

EAST LINDSEY DISTRICT COUNCIL

LOCAL IMPACT REPORT

VIKING CARBON CAPTURE SCHEME

1. Terms of Reference.

Introduction.

- 1.1 The report comprises the Local Impact Report (LIR) of East Lindsey District Council (ELDC).
- 1.2 The Local Authority has had regard to the purpose of LIRs as set out in s60(3) of the Planning Act 2008 (as amended), DCLG's Guidance for the examination of applications for development consent and the Planning Inspectorate's Advice Note One, Local Impact Reports, in preparing this LIR.
- 1.3 It should be noted that ELDC has and continues to engage with this NSIP project – its promoters and technical advisers – as the project progresses through the Examination process. The Council has identified several issues throughout the process and continues to work with the project team in a collaborative and proactive way to seek to find solutions where possible.
- 1.4 In addition ELDC submitted a Relevant Representation and is in process of agreeing a Statement of Common Ground (SOCG). As such the LIR should be read in conjunction with those documents. The Council also reserves the right to amend or supplement this LIR should it become necessary as the Examination progresses, such as to respond to updated information or an amended SOCG.

Purpose and Structure of the LIR

- 1.5 The LIR's primary purpose is therefore to identify the policies in Local Plans as far as they are relevant to the proposed development and the extent to which the development accords with these policies. It does this under topic-based headings reflecting the likely nature of impacts. The key issues for the local authority and the local community are then identified, followed by commentary on the extent to which the applicant addresses these issues by reference to the application documentation, including the DCO articles, requirements and obligations, as relevant.
- 1.6 It is noted and accepted that an array of statutory and non-statutory consultees have and continue to engage with the DCO process, including provision of their own comments. This LIR does not seek to supplement any comments made by those parties, as it is understood that the Inspector will take these into consideration in any event. Commentary is only provided in so far as they may be relevant to the Council's position on the relevant issues.

2. Description of the Area.

- 2.1 The site comprises of land at Immingham for the carbon capture facility and then follows the route of the proposed underground pipeline to the former gas facility at Theddlethorpe. The Immingham facility and the northern part of the pipeline fall outside of the East Lindsey District. With regard to the parts of the development in the East Lindsey District this comprises of the pipeline route to the west and south of North Thoresby, running southwards to the west of Fulstow, Covenham St Mary, Yarborough, Alvingham and heading to the south of North Cockerington and north of South Cockerington. To the east of Gimoldby and Manby and turning eastwards to the south of Theddlethorpe All Saints and eastwards to the former Theddlethorpe gas facility. The pipeline route is through countryside and mainly farmland. The elements of the proposal in East Lindsey comprise of:
South Construction Compound – temporary;
Louth Road Block Value Station;
Theddlethorpe Facility (Option 1 or 2);
Lincolnshire Offshore Gas Gathering System Pipeline (LOGGS);
Dune Isolation Value; and
Pipeline – approximately 30 kilometres.
- 2.2 It is considered that the application documents clearly and robustly set out the context for the proposal and various locations. They also clearly identify the scale of the proposals relative to any nearby structures and buildings.

3 Statutory Development Plan

- 3.1 The Planning and Compulsory Purchase Act 2004 section 38 (3)(b) (as amended) describes the development plan as the development plan documents which have been adopted or approved in relation to that area.
- 3.2 These are the East Lindsey Local Plan adopted July 2018 (ELLP) and the Lincolnshire County Council Minerals and Waste Local Plan (LCCM&WLP).
- 3.3 It is considered that the Environmental Statement, and other supporting documents submitted with the Development Consent Order clearly articulate the relevant planning policy context.

ASSESSMENT OF IMPACT AND ADEQUACY OF RESPONSE

4. Introduction

- 4.1 Leading on from the description of the area the proposal has the following impacts that the Examining Authority will need to consider. The Local Impact Report guidance indicates this report should provide a statement of positive, neutral, and negative local impacts but should not contain a balancing exercise, as that is for the Examining Authority.

- 4.2 In addition ELDC submitted a Relevant Representation and is in process of agreeing a Statement of Common Ground (SOCG). As such the LIR should be read in conjunction with those documents.
- 4.3 The following is a summary list of impacts, these impacts can either be directly or in-directly attributed to the development. They also include residual impacts taken after designed-in mitigation measures have been applied. Many are contained in the Council's Relevant Representation.

Potentially Positive Impacts

- Facility will aid the UK Government to meet the target of achieving net zero by 2050.
- Employment and improvement in skills from the proposed development.
- Level of direct and in-direct investment locally as a result of construction and operation of the facility.

