and EIA Regulations to the extent that it lists the documents submitted under those Regulations. Full details on compliance with the EIA Regulations are contained within the ES.

1.3. APPLICATION DOCUMENTS

- 1.3.1. The documents submitted in support of the Application have been grouped together as per the following folder categories on the Planning Inspectorate’s website:

Table 1.1 - Application Document Categories

Category	Description
1. Application Form	Provides the 'front' documents of the Application, including the Application Guide (this document), the Cover Letter, Glossary, Section 55 Checklist, Application Document Tracker, Electronic Application Index and the Application Form.
2. Plans	Contains the relevant plans and drawings required by the APFP Regulations (except where they are provided within Category 6).
3. Draft Development Consent Order	Contains the draft DCO and Explanatory Memorandum for the draft DCO.
4. Compulsory Acquisition Information	Provides evidence of why and where legal powers of compulsory acquisition are being sought, as well as information on how the DCO Proposed Development is to be funded.
5. Reports	Provides the reports containing details of the pre-application consultation (Consultation Report), the Planning Statement, Other Consents and Licences, Statutory Nuisance Statement, the Needs Case and any other technical reports (excluding environmental reports – see below).

Category	Description
6. Environmental Statement ('ES') (and associated documents)	Provides the environmental information from the assessment of potentially significant effects on the environment.
7. Examination Documentation	This will include any new documents submitted upon acceptance or during the examination.

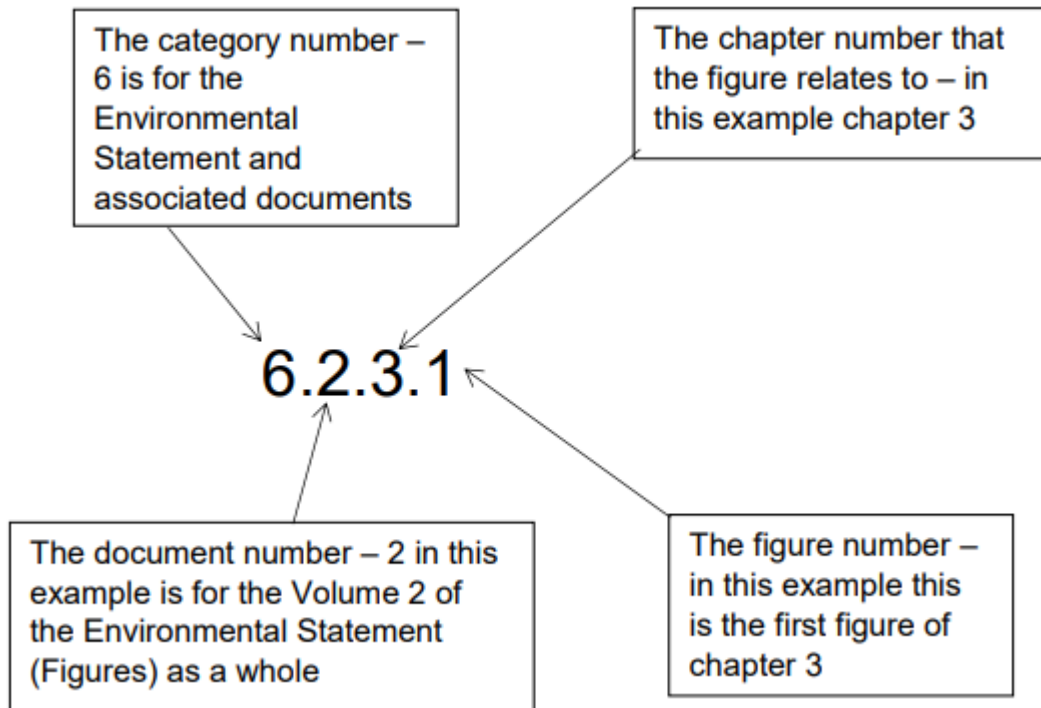
- 1.3.2. To access the Application documents, please visit the Planning Inspectorate's website:
<https://infrastructure.planninginspectorate.gov.uk/projects/north-west/hynet-carbon-dioxide-pipeline/>
- 1.3.3. Following the start of examination, Category 7 documents (Examination Documentation) will be available on the Planning Inspectorate's website under the 'Examination' tab.
- 1.3.4. In accordance with PINS Advice Note Six: Preparation and submission of application documents (The Planning Inspectorate, 2019), each document has been given a unique document reference number, as described in the following sections.

1.4. DOCUMENT NUMBERING

- 1.4.1. The documents submitted as part of the Application follow a consistent numbering format, with the category number (1 to 7) being the first digit of a document number. This is followed by the document number, and, where relevant, the chapter and / or appendix number if these are submitted as standalone documents. This is the case where documents have large numbers of appendices, to assist with the readability and navigation of these documents, and to reduce the electronic file size of individual documents.
- 1.4.2. For example, the ES is split into four volumes, the latter three of which contain a number of standalone documents:
- Volume 1 – Non-Technical Summary
 - Volume 2 – Chapters
 - Volume 3 – Technical Appendices.
 - Volume 4 – Figures

1.4.3. As volumes 2 – 4 are each of considerable length, each chapter, set of figures, and appendix, is submitted as a standalone document.

1.4.4. The numbering within each of the first three volumes is as follows:



1.4.5. Documents submitted as part of the DCO application have a reference number starting with a 'D' which is used as shorthand for DCO. This approach was discussed with the Inspectorate and agreed as part of the section 51 advice received on 25 May 2022.

