

Viking CCS Pipeline

1.1 Covering Letter

Document Reference: EN070008/APP/1.1

Applicant: Chrysaor Production (U.K.) Limited,
a Harbour Energy Company
PINS Reference: EN070008
Planning Act 2008 (as amended)
The Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009 - Regulation 5(2)(q)
Date: October 2023

National Infrastructure
(Energy)
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

23rd October 2023

Our Reference
EN070008/APP/1.1

FAO: Caroline Hopewell, NSIP Case Manager

Planning Act 2008 - Application for a Development Consent Order for the Viking CCS Pipeline. Application reference EN070008.

Dear Ms Hopewell,

On behalf of Chrysaor Production (UK) Limited (the Applicant) please find enclosed an application under section 37 of the Planning Act 2008 (the PA 2008) for an order granting development consent for the Viking CCS Pipeline (the Proposed Development).

Development consent is required to the extent that the application includes development that is or forms part of a Nationally Significant Infrastructure Project (NSIP) pursuant to section 14(1)(g) of the PA 2008 for the 'construction of a pipeline other than by a gas transporter', and the relevant criteria for 'other pipelines' as set out in section 21(1) of the PA 2008. Further detail relating to the Proposed Development's qualification as a NSIP can be found within the Application Form **[EN070008/APP/1.3]** and in the Planning Design and Access Statement **[EN070008/APP/7.1]**.

The application includes a Guide to the Application **[EN070008/APP/1.5]** which provides a summary of the application documentation and referencing system, along with a non-technical description of the Proposed Development and how the Proposed Development relates to the wider Viking CCS Project. A detailed technical description is included in Chapter 3: Description of Proposed Development of the Environmental Statement **[EN070008/APP/6.2.3]**.

1. Application fee and preparation and submission of application documents

The application fee of £8,244 has been paid by BACS transfer, during the week commencing the 16th October 2023, to the account of the Planning Inspectorate (the Inspectorate). The application has been submitted to the Inspectorate by way of the

WeTransfer file sharing website, as agreed with the case officer during the pre-application meeting on the 15th June 2023.

In accordance with the Inspectorate's Advice Note Six: Preparation and submission of application documents, the GIS shapefile of the land over which authorisation is sought within the application was provided by email on the 20th September 2023.

A completed Section 55 Checklist **[EN070008/APP/1.2]** has been provided with the Application to assist the Inspectorate with confirming that the application can be accepted for examination.

2. Application Formalities

This Application is made within the context required by Section 37(3) of the PA 2008 and the application documents comply with the requirements in Section 37 of the PA 2008 and those set out in:

- a. The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations)
- b. The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)
- c. The Department for Communities and Local Government's (DGLC, now called the Department for Levelling Up, Housing and Communities) 'Planning Act 2008: Nationally significant infrastructure projects – Application form guidance' (June 2013)
- d. The Department for Communities and Local Government Guidance 'Planning Act 2008: guidance on the pre-application process' (March 2015)
- e. The Inspectorate's 'Advice Note Six: Preparation and submission of application documents' (Version 11)

The Applicant confirms that the Inspectorate will be able to publish the Application (minus any necessary redactions and confidential documents) on the National Infrastructure Planning website following submission of the application.

The documents listed below are those that should not be published as these documents/plans contain confidential information, these are;

- Protected Species Report – Badger – Appendix 6-4 of the Environmental Statement **[EN070008/APP/6.4.6.4]**
- Ornithology Survey Report - Appendix 6-9 of the Environmental Statement **EN070008/APP/6.4.6.8].**

3. Description of the Proposed Development

The Viking CCS Pipeline ('the Proposed Development') comprises a new 24 " (609 mm) diameter onshore pipeline of approximately 55.5 km in length, which will transport Carbon Dioxide (CO₂) from the Immingham industrial area to the Theddlethorpe area on the Lincolnshire coast, where it will connect into the existing 36 " (921 mm) diameter offshore LOGGS pipeline.