Potentially Neutral Impacts

Potentially Negative Impacts

- The impact Ecology and Biodiversity.
- The impact on Geology and Hydrogeology.
- The impact on the Water Environment including Flood Risk
- The impact from Noise and Vibration.
- The impact on public rights of way, recreation and tourism,
- The impact on an Ashleigh Farm Grade II listed building and other heritage assets including archaeology.
- Impact on Socio-Economics.
- Impact of Health and Wellbeing.
- Impact from Materials and Waste.

- 4.4 The following sections identify the relevant policies within the development plan, the key issues raised by the proposed development and the extent to which the applicant addresses them and thus the proposal complies with local policy.
- 4.5 The following commentary will focus on the ELLP and the Environmental Statement (ES). The LCCM&WLP will be left for the County Council to consider against the proposal given their role as the Minerals and Waste Planning Authority.

5. The Principle of the Development

Local Plan Policy

- 5.1 Strategic Policy 28 (SP28) – Infrastructure and S106 Obligations. This policy relates to infrastructure schemes such as this one. Clause one of the policy states that "*Infrastructure schemes will be supported provided they are*

essential in the national interest; contribute to sustainable development, and respect the distinctive character of the district". Clause two advises that: "Infrastructure schemes should be accompanied by an impact assessment that shows how the proposal impacts on the landscape or local setting of the area, including individual and cumulative effects. It should identify what steps have been taken to minimize its effects and the alternative options that have been considered."

Commentary

- 5.3 It is the Council's view that the principle of the proposal would broadly comply with this policy being in the national interest and aiding the UK Government to meet the target of achieving net zero by 2050.

Adequacy of the application/DCO

- 5.4 The Environmental Statement (ES) for the application contains chapters that address the issues raised in the criteria of the above policy. It contains adequate information for the Examination Authority to assess levels of compliance with the criteria and the weight to be applied to it and national policy. The Council does not therefore raise any concerns regarding the broad principle of the development.

6. Ecology and Biodiversity

6.1 Local Plan Policy

Strategic Policy 24 (SP24) of the ELLP relates to biodiversity and geodiversity. This policy seeks to protect and enhance the biodiversity and geodiversity value of land and buildings and sites designated internationally, nationally, or locally for their biodiversity and geodiversity importance, species populations and habitats identified in the Lincolnshire Biodiversity Action Plan and the Natural Environment and Rural Communities (NERC) Act 2006. It also states that development which directly or indirectly leads to loss or harm to ancient woodland or aged or veteran trees, in exceptional circumstances, where the developer can demonstrate that the wider benefits of that loss clearly outweigh the protection of the trees.

6.2 Commentary

Biodiversity is a potentially negative impact. Concern has been raised regarding the method for the baseline habitat surveys and the reptile surveys undertaken in 2021 which are considered out of date. It is currently unclear as to which areas of habitat will be affected during the construction and operational phases of the project. This needs to be quantified and assessed for the whole of the pipeline route. It is also currently unclear if there will be any temporary or permanent losses of the coastal habitats east of the Theddlethorpe Facility which is located within the East Lindsey District Council

area. BNG should be discussed in greater detail within the chapter, reference should also be made to the Initial Biodiversity Net Gain Assessment. Where onsite mitigation cannot be delivered to compensate for the effects of habitat losses and disturbance, off-site opportunities should be explored.

6.3 Adequacy of the application/DCO

The ES contains Chapter 6 on Ecology and Biodiversity and a Shadow Habitat Regulations Assessment to inform Appropriate Assessment has also been prepared. The Chapter requires updating to address a number of comments, in particular, the assessment and mitigation measures relating to effects upon habitats from the Project. The Shadow Habitat Regulations Assessment provides the required information, however there are comments which may require addressing with regard to the mitigation measures recommended for lamprey, chalk streams and associated designations.

7. Landscape and Visual

7.1 Local Plan Policy

Strategic Policy 10 (SP10) - Design. This policy relates to the design of new development. It sets out criteria by which the Council will support well-designed sustainable development which maintains and enhances the character of the District's towns, villages and countryside and goes on to require providing on-site landscaping to integrate the development into its wider surroundings.