1.4.6. In summary:

- **D.6.1** Environmental Statement – Volume 1 Non-Technical Summary (i.e., **D.6.1** is the document reference for the whole chapter, there are no further subsidiary documents in this Volume).
- **D.6.2** Environmental Statement – Volume 2 Chapters (i.e., **D.6.2** is the document reference number for Volume 2 as a whole, although Volume 2 is submitted as individual chapters):
 - **D.6.2.1** Environmental Statement – Volume 2 – Chapter 1 Introduction
 - **D.6.2.2** Environmental Statement – Volume 2 – Chapter 2 The Project
 - **D.6.2.3** Environmental Statement – Volume 2 – Chapter 3 Description of the DCO Proposed Development.
 - ...

- **D.6.3** Environmental Statement – Volume 3 Appendix (i.e., **D.6.3** is the document reference number for Volume 3 as a whole, although Volume 3 is submitted as individual appendices).
 - **D.6.3.3.1** Environmental Statement – Volume 3 – Appendix 3-1 Table of Trenchless Crossings
 - ...
- **D.6.4** Environmental Statement – Volume 4 Figures (i.e., **D.6.4** is the document reference number for Volume 4 as a whole, although Volume 4 is submitted as individual appendices).
 - **D.6.4.4.1** Environmental Statement – Volume 4 – Figure 4-1 Strategic Route Corridors
 - ...

1.4.7. A similar approach has been taken for the Consultation Report [**APP-031**], the Planning Statement [**REP4-021**] and the Outline Construction Environmental Management Plan (OCEMP) [**REP4-237**] where appendices have been submitted as standalone documents.

1.4.8. Where documents sizes are over 50MB, this including subsidiary documents, the document has been subdivided but retains the same document reference number. These are referred to a “Part 1, 2, 3” etc in the title.

2. APPLICATION FORM

2.1. OVERVIEW

- 2.1.1. The documents in the Application Form folder on the Inspectorate's website form the first set of documents of the Application.

2.2. DOCUMENT REFERENCE D.1.1 – APPLICATION COVER LETTER

- 2.2.1. The Application Cover Letter **[APP-001]** provides a brief overview of the DCO Proposed Development and an introduction to the Application.

2.3. DOCUMENT REFERENCE D.1.2 - APPLICATION GUIDE

- 2.3.1. The purpose of the Application Guide **[APP-002]** is set out in **section 1.2** above. It is to provide an overview of the Application documents and will be updated at the end of the examination to show how the documents have evolved at that point in time.

2.4. DOCUMENT REFERENCE D.1.3 - APPLICATION DOCUMENT TRACKER

- 2.4.1. The Application Document Tracker **[REP4-002]** sets out the status and revision number of the documents submitted by the Applicant and will be updated throughout the examination where documents are updated, or new documents are submitted. The Tracker will then also contain the Examination Library reference numbers that will be assigned to each document by the Inspectorate.
- 2.4.2. Should any of the figures or appendices be updated and resubmitted during the examination, those individual figures and appendices and their revision numbers will be listed in an updated version of the Tracker. For a complete list of all documents including standalone figures and appendices please see the Electronic Application Index (**document reference D.1.6**).

2.5. DOCUMENT REFERENCE D.1.4 - APPLICATION FORM

- 2.5.1. The Application Form **[APP-004]** is the standard form required as part of any DCO application and provides a high-level summary of the DCO Proposed Development and the documents submitted with the Application.
- 2.5.2. This form is required to be submitted under Regulation 5(1) of the APFP Regulations and Section 37(3)(b) of the PA 2008.

2.6. DOCUMENT REFERENCE D.1.5 – DRAFT SECTION 55 CHECKLIST

- 2.6.1. The Applicant's draft Section 55 Checklist **[APP-005]** is provided as a schedule of compliance to evidence how the Application fulfils the conditions for acceptance required under Section 55 of the PA 2008.
- 2.6.2. The 'Section 55 Checklist' is a document prepared by the Inspectorate on behalf of the SoS upon submission of an application. Completion of the Checklist by an applicant is not a regulatory requirement, nor does the submission of the completed Checklist by an applicant hold any weight at the acceptance stage.
- 2.6.3. However, the Applicant considers that the submission of a 'draft' Section 55 Checklist can assist the Inspectorate at the acceptance stage by signposting to relevant application documents or parts within application documents. Therefore, the Applicant has decided to complete the draft Section 55 Checklist for the Application.

2.7. DOCUMENT REFERENCE D.1.6 - ELECTRONIC APPLICATION INDEX

- 2.7.1. The Electronic Application Index provides a list of all Application documents, including electronic file names, plain English descriptions and document reference numbers for all Application documents.
- 2.7.2. The Inspectorate requests that applicants complete the Index to ensure that large volumes of application information can be easily navigated and retrieved for a quantitative and qualitative check of the submission by the Inspectorate's Officers. This is set out in PINS Advice Note Six: Preparation and submission of application documents (The Planning Inspectorate, 2021), to which the template of the Index is attached at Appendix 2. This document is not included in the Examination Library.

2.8. DOCUMENT REFERENCE D.1.7 - GLOSSARY

- 2.8.1. A standalone Glossary **[APP-006]** has been prepared which provides definitions of technical terms and explanations of abbreviations contained within the Application documents. The Inspectorate recommends the preparation of a glossary on page 5 of PINS Advice Note Six (The Planning Inspectorate, 2019).