The Proposed Development is an integral part of the overall Viking CCS Project, which intends to transport compressed and conditioned CO₂ received at a facility at Immingham to store in depleted gas reservoirs under the Southern North Sea. The offshore elements of the Viking CCS Project, including the transport of CO₂ through the LOGGS pipeline to the Viking gas fields under the North Sea, are subject to a separate consenting process.

The key components of the Proposed Development comprise:

- Immingham Facility;
- Approximately 55.5 km 24 inch (") onshore steel pipeline (including cathodic protection);
- Three Block Valve Stations;
- Theddlethorpe Facility;
- Existing LOGGS pipeline and isolation valve to the extent of the Order Limits at Mean Low Water Springs (MLWS);
- Permanent access to facilities;
- Mitigation and landscaping works;
- Temporary construction compounds, laydown, parking and welfare facilities;
- Temporary access points during construction.

Further details of each element of the Proposed Development are set out in Chapter 3 of the Environmental Statement **[EN070008/APP/6.2.3]**

4. Consent Flexibility

The Applicant has considered the Overarching National Policy Statement for Energy (NPS EN-1), the National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (NPS EN-4) and the Inspectorate's 'Advice Note Nine: Rochdale Envelope', along with pre-application advice received from the Inspectorate. The inclusion of flexibility provided for within the Draft Development Consent Order (DCO) provides the Applicant with the opportunity to consider emerging environmental or engineering constraints that may arise post-consent during the construction phase.

The Works Plans **[EN070008/APP/4.2]** and the limits of deviation as described in Part 2 of the Draft DCO **[EN070008/APP/2.1]** provide an appropriate degree of flexibility to allow some design deviation. Having the ability to deviate within the limits of deviation is important to ensure that during the detailed design and construction phase post consent, there is reasonable flexibility to design and construct the Proposed Development.

5. Habitats Regulations Assessment

The Application includes a Habitats Regulations Assessment Screening Report (HRA) **[EN070008/APP/6.5]** in accordance with the Inspectorate's 'Advice Note Ten: Habitats Regulations Assessments' and Regulation 5(2)(g) of the APFP Regulations. The HRA Report identifies all relevant European Sites and provides information for the competent authority to assess whether the Proposed Development is likely to have a significant effect on the integrity of any European Site. Five European

designated sites have been identified within 10 km of the Proposed Development, the assessment presents a review of the impact of the construction, operation and decommissioning scenarios on the sites.

6. Compulsory Acquisition

To secure delivery of the Proposed Development, the Applicant is seeking powers for the compulsory acquisition of land or the rights to land where an agreement has not been reached. The applicant is seeking powers to acquire land, rights over land, interest in land and other related powers in the Draft DCO [EN070008/APP/2.1]. For the purposes of the Proposed Development these are listed in the Book of Reference [EN070008/APP/3.3] and shown on the Land Plans [EN070008/APP/4.3]. The following colours have been used in the Land Plans to show the type of acquisition and rights required for each plot of land.

Pink: Permanent acquisition

Yellow: Permanent acquisition of subsurface

Light blue: Permanent rights and temporary use

Green: Temporary possession and use.

The Statement of Reasons [EN070008/APP/3.2] outlines why powers are sought for each land parcel and the Schedule of Negotiations and Powers Sought [EN070008/APP/3.4] provides a summary of the discussions and negotiations with land interests.

Details of the adequacy of the funding for compensation are provided in the Funding Statement [EN070008/APP/3.1], submitted in accordance with Regulation 5(2)(h) of the APFP Regulations.

7. Other Consents

Other consents and licences that do not form part of the Draft DCO but are likely to be required in relation to the construction and operation of the Viking CCS Pipeline and associated development, are set out in the Consents and Agreements Position Statement [EN070008/APP/7.2].