7.2 Commentary

The impact assessment appropriately identifies the magnitude of changes arising from the development, the degree / nature of effects, and the approach to judging the significance of those effects. The assessment identifies that there will be no significant residual effects on landscape receptors as a result of the construction and operation of the proposed development. With regards to potential visual effects, there is the potential for a significant residual effect at one location within the boundary of East Lindsey District Council during construction, Viewpoint 17 – Station Road, Ludborough, this is reduced to not significant during the operational stage. All other visual effects within the boundary of East Lindsey District Council are considered not to be significant. The assessment provides sufficient objective detail and assessment of effects at construction, operation, decommissioning stages. The chapter outlines the embedded and additional mitigation measures applicable to the receptors identified within the chapter.

7.3 Adequacy of the application/DCO

No technical errors have been identified that would lead to significant challenge of ES Chapter 7: Landscape and Visual. Given that the LVIA /

process incorporates a degree of 'subjective' professional judgement, there is inherently potential challenge of the assessed magnitude and significance of effect. That said the LVIA chapter is transparent, coherent and adopts a robust methodology. Visual effects will be mitigated through various embedded mitigation measures as proposed by the documents supporting the DCO.

8. Historic Environment

8.1 Local Plan Policy

Strategic Policy 11 (SP11) - Historic Environment of the ELLP aims to secure the continued protection and enhancement of heritage assets in the district and support proposals that preserve and enhance heritage assets and their setting and the special character, appearance and setting of conservation areas.

8.2 Commentary

There are many types of historic environment that will be impacted in some way by the proposal. Within the East Lindsey District Pipeline Section 5 and Theddlethorpe Facility Option 2 have the potential to impact on the setting of one designated heritage asset, this is grade II listed Ashleigh Farm. Several non-designated heritage assets have also been identified. These are Dicote House, The Poplars, Lordship Farm, Grange Farm and Little Dams. Similarly, to before, it states that any impact on these assets will be temporary. The trenches will be excavated and backfilled, therefore the works would have a neutral impact with the exception being Ashleigh Farm. With regard to the archaeological impacts, we would adopt the position of Lincolnshire County Council.

8.3 Adequacy of the application/DCO

Ashleigh Farm grade II listed potential impact on setting especially from Option 2 facility. Any impact on the non-designated heritage assets will be significant but temporary. The trenches will be excavated and backfilled, therefore the works would have a neutral impact.

9. Geology and Hydrogeology

9.1 Local Plan Policy

Strategic Policy 24 (SP24) of the ELLP relates to biodiversity and geodiversity. Geodiversity is the term used to refer to physiographical and geomorphological features, such as rocks, minerals, fossils, soils, and landforms.

9.2 Commentary

The impact assessment considered the potential impacts on human health, geology and hydrogeology receptors during the construction phase. Identified

receptors that may be impacted during the operational phase include geology, hydrogeology and development infrastructure. The potential impacts to the identified receptors are clearly and robustly assessed during the construction and operational phase. Decommissioning impacts would be similar in nature to those of construction. The potential for the decommissioned pipeline to act as a preferential pathway has not been identified or discussed. A cross reference to Chapter 3 Description of the Proposed Development, specifically section 3.15 should be added as this provides details of the potential decommissioning activities including details of capping of the pipeline.

9.3 Adequacy of the application/DCO

Overall Chapter 9 Geology and Hydrogeology has adopted a coherent and robust approach to the assessment of the potential impacts associated with the construction and operation of the Viking CCS pipeline. However, additional detail is needed with regards to the decommissioning of the pipeline to demonstrate that it would not create a preferential pathway for the migration of contaminants. A detailed hydrogeological risk assessment will also be required prior to the commencement of construction works –

10. Agriculture and Soils

10.1 Local Plan Policy

Strategic Policy 24 (SP24) of the ELLP relates to biodiversity and geodiversity. Geodiversity is the term used to refer to physiographical and geomorphological features, such as rocks, minerals, fossils, soils, and landforms. Commentary at 12.17 of the ELLP advises Soil is a finite resource and fulfils many roles that are beneficial to society. As a component of the natural environment, it is important that soils are protected and used sustainably. Soils of high environmental value (e.g. wetland and carbon stores such as peatland) should also be considered as part of ecological connectivity.

10.2 Commentary

The impact assessment considered the potential impacts on agricultural land and soil resources. The potential impacts to the identified receptors are clearly and robustly assessed during the construction phase. It is noted that potential impacts associated with the decommissioning of the pipeline would be similar in nature to those during construction, as such a separate assessment has not been included within the chapter.

10.3 Adequacy of the application/DCO

No technical errors have been identified that would lead to the challenge of ES Chapter 10 Agriculture and Soils. The chapter, and its associated appendices, are transparent, coherent and adopts a robust methodology. The chapter is therefore considered adequate for the Examination Authority to assess the

agriculture and soil impacts associated with the construction, operation and decommissioning of the Viking CCS pipeline.