3. PLANS

3.1. OVERVIEW

- 3.1.1. The documents in the Plans category contain the plans which show where and how the Applicant proposes to undertake the DCO Proposed Development.
- 3.1.2. The plans show the location of the DCO Proposed Development, and the land required to build it as well as illustrating technical detail.
- 3.1.3. In accordance with PINS Advice Note Six and Regulation 5(4) of the APFP Regulations, where a plan comprises three or more separate sheets, a key plan is provided to enable the viewer to understand the relationship between the different sheets.

3.2. DOCUMENT REFERENCE D.2.1 - LOCATION PLAN

- 3.2.1. The Location Plan **[CR2-003]** identifies the location of the DCO Proposed Development in its wider context.
- 3.2.2. The preparation of a Location Plan is not a requirement under the APFP Regulations, as the Order Limits are required to be identified on the Works Plans **[REP4-006]**. However, a Location Plan has been prepared (for information only), as the Applicant considers it helpful for stakeholders to be able to see the Site at a scale that fits on fewer sheets.
- 3.2.3. This plan has been prepared under Regulation 5(2)(q) of the APFP Regulations, which provides for the preparation of “*any other documents considered necessary to support the application*”.

3.3. DOCUMENT REFERENCE D.2.2 - LAND PLANS

- 3.3.1. The Land Plans **[REP4-004]** are required to be submitted under Regulation 5(2)(i) of the APFP Regulations. They correspond to, and should be read in conjunction with, the Book of Reference **[REP4-016]**. They set out:
 - the land required for, or affected by, the DCO Proposed Development;
 - land over which it is proposed to exercise powers of compulsory acquisition or any right to use land or impose restrictions;
 - any land in relation to which it is proposed to extinguish easements, servitudes and other private rights.

3.4. DOCUMENT REFERENCE D.2.3 - CROWN LAND PLANS

- 3.4.1. Where applicable, Crown Land Plans **[REP4-005]** are required to be submitted under Regulation 5(2)(n) of the APFP Regulations. As the Order

Limits for the DCO Proposed Development includes Crown Land, Crown Land Plans have been prepared which correspond to and should be read in conjunction with the Book of Reference **[REP4-016]**.

3.5. DOCUMENT REFERENCE D.2.4 - WORKS PLANS

- 3.5.1. Works Plans **[REP4-006]** are required to be prepared under Regulation 5(2)(j) and show the proposed route and alignment. The limits within which the development and works are to be carried out. These limits are referred to as the 'Order Limits'. The works packages are numbered and correspond to the works defined in Schedule 1 of the Draft DCO **[REP4-007]** which are sought to be authorised by the DCO.

3.6. DOCUMENT REFERENCE D.2.5 - ACCESS AND RIGHTS OF WAY PLANS

- 3.6.1. The Access and Rights of Way Plans **[CR2-006]** identify any new or altered means of access, temporary stopping up of streets, roads and Public Rights of Way ('PRoW'), and any diversions.
- 3.6.2. They are required to be submitted under Regulation 5(2)(k) of the APFP Regulations.

3.7. DOCUMENT REFERENCE D.2.6 - SPECIAL CATEGORY LAND PLANS

- 3.7.1. Special category land, as shown in the Special Category Land Plans **[CR1-013]**, can be identified as forming part of a common, open space, National Trust land or fuel or field garden allotments. This is included in conjunction with the Land Plans **[REP4-004]**.
- 3.7.2. These plans have been prepared under Regulation 5(2)(i)(iv) of the APFP Regulations, which provides for the preparation of a land plan identifying "where the land includes special category land and replacement land, that special category and replacement land".

3.8. DOCUMENT REFERENCE D.2.7 - BLOCK VALVE STATIONS LOCATION PLAN

- 3.8.1. These plans show an indicative layout for the Block Valve Station areas **[CR1-014]**. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

3.9. DOCUMENT REFERENCE D.2.8 - BLOCK VALVE STATIONS ELEVATIONS

3.9.1. These plans show an indicative elevation for the Block Valve Station areas **[REP2-006]**. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

3.10. DOCUMENT REFERENCE D.2.9 - BLOCK VALVE STATIONS PLANNING ARRANGEMENT

3.10.1. These plans show an indicative layout for the Block Valve Station areas **[CR1-016]**. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

3.11. DOCUMENT REFERENCE D.2.10 - ABOVE GROUND INSTALLATIONS LOCATION PLAN

3.11.1. These plans show an indicative layout for the Above Ground Installation areas **[CR1-004]**. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

3.12. DOCUMENT REFERENCE D.2.11 - ABOVE GROUND INSTALLATIONS ELEVATIONS

3.12.1. These plans show an indicative elevation for the Above Ground Installation areas **[REP2-007]**. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

3.13. DOCUMENT REFERENCE D.2.12 - ABOVE GROUND INSTALLATIONS PLANNING ARRANGEMENT

3.13.1. These plans show an indicative layout for the Above Ground Installation Areas **[CR1-006]**. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

3.14. DOCUMENT REFERENCE D.2.13 – IMPORTANT HEDGEROW PLANS

3.14.1. These plans have been prepared under Regulation 5(2)(l) of the APFP Regulations **[CR2-007]**. These plans identify any important hedgerows along the proposed route and alignment. It is proposed to illustrate how the limits within which the development and works are to be carried out in relation to important hedgerows.

