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To the Applicant  
(By email only)

Your Ref:

Our Ref: EN070008

Date: 17 November 2023

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Dear Mr Wilson,

## **Planning Act 2008 (as amended) – Section 51**

### **Application by Chrysaor Production (UK) Limited for an Order Granting Development Consent for the Viking CCS Pipeline scheme**

#### **Advice following issue of decision to accept the application for examination**

On 17 November 2023 the Secretary of State decided that the application for the above project satisfied the acceptance tests under section 55 of the Planning Act 2008 (PA2008). The Planning Inspectorate's acceptance checklist and the application documents have been published and made available on the project page of our [website](#).

In undertaking checks at the acceptance stage, the Inspectorate has made some initial observations in relation to the application. This letter comprises advice to the Applicant provided under section 51 of the PA2008 in respect of these initial observations. The Applicant should pay close attention to its content and consider how appropriate action might be taken in response.

#### **Environmental Statement (ES)**

A number of outline management plans being relied upon for managing the effects of the proposed development are embedded within the ES as appendices. It is suggested that these become separate, standalone documents that are easier to access and navigate into. This also prevents double-counting in Article 44 where both the ES, and then the management plans as appendices to the ES, are listed as certified documents.

In addition, there are further management plans provided in the appendices to the ES (such as the surface water management plan, emergency response plan, soil management plan etc) that derive from the Construction Environmental Management Plan (CEMP). It is suggested these plans are filed, organised and labelled as appendices to the CEMP, rather than being appendices to the ES.

## Consultees identified on a precautionary basis

Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.

## Consultation Report

Chapter 5 of the Consultation Report (Document 5.1) and Part 2 of the Book of Reference (Document 3.3) identify "Category 3" consultees under section 44 of the Planning Act 2008. However, paragraph 5.4.9 of the Consultation Report states no Category 3 persons were written to at the beginning of the statutory consultation period without justification as to why. The Applicant should consider the extent to which the identification of and consultation with Category 3 consultees is robust and fully documented in the updated Book of Reference to ensure that potentially Interested Parties are aware of the examination process going forward.

## Minor errors and omissions

There are minor errors and omissions, as detailed in Box 30 of the s55 checklist. An Examining Authority, once appointed, may ask questions regarding these matters or request updated documents unless these are provided.

## Summary

Please pay close attention to the advice set out in this letter and previous advice issued regarding [draft documents](#) and act on it accordingly. Where not following the advice given, provide a justification for not doing so. Points 14, 15, 80 and 85 of the draft documents feedback are some examples of this. This will contribute towards a more efficient examination and give any future Examining Authority comfort that the documentation is complete and accurate.

We trust you find this advice helpful, however if you have any queries on these matters, please do not hesitate to contact our office using the contact details at the head of this letter.

Yours sincerely

*Caroline Hopewell*

Caroline Hopewell  
**Case Manager**

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