11. Water Environment

11.1 Local Plan Policy

Strategic Policy 10 (SP10) - Design. Clause 9 requires that: *"Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source."* Strategic Policy 17 (SP17) - Coastal East Lindsey. This policy sets out which settlements and areas the coastal policy applies to, which includes those areas of the development shown to be in the combined Flood Hazard Map of East Lindsey on The Coastal Zone map at the start of Chapter 10 in the ELLP. For those areas of the development which fall outside the Coastal Zone Strategic Policy 16 (SP16) - Inland Flood Risk will be relevant which also refers to surface and foul water. SP17 and SP16 both require developments to provide adequate flood mitigation measures.

11.2 Commentary

The above policies of the ELLP relates to surface water and ground water. As there is a significant risk of coastal/tidal flooding to the project, the need to consider emergency planning matters is of key importance. Whilst the FRA mentioned the need for a Flood Warning and Evacuation Plans, there is no detail on what this would entail, including time to onset and depth of flooding related to evacuation. Linked to the above there is no consideration of the differences in flood risk during the construction phase vs the operational phase. As such, there appears to be no cross reference to the Code of Construction Practice (CoCP) in the FRA – as a document / mechanism for setting out the measures to be included during the construction phase. FRA assesses the impact of flooding during the construction and operational phases of the development. However, there is no discussion on the decommissioning phase and reinstatement of land/drainage following completion of the project to ensure there is no long-term impact on flood risk

11.3 Adequacy of the application/DCO

The assessment includes consideration of impacts to surface water quality, water resources, hydromorphology, flood risk and drainage during construction, operation, and decommissioning. Impacts and effects are clearly explained and assessed. Embedded and additional mitigation is comprehensive, and it is clear how the mitigation will be secured. In the assessment, clearer links are needed to relevant impacts from Chapter 9, which assesses groundwater features. Overall, residual effects for the proposed development on the Water Environment are minor adverse to negligible and therefore not considered to be significant. It is considered the

ES contains adequate information for the Examination Authority to assess the impact of the proposal on water environment issues. A Water Environment Regulations (WFD) assessment is considered in Appendix 11.4, and an FRA assessment in Appendix 11.5. Appendix 11.4 requires further detail to make clear that operational impacts have been properly assessed. At the moment this is not clear.

12. Traffic and Transport

12.1 Local Plan Policy

Strategic Policy 22 (SP22) - Transport and Accessibility. This policy of the ELLP sets out the criteria for transport and accessibility for development within the district.

12.2 Commentary

Regarding the traffic and transport impacts we would adopt the position of Lincolnshire County Council Highway Authority.

12.3 Adequacy of the application/DCO

Regarding the traffic and transport impacts we would adopt the position of Lincolnshire County Council Highway Authority.

13. Noise and Vibration

13.1 Local Plan Policy

Strategic Policy 10 (SP10) - Design. Clause 5 requires states that development will be supported provided it does not unacceptably harm any nearby residential amenity.

13.2 Commentary

There is the potential for construction and operational noise and vibration to impact on human health and result in a negative impact.

13.3 Adequacy of the application/DCO

There are a number of inadequacies within the Noise and Vibration chapter which need to be addressed which have been provided to the applicant.

14. Air Quality

14.1 Local Plan Policy

Strategic Policy 10 (SP10) - Design. Clause 5 requires states that development will be supported provided it does not unacceptably harm any nearby residential amenity.

14.2 Commentary

Air quality is a potentially negative impact. There will be impact locally during construction, owing to dust from building operations, disturbance of soil and traffic.

14.3 Adequacy of the application/DCO

The ES contains Chapter 14 that discusses air quality. An updated version was submitted in October 2023. It considers particulates from transport emissions and advises that dust and non-mobile machinery emissions will be controlled a management plan submitted with the application (Document references 6.4.3.1). As such it is considered the ES contains adequate information for the Examining Authority to assess the impact of the proposal on air quality. This document is implemented through Requirements 5 in the DCO.

15. Climate Change

15.1 Local Plan Policy

The ELLP does not have a single policy that considers this issue. However Strategic Policy 27 (SP27) – Renewable and Low Carbon Energy is aimed at supporting low carbon developments.

15.2 Commentary

The facility when operational will aid the UK Government to meet the target of achieving net zero by 2050. However as set out below this has to be balanced against the impacts of construction and decommissioning phases.