3.15. DOCUMENT REFERENCE D.2.14 – LANDSCAPE LAYOUTS AT BVS AND AGIS

3.15.1. These plans show an indicative layout for the proposed landscaping located at Block Valve Stations and Above Ground Installation Areas **[CR1-008]**. These plans have been prepared under Regulation 5(2)(o) of the APFP Regulations and are illustrative only, i.e. are not for approval.

4. DRAFT DEVELOPMENT CONSENT ORDER

4.1. OVERVIEW

- 4.1.1. In order to construct and operate the DCO Proposed Development, the Applicant requires development consent from the SoS. The documents within Category 3 contain the Draft DCO setting out the legal powers the Applicant is seeking.

4.2. DOCUMENT REFERENCE D.3.1 - DRAFT DEVELOPMENT CONSENT ORDER

- 4.2.1. Under Regulation 5(2)(b), an applicant is required to submit the Draft DCO with an application for an order granting development consent.
- 4.2.2. The Draft DCO **[REP4-008]** submitted with the Application is the draft Statutory Instrument ('SI') that the Applicant requests is made, if the SoS is minded to grant development consent for the DCO Proposed Development. The DCO would authorise the construction, operation and maintenance of the DCO Proposed Development and includes various powers that the Applicant is seeking to enable it to construct, operate and maintain the DCO Proposed Development. It comprises six parts as outlined below:
- Part 1: Preliminary
 - Part 2: Principal powers
 - Part 3: Streets
 - Part 4: Supplemental powers
 - Part 5: Powers of acquisition
 - Part 6: Miscellaneous and general
- 4.2.3. The Draft DCO **[REP4-008]** also contains the following Schedules:
- Schedule 1: Authorised development
 - Schedule 2: Requirements
 - Schedule 3: Streets subject to street works
 - Schedule 4: New means of access
 - Schedule 5: Streets to be temporarily stopped up or restricted
 - Schedule 6: Public rights of way to be temporarily restricted
 - Schedule 7: Land of which only temporary possession may be taken
 - Schedule 8: Land in which only new rights may be acquired

- Schedule 9: Modification of compensation and compulsory purchase enactments for creation of new rights
- Schedule 10: Protective provisions
- Schedule 11: Removal of hedgerows
- Schedule 12: Arbitration Rules

4.2.4. The Draft Development Consent Order is supported with a Schedule of changes to the Draft Development Consent Order **[REP4-011]** which includes a table of amendments and is submitted with each revision of the dDCO.

4.3. DOCUMENT REFERENCE D.3.2 - EXPLANATORY MEMORANDUM

4.3.1. Under Regulation 5(2)(c) an applicant is required to submit an Explanatory Memorandum **[REP4-010]** explaining the purposes and effect of each provision in the Draft DCO **[REP4-008]**, including in particular any divergences from the model provisions. Therefore, an Explanatory Memorandum **[REP4-010]** has been submitted with the Application.

5. COMPULSORY ACQUISITION INFORMATION

5.1. OVERVIEW

- 5.1.1. In order to construct and operate the DCO Proposed Development, the Applicant will need to acquire land and rights in land, to extinguish existing rights, and to possess and use land temporarily. Whilst the Applicant will seek to negotiate with the relevant landowners for the required land and rights, as a last resort the Applicant may need to rely on powers in the DCO to authorise compulsory acquisition, the grant of rights, the imposition of restrictions and the ability to extinguish private rights in land as required to facilitate the delivery of the DCO Proposed Development.
- 5.1.2. The Applicant is required to provide evidence that the use of these powers would be justified, proportionate and in the public interest and this evidence is set out in a Statement of Reasons ('SoR') **[REP4-012]**.

5.2. DOCUMENT REFERENCE D.4.1 - STATEMENT OF REASONS

- 5.2.1. The Applicant has been seeking to acquire the land, rights (and impose restrictions) over land and the temporary use of land by voluntary agreement, in order to ensure implementation of the DCO Proposed Development. However, it has not yet been possible to acquire all of the land, the temporary use of land and the rights required by voluntary agreement.
- 5.2.2. Therefore, a SoR **[REP4-012]** is required to be submitted under Regulation 5(2)(h) of the APFP Regulations.
- 5.2.3. The SoR **[REP4-012]** explains that there is a compelling case in the public interest to justify the Applicant's exercise of powers of compulsory acquisition in order to acquire land and rights permanently, to extinguish rights, and to use land temporarily to enable the Applicant to construct, operate and maintain the DCO Proposed Development.
- 5.2.4. The SoR **[REP4-012]** should be read in conjunction with the Land Plans **[REP4-004]**, the Funding Statement **[APP-029]** and the Book of Reference **[REP4-016]**.
- 5.2.5. The SoR is supported by a Schedule of Negotiations with Land Interests **[REP4-014]**. This document sets out the latest position on discussions with land interests that are subject to compulsory acquisition. This links to the Land Plans **[REP4-004]** and the SoR **[REP4-012]**.

5.3. DOCUMENT REFERENCE D.4.2 - FUNDING STATEMENT

- 5.3.1. This Statement explains how the DCO Proposed Development would be funded, including the funding of any compensation payable in relation to the granting or exercise of powers of compulsory acquisition.
- 5.3.2. The submission of a Funding Statement **[APP-029]** is required (Under Regulation 5(2)(h) of the APFP Regulations).