8. Pre-application Consultation

As required by Section 37(3)(c) of the PA 2008, the Application is accompanied by a Consultation Report [EN070008/APP/5.1] and supporting appendices [EN070008/APP/5.2], which provide details of the Applicant's compliance with sections 42, 46, 47, 48 and 49 of the PA 2008, the APFP Regulations, the EIA Regulations, and the relevant guidance. The Consultation Report provides details of the initial non-statutory consultation, further non-statutory consultation on changes to the pipeline route corridor, statutory consultation and further consultation.

The Consultation Report sets out the responses to non-statutory and statutory consultation and how, under section 49 of the PA 2008, the Applicant has had regard to the relevant responses received through the design iteration of the Proposed Development.

9. Pre application engagement with the Inspectorate.

The Applicant has had careful regard to the pre-application process and has been actively involved in pre-application discussions with the Inspectorate since January 2022. The Applicant has held a number of pre-application meetings with the Inspectorate. Meetings have been held virtually during January and October 2022, and March and June 2023. During the meetings the Applicant provided updates on the design, environmental constraints, programme for submission, consultation events and discussions with stakeholders.

The Applicant made a formal request to the Inspectorate on 29 March 2022 under Regulation 10(1) of the EIA Regulations to provide its written opinion as to the scope and level of detail of the information to be provided in the Environmental Statement (ES). On 14th November 2022 the Applicant, under Section 46 of the PA 2008, notified the Inspectorate that it intended to apply under Section 37 of the PA 2008 for a DCO for the Proposed Development.

In accordance with the Inspectorates Advice Note Six: Preparation and Submission of Application Documents, a selection of draft application documents were shared with the Inspectorate on the 1st August 2023 to verify that the documents have been prepared to the necessary standards. The documents shared with the Inspectorate comprised:

- Works Plans
- Land Plans
- Crown Land Plans
- Special Category Land Plans
- Book of Reference
- The draft Development Consent Order
- DCO Explanatory Memorandum
- An extract from the Statement of Reasons
- Consultation Report
- A list of the documents to be submitted with the application (including the volume number, document title, page count and for drawings the sheet size and scale).

Feedback on the draft documents was received by email on 13 September 2023. The Applicant has taken account of feedback received in finalising its application for submission where necessary.

10. Other Matters

Under Regulation 6(4) of the APFP Regulations, an application for the construction of a pipeline must be accompanied by details set out in subsections (a) to (g) of the

Regulations. These details can be found in the Planning Design and Access Statement. **[EN070008/APP/7.1]**.

In accordance with Regulation 5(3) of the APFP Regulations, all plans, drawings, or sections provided under Regulation 5(2) are no larger than A0 size, are drawn to an identified scale (not smaller than 1:2,500) and, in the case of plans, show the direction of north. The Location Plan **[EN070008/APP/4.1]** is at a scale smaller than 1:2500 to show the location of the Proposed Development in its wider geographical context. In accordance with Regulation 5(4), where a plan comprises three or more separate sheets, it is accompanied by a key plan showing the relationship between the sheets.

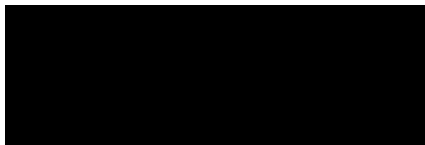
Under Regulation 5(2)(l) of the APFP Regulations, an application is required to provide a plan of certain nature conservation sites and an assessment of any effects caused by the Proposed Development on those sites and features. Under regulations 5(2)(m) there is an equivalent requirement relating to historic sites and features. Documents have been included within the Application to provide this information under Statutory and Non-Statutory Sites/Features of Nature Conservation Plan **[EN070008/APP/6.9.1 and 6.9.2]** and Plans Showing Statutory and Non-Statutory Sites/Features of the Historic Environment **[EN070008/APP/6.10]**. Plans showing the Waterbodies in a River Basin Management Plan are shown in figures **[EN070008/APP/6.9.3]**. It should be noted that a Hedgerow Survey Report is also included within Appendix 6-6 of the Environmental Statement **[EN070008/APP/6.5]**.