5.4. DOCUMENT REFERENCE D.4.3 - BOOK OF REFERENCE

- 5.4.1. The Book of Reference **[REP4-016]** is required to be submitted under Regulation 5(2)(d) of the APFP Regulations.
- 5.4.2. It corresponds with the Land Plans **[REP4-004]** and Crown Land Plans **[REP4-005]** and identifies all parties who own or occupy land and / or have an interest in or right over the land affected by the proposal, and / or who may be entitled to make a 'relevant claim' as defined in Section 57 of the PA 2008. It is structured in five parts in accordance with Regulation 7 of the APFP Regulations. The five parts are:
- **Part 1:** Names and addresses for service of each person within categories 1 and 2 as set out in Section 57 of the PA 2008.
 - **Part 2:** Names and addresses for service of each person within category 3 as defined in Section 57 of the PA 2008, who would or might be entitled to make a relevant claim as defined in Section 57(4) of the PA 2008. As explained in section 2.3 of the Book of Reference **[REP4-016]**, no persons are listed in Part 2 of the submitted Book of Reference **[REP4-016]** as potentially having such a claim as the Applicant does not expect that any person will be able to make a relevant claim (as that term is defined at Section 57(6) of the PA 2008).
 - **Part 3:** Names and addresses of those persons whose entitlement to enjoy easements of rights may be extinguished, suspended or interfered with.
 - **Part 4:** Specifies the owner of any Crown interest in the land which is proposed to be used for the purposes of the DCO Proposed Development.
 - **Part 5:** Land which is special category land.
- 5.4.3. For each plot of land described in the Book of Reference **[REP4-016]**, being land within which it is intended that all or part of the DCO Proposed Development shall be carried out, the area in square metres for that plot is given.

- 5.4.1. The Book of Reference is supported with a Schedule of Changes to the Book of Reference **[REP4-018]** which includes a table of amendments and is submitted with each revision of the Book of Reference **[REP4-016]**.

6. REPORTS

6.1. OVERVIEW

6.1.1. A number of technical reports and documents were produced to support the Application, which are not environmental reports or documents (these environmental documents are contained in category 6 – see below). The contents of the reports and documents contained within category 5 are summarised in this section of the Application Guide.

6.2. DOCUMENT REFERENCE D.5.1 - CONSULTATION REPORT

6.2.1. The Consultation Report **[APP-031]** provides an account of the pre-application consultation carried out on the DCO Proposed Development. It reports on the statutory consultation and targeted consultation carried out on the DCO Proposed Development in accordance with Part 5 of the PA 2008 and the non-statutory consultation that took place before this.

6.2.2. The report demonstrates how the Applicant has had regard to the consultation feedback and demonstrates compliance with the statutory requirements in relation to the statutory and targeted consultations.

6.2.3. The report includes details of how the DCO Proposed Development has been amended as a result of some of the consultation responses received. The submission of a Consultation Report **[APP-031]** is required under Section 37(3)(c) of the PA 2008 (with the term defined in Section 37(7) of the PA 2008).

6.2.4. The chapters of the Consultation Report **[APP-031]** are as follows:

- Chapter 1: Consultation Report Structure
- Chapter 2: Project Overview
- Chapter 3: Approach to Consultation and Engagement
- Chapter 4: Non-Statutory Consultation (09th June – 11th July 2021)
- Chapter 5: Preparation for Statutory Consultation
- Chapter 6: Statutory Consultation (9th February 2022 – 22nd March 2022)
- Chapter 7: Responses to Statutory Consultation
- Chapter 8: Targeted Consultation
- Chapter 9: Environmental Impact Assessment (EIA) Consultation
- Chapter 10: Conclusions

6.2.5. The Consultation Report **[APP-031]** has a number of appendices **[APP-032 to APP-045]** which are referenced 'D.5.1.1' to 'D.5.1.12'.

6.3. DOCUMENT REFERENCE D.5.2 - OTHER CONSENTS AND LICENCES

- 6.3.1. This document provides information on the other consents, licences and permits that are or may be required under other legislation for the construction, operation, maintenance and decommissioning of the DCO Proposed Development, and that cannot or are not being sought within the Draft DCO **[REP4-019]**.
- 6.3.2. This document has been produced to meet the requirements of section 24 of the prescribed Application Form **[APP-004]**.

6.4. DOCUMENT REFERENCE D.5.3 - STATUTORY NUISANCE STATEMENT

- 6.4.1. This document identifies the matters set out in Section 79 of the Environmental Protection Act 1990 in respect of statutory nuisances and considers whether the DCO Proposed Development would engage one or more of those matters **[APP-047]**. Where any matters may be potentially engaged, this statement sets out proposals for mitigating or limiting them.
- 6.4.2. Applicants are required to submit a Statutory Nuisance Statement **[APP-047]** under Regulation 5(2)(f) of the APFP Regulations.

6.5. DOCUMENT REFERENCE D.5.4 – PLANNING STATEMENT

- 6.5.1. This document demonstrates how the DCO Proposed Development accords with relevant planning policy and legislation, in particular the Overarching National Policy Statement ('NPS') for Energy EN-1 **[REP4-021]**.
- 6.5.2. The submission of a Planning Statement **[REP4-021]** is not a regulatory requirement; however, the Applicant considers it to be useful to assist the SoS in reaching the 'planning balance' under Section 104 of the PA 2008.
- 6.5.3. The Planning Statement **[REP4-021]** contains the following appendices which are submitted as standalone documents:
- Appendix A – Relevant Planning History.
 - Appendix B – Planning Policy Assessment.

6.6. DOCUMENT REFERENCE D.5.5 - NEEDS CASE FOR THE DCO PROPOSED DEVELOPMENT

- 6.6.1. This document demonstrates the needs case for the DCO Proposed Development **[APP-049]**. It outlines the DCO Proposed Development's role in enabling the HyNet North West Project and subsequently assisting the UK in meeting its legally binding target to be Net-Zero by 2050. It also

discusses other social, environmental and economic benefits which the DCO Proposed Development will provide.

6.7. DOCUMENT REFERENCE D.5.6 – WELSH LANGUAGE STATEMENT

- 6.7.1. This document set out how the Applicant will provide accessibility to the application in Welsh **[APP-050]**.
- 6.7.2. This is not a statutory document and is provided under the APFP Regulations – Regulation 5(2)(q).

7. ENVIRONMENTAL STATEMENT

7.1. OVERVIEW

- 7.1.1. The documents submitted under this category comprise of the four volumes of the ES, as well as associated technical and environmental reports and documents.
- 7.1.2. The Applicant has undertaken an EIA of the DCO Proposed Development to consider and assess the likely significant effects of the DCO Proposed Development.
- 7.1.3. The ES reports the findings of the EIA. The ES also provides general information on the DCO Proposed Development including its context, a full description of the DCO Proposed Development and its construction, the main alternatives considered, the consultation process that was part of the EIA, and any relevant technical information that has been used to assess the likely significant effects of the DCO Proposed Development.
- 7.1.4. On the 27 March 2023, the Applicant's submitted a Change Request which includes '2023 ES Addendum Change Request 1' **[CR1-124 to 126]** and ES Addendum Chapter 3 provides an update to the description of the DCO Proposed Development **[APP-055]**. On the 2 June 2023, the ExA accepted the Applicant's Change Request 2; subsequently the description of the development has been updated, to include Chapter 3 of the 2023 ES Addendum Change Request 2 **[CR2-017]**.
- 7.1.5. [A](#) consolidated ES was submitted at Deadline 4 **[REP4-029]** and this serves as the most recent version of this document.

7.2. DOCUMENT REFERENCE D.6.1 - ENVIRONMENTAL STATEMENT VOLUME 1 NON-TECHNICAL SUMMARY

- 7.2.1. This document provides a summary of the findings of the ES in non-technical language **[REP4-024]**.
- 7.2.2. A separate Welsh language version is also provided with the Application **[REP4-025]**.

7.3. DOCUMENT REFERENCE D.6.2 - ENVIRONMENTAL STATEMENT VOLUME 2 CHAPTERS

- 7.3.1. The main report of the ES contains the following chapters **[REP4-027 to REP4-064]**:

Table 7.1 - Environmental Statement Chapters

Chapter	Title	Document Reference
Chapter 1	Environmental Statement – Volume 1 – Chapter 1 Introduction	REP4-027
Chapter 2	Environmental Statement – Volume 1 – Chapter 2 The Project	REP4-028
Chapter 3	Environmental Statement – Volume 1 – Chapter 3 Description of the DCO Proposed Development	REP4-029
Chapter 4	Environmental Statement – Volume 1 – Chapter 4 Consideration of Alternatives	REP4-031
Chapter 5	Environmental Statement – Volume 1 – Chapter 5 EIA Methodology	REP4-033
Chapter 6	Environmental Statement – Volume 1 – Chapter 6 – Air Quality	REP4-035
Chapter 7	Environmental Statement – Volume 1 – Chapter 7 Climate Resilience	REP4-037
Chapter 8	Environmental Statement – Volume 1 – Chapter 8 Cultural Heritage	REP4-039
Chapter 9	Environmental Statement – Volume 1 – Chapter 9 Biodiversity	REP4-041
Chapter 10	Environmental Statement – Volume 1 – Chapter 10 Greenhouse Gases	REP4-043
Chapter 11	Environmental Statement – Volume 1 – Chapter 11 Land and Soils	REP4-045
Chapter 12	Environmental Statement – Volume 1 – Chapter 12 Landscape and Visual	REP4-047
Chapter 13	Environmental Statement – Volume 1 – Chapter 13 Major Accidents and Disasters	REP4-049

Chapter	Title	Document Reference
Chapter 14	Environmental Statement – Volume 1 – Chapter 14 Material Assets and Waste	REP4-051
Chapter 15	Environmental Statement – Volume 1 – Chapter 15 Noise and Vibration	REP4-053
Chapter 16	Environmental Statement – Volume 1 – Chapter 16 Population and Human Health	REP4-055
Chapter 17	Environmental Statement – Volume 1 – Chapter 17 Traffic and Transport	REP4-057
Chapter 18	Environmental Statement – Volume 1 – Chapter 18 Water Resource and Flood Risk	REP4-059
Chapter 19	Environmental Statement – Volume 1 – Chapter 19 Combined and Cumulative Effects	REP4-062
Chapter 20	Environmental Statement – Volume 1 – Chapter 20 Summary of Likely Significant Effects	REP2-063

7.4. DOCUMENT REFERENCE D.6.3 - ENVIRONMENTAL STATEMENT VOLUME 3 TECHNICAL APPENDICES

7.4.1. The Electronic Application Index (**document reference D.1.6**) contains a full list of the technical appendices which form Volume 3 of the ES [**REP4-065 to REP4-186**].