In accordance with Regulation 5(5) of the APFP Regulations, the Applicant retains all responses to the consultation carried out under Part 5 of the PA 2008 and can make them available at the request of the Inspectorate and/or Secretary of State.

The Applicant will keep all application documents under review and will endeavour to provide updates (where it considers it necessary to do so) during the examination of the Application when considering questions and comments received from the Examining Authority and Interested Parties.

We look forward to hearing from you in relation to a formal acceptance of this Application. If we can be of any assistance, please do not hesitate to contact us using the details provided below.

Yours sincerely,



Paul Davis

Viking CCS Onshore Development Manager

Harbour Energy

Appendix A: Overview of the Application Documents

The reports, drawings and plans that make up the DCO application have been organised into seven volumes as listed in the table below. The seven volumes are explained in further detail in the Guide to the Application **[EN070008/APP/1.5]**

Volume	Document Reference	Document Title
Volume 1 Application	1.1	Covering Letter
	1.2	Section 55 Checklist
	1.3	Application Form
	1.4	Electronic Application Index
	1.5	Guide to the Application
	1.6	Application Glossary
Volume 2 Draft Development Consent Order and Related Documents	2.1	Draft Development Consent Order
	2.2	Explanatory Memorandum to the Draft Development Consent Order
Volume 3 Compulsory Acquisition	3.1	Funding Statement
	3.2	Statement of Reasons
	3.3	Book of Reference
	3.4	Schedule of Negotiations and Powers Sought
Volume 4 Plans/ Drawings/ Sections	4.1	Location Plan
	4.2	Works Plans
	4.3	Land Plans
	4.4	Crown Land Plans
	4.5	Special Category Land Plans
	4.6	Immingham Facilities: Plot Plan, Routing, Elevations
	4.7	Theddlethorpe Facilities Option 1: Plot Plan, Routing, Elevations
	4.8	Theddlethorpe Facilities Option 2: Plot Plan, Routing, Elevations
	4.9	Indicative Northern Construction Compound Layout
	4.10	Indicative Central Construction Compound Layout

	4.11	Indicative Southern Construction Compound Layout
	4.12	Welfare and Parking Area Layout
	4.13	Laydown, Welfare and Parking Area Layout
	4.14	Washingdales Lane Block Valve Station Plan and Elevations
	4.15	Thoroughfare Block Valve Station Plan and Elevations
	4.16	Louth Road Block Valve Station Plan and Elevations
	4.17	Standard Trench Excavation Details
	4.18	Temporary Flume Design
	4.19	Indicative Bellmouth Designs
	4.20	Public Access and Rights of Way
	4.21	Landscaping Plans
Volume 5 Consultation	5.1	Consultation Report
	5.2	Consultation Report Appendices
Volume 6 Environmental Statement and Related Documents	6.1	Environmental Statement Volume 1: Non-Technical Summary
	6.2	Environmental Statement Volume 2: Main Text
	6.3	Environmental Statement Volume 3: Figures
	6.4	Environmental Statement Volume 4: Appendices
	6.5	Habitats Regulations Assessment
	6.6	Statement of Statutory Nuisance
	6.7	Biodiversity Net Gain
	6.8	Outline Landscape and Ecological Management Plan
	6.9	Plans of Statutory/Non-statutory Sites or Features of Nature Conservation Habitats of Protected Species, Important Habitats or other diversity features Waterbodies in a River Basin Management Plan
	6.10	Plans Showing Statutory/Non-statutory Features of the Historic Environment
	6.11	Public Rights of Way Management Plan
	6.12	Viking CCS Bridging Document
Volume 7 Other Reports	7.1	Planning Design and Access Statement including Policy Accordance Tables
	7.2	Consents and Agreements Position Statement
	7.3	Needs Case