7.5. DOCUMENT REFERENCE D.6.4 - ENVIRONMENTAL STATEMENT VOLUME 4 FIGURES

7.5.1. The Electronic Application Index (**document reference D.1.6**) contains a full list of the figures which form Volume 4 of the ES [**REP4-187 to REP4-234**].

7.6. DOCUMENT REFERENCE D.6.5.1 – REGISTER OF ENVIRONMENTAL ACTIONS AND COMMITMENTS ('REAC')

- 7.6.1. This document sets out the mitigation controls and other best practice measures identified in the ES and identifies the means by which those controls and measures will be secured. It provides a unique reference number for each item included in the Mitigation Schedule **[REP4-235]**.
- 7.6.2. The Schedule then identifies the paragraph number of the ES where the mitigation measure is referenced and the potential impact or topic which the mitigation measure is intended to address or relates. The Schedule also summarises the mitigation measures, as set out in the ES, identifies the 'control document' within which mitigation measure will be implemented, and the means by which the mitigation measure will be secured.

7.7. DOCUMENT REFERENCE D.6.5.2 – OUTLINE ARCHAEOLOGICAL WRITTEN SCHEME OF INVESTIGATION

- 7.7.1. This document sets out good management practices and the overarching principles for Archaeological management associated with the DCO Proposed Development **[APP-223]**.

7.8. DOCUMENT REFERENCE D.6.5.3 - OUTLINE CONSTRUCTION TRAFFIC MANAGEMENT PLAN

- 7.8.1. This outline document is provided in respect of the anticipated routing and parking of construction vehicles, the loading and unloading of materials, as well as mitigation measures to safeguard the immediate highway and reduce the number of vehicles accessing the Site during the construction phase of the DCO Proposed Development **[REP3-020]**.
- 7.8.2. Given that detailed information around the phasing of the Site's redevelopment and any development partners is not yet known and subject to a principal contractor, it is only practical at this stage to provide an Outline document.

7.9. DOCUMENT REFERENCE D.6.5.4 - OUTLINE CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN (OCEMP)

- 7.9.1. This document sets out good management practices and the overarching principles for environmental management associated with the DCO Proposed Development **[REP4-237]**.
- 7.9.2. The document is supported by two appendices, an Outline Soil Management Plan **[REP4-239]** and an Outline Peat Management Plan **[REP4-241]**.

7.10. DOCUMENT REFERENCE D.6.5.6 - HABITATS REGULATIONS ASSESSMENT REPORT

- 7.10.1. The Habitats Regulations Assessment (HRA) Report **[REP4-243]** provides relevant technical information to enable competent authorities to discharge their functions under Regulations 7 (competent authorities) and 63 (assessment of implications for European sites and European offshore marine sites) of the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations') in connection with the DCO Proposed Development.
- 7.10.2. The HRA **[REP4-243]** covers the entirety of the DCO Proposed Development.

7.11. DOCUMENT REFERENCE D.6.5.10 - OUTLINE LANDSCAPE AND ECOLOGICAL MANAGEMENT PLAN (OLEMP)

- 7.11.1. This document **[APP-229]** sets out good management practices and the overarching principles for environmental management, to include landscape mitigation associated with the DCO Proposed Development.
- 7.11.2. The document **[APP-229]** is supported by a Landscape and Ecological Mitigation Plan **[APP-230]**.

7.12. DOCUMENT REFERENCE D.6.5.12 - BIODIVERSITY NET GAIN REPORT

- 7.12.1. This document sets the delivery of Biodiversity Net Gain ('BNG') in relation to the impact of the DCO Proposed Development **[REP3-022]**.

7.13. DOCUMENT REFERENCE D.6.5.13 - OUTLINE SURFACE WATER DRAINAGE STRATEGY REPORT

- 7.13.1. This report demonstrates how surface water can affect the site and surrounding areas. It establishes how water can behave on a site, and estimates the surface runoff rate, viable flow pathways and likely sub-surface infiltration **[CR1-111]**.
- 7.13.2. This document is supported by Annex A - Proposed Development Plans and Topographical Survey **[CR1-113]**, Annex B - Proposed Conceptual Drainage Layout and Typical Drainage Construction Detail **[CR1-114]** (updated version being submitted during Change Request 3), Annex C - Proposed Storage Calculations **[CR1-115]** and Annex D – Correspondences **[CR1-116]**.

8. EXAMINATION DOCUMENTS

- 7.13.3. A number of technical reports and documents have been entered into the examination to support the Application, these include environmental reports or documents which are contained within other categories as listed in this guide.
- 7.13.4. The list below is not definitive and has been updated for Deadline 5 of the examination upon request of the ExA. This will be finalised prior to the close of the examination.

Document Title	Document Reference
Cover Letter	D.7.1
Statement of Commonality (SoC) and Statements of Common Ground (SoCG)	D.7.2
Notification of Intention to Submit a Change Request 1	D.7.5
Accompanied Site Inspection (ASI)	D.7.6
ES Addendum Change Request 1	D.7.7
Applicant's Responses to Relevant Representations	D.7.8
Outline Public Right Of Way Management Plan	D.7.9
Applicant Responses to ExA's First Written Questions (ExQ1) – including Appendices	D.7.10
Applicant's Written Summary of Oral Submissions to the Preliminary Meeting (PM)	D.7.11
Compulsory Acquisition (CA) / Temporary Possessions (TP) Schedule (s127 and s138)	D.7.12
National Policy Statement (NPS) Tracker	D.7.13
Outline Operational and Maintenance Environmental Management Plan	D.7.15

Applicant's comments on Responses to ExA's ExQ1	D.7.16
Applicants Responses to Deadline 1 submissions	D.7.17
Applicants Comments on the Local Impact Reports (LIR's)	D.7.18
Applicants Response to Written Representations	D.7.19
Notification of Intention to Submit a Change Request 2	D.7.20
Applicant's Comments on Submissions Received at Deadline 2	D.7.21
ES Addendum Change Request 2 (including Appendices)	D.7.22
Biodiversity Net Gain (BNG) Strategy Update Document	D.7.23
Dust Management Plan	D.7.24
Odour Management Plan	D.7.25
Alltami Brook Crossing - Options Appraisal	D.7.27
Applicant's Comments on Submissions Received at Deadline 3	D.7.28
Indicative Arrangement - Alltami Brook Embedded Pipe Bridge (Design Option)	D.7.29
Written Summaries of oral submissions made at any hearings held W/C 5th June	D.7.30
Applicant's Responses to Action Points raised at hearings held week commencing 5 June	D.7.31
Outline Materials Management Plan (MMP)	D.7.32
Archaeological Evaluation Report	D.7.33
Notification of Intention to Submit a Change Request (3)	D.7.34
Alltami Brook Hydrogeological Impact Appraisal	D.7.36
Applicant's Comments on Submissions Received at Deadline 4	D.7.37

Without Prejudice WFD Derogation Case for Alltami Brook Crossing	D.7.38
Outline Noise and Vibration Management Plan	D.7.39
Outline Waste Management Plan	D.7.40
Outline Groundwater Management and Monitoring Plan	D.7.41
Outline Bio-security Management Plan	D.7.42
Outline Surface Water Management and Monitoring Plan	D.7.43
Outline Dewatering Management Plan	D.7.44
Outline Stakeholder Communications Plan	D.7.45
Change Request 1 Consultation Report	D.7.46
Change Request 3 Environmental Technical Note	D.7.47
Applicant's responses to ExA's ExQ2	D.7.48
Applicants Response to Action Point ISH1-AP3 - Local Policy Assessment of Community / Cultural Benefits	D.7.49

7.13.1. The list of cover letters which have been submitted over the subsequent Deadlines and Change Requests are listed below:

Cover Letter (S51 Advice – November 2022 Submission)	D.7.1.1
Cover Letter (S51 Advice – March 2023 Submission)	D.7.1.2
Cover Letter (Procedural Deadline A)	D.7.1.3
Cover Letter (Change Request 1)	
Cover Letter (Deadline 1)	D.7.1.4
Cover Letter (Deadline 2)	D.7.1.5
Cover Letter (Deadline 3)	D.7.1.6
Cover Letter (Change Request 2)	D.7.1.7

Cover Letter (Deadline 4)	D.7.1.8
Cover Letter (Deadline 5)	D.7.1.9
Cover Letter (Change Request 3)	D.7.1.10

7.13.2. The following list gives an overview of the number of stakeholders involved through the process of preparation of draft Statements of Common Ground (SoCG) by the Applicant:

Statement of Commonality	D.7.2
SOCG Flintshire County Council (FCC)	D.7.2.1
SOCG Cheshire West and Chester Council (CWCC)	D.7.2.2
SoCG Natural England	D.7.2.3
SoCG Natural Resources Wales	D.7.2.4
SoCG Environment Agency	D.7.2.5
SoCG Historic England	D.7.2.6
SoCG Cadw	D.7.2.7
SoCG Peel NRE Limited	D.7.2.8
SoCG National Highways	D.7.2.9
SoCG Welsh Government	D.7.2.10
SoCG Canal & River Trust	D.7.2.11
SoCG Cadent Gas	D.7.2.12
SoCG Essar Oil (UK) Limited	D.7.2.13
SoCG Dŵr Cymru Welsh Water	D.7.2.14
SoCG British Pipeline Agency	D.7.2.15
SoCG National Grid Electricity Transmission	D.7.2.16

SoCG United Utilities	D.7.2.17
SoCG Exolum Pipeline Systems	D.7.2.18
SoCG National Gas Transmission	D.7.2.19
SoCG Scottish Power Energy Networks (not currently submitted)	D.7.2.20
SoCG Lane End Development Ltd (SoCG paused as company gone into administration)	D.7.2.21
SoCG Enso Energy (not currently submitted)	D.7.2.22
SoCG Wales & West Utilities	D.7.2.23
SoCG Anesco (not currently submitted)	D.7.2.25
SoCG Network Rail (England & Wales)	D.7.2.26
SoCG 2 Sisters Food Group (Amber Real Estate)	D.7.2.27
SoCG Vertex Hydrogen Limited (not currently submitted)	D.7.2.28
SoCG CF Fertilisers UK Ltd	D.7.2.29
SoCG Health and Safety Executive (not currently submitted)	D.7.2.30
SoCG Royal Mail Group Limited	D.7.2.32
SoCG The Woodland Trust	D.7.2.34
SoCG Encirc	D.7.2.36
SoCG Cadent Hydrogen (not currently submitted)	D.7.2.37
HyNet CO2 SoCG Redrow PLC (not currently submitted)	D.7.2.38

9. REFERENCES

The Planning Inspectorate. (2019, November). Advice Note Six: Preparation and submission of application documents