15.3 Adequacy of the application/DCO

The significance of GHG emissions released from the project is presented in Section 15.9, Residual Effects. With consideration of the project's contribution to GHG emissions to the UK carbon budget. The assessment concluded that the construction, operation and decommissioning of the project would have a negligible contribution to the UK carbon budget and therefore have a minor adverse effect on climate which is deemed as not significant. In addition, it was concluded that the pipeline as part of the wider Viking CCS Project would cause a reduction in atmospheric GHG concentrations and was therefore assessed as having a beneficial effect on the climate. This is an accepted outcome, although is not supported by evidence, and therefore the conclusions would be stronger if details of avoided emissions could be provided.

16. Socio-Economics

Local Plan Policy

16.1 Strategic Policy 13 (SP13) – Inland Employment and Strategic Policy 21 (SP21) – Coastal Employment. Both these policies are relevant as part of the

pipeline and the facility at Theddlethorpe falls within the Coastal Zone as set out in SP17 of the ELLP, whilst the remainder of the pipeline and the Block Value Station fall within Inland East Lindsey. Both these policies seek to protect allocated employment land however they also seek to encourage strengthening the rural economy by supporting development where it can provide local employment.

16.2 Commentary

The assessment does the minimum amount required to be considered acceptable. The economic methodology relies on single, unexplained assumptions to which it applies basic methodologies. However, it is unlikely that any further details provided would change the overall assessment of significance due to the large size of the Economic Impact Study Area. The assessment of Public Rights of Way and Community Severance is acceptable. The assessment of amenity effects on private assets is based on professional judgement which should be justified further. Further information should be requested regarding:

Justification for two or more significant effects required for the assessment of amenity effects;

Justification for scoping out of impact of transient workforce on services such as accommodation; and

List of Lower-Layer Super Output Areas used to define Local Economic Study Area.

16.3 Adequacy of the application/DCO

Chapter 16 of the ES considers Socio-economics that was submitted in October 2023. We will continue to work with the Developer to consider the socio-economic impact of the proposal and we are requesting areas of clarification but consider the information adequate for the Examination Authority to begin assessing the impact of the proposal on these issues.

17. Health and Wellbeing

17.1 Local Plan Policy

The ELLP does not have a single policy that considers this issue. However Strategic Policy (SP10) – Design seeks to ensure raising the quality of the built environment which impacts on the health and wellbeing of the local population.

17.2 Commentary

No residual effects are forecast in relation to health and wellbeing, but the two issues of 'venting impacts on health' (scoped out) and 'increased demand to healthcare services' during construction should be questioned by ELDC to

confirm acceptability of these assessments and ensure mitigation is appropriate.

17.3 Adequacy of the application/DCO

ES Health and Wellbeing chapter considered good, and reflective of guidance. The exception is the potential impacts from venting and access to healthcare as previously mentioned and we recommend that further assurances and evidence is provided by the applicant on these matters.

19. Materials and Waste

Local Plan Policy

The relevant document in this case is the Lincolnshire County Council Minerals and Waste Local Plan (LCCM&WLP).

Commentary

In relation to waste and minerals we would adopt the position of Lincolnshire County Council Highway Authority.

Adequacy of the application/DCO

In relation to waste and minerals we would adopt the position of Lincolnshire County Council Highway Authority.

20. Major Accidents and Disasters

Local Plan Policy

Strategic Policy 10 (SP10) - Design. Clause 10 of this policy requires that: *"Development will only be supported around hazardous uses if it contains adequate provision to mitigate against threat from the hazardous use and does not conflict with that use."*

Commentary

In relation to major accidents and disasters we would adopt the position of Lincolnshire County Council Highway Authority and Health and Safety Executive.

Adequacy of the application/DCO

In relation to major accidents and disasters we would adopt the position of Lincolnshire County Council Highway Authority and Health and Safety Executive.

21. Cumulative Effects

Local Plan Policy

The ELLP does not have a single policy that considers this issue. However SP10, SP11, SP23 and SP24 do refer to elements of a proposal and the impact on landscape, visual, on historic assets, landscape and biodiversity and geodiversity.

Commentary

ES Chapter 20 Cumulative Effects Assessment, states that "The relevant Local Planning Authorities (LPA) were consulted on 16 May 2023 on the production of the Long List" (of projects for consideration cumulatively), with additional comments from ELDC incorporated from 6 June 2023 in relation to two additional projects for consideration.

Adequacy of the application/DCO

The ES Chapter 6 assessment identified minor adverse residual effects on receptors during the construction phase (e.g. national and international statutory designated sites, some habitats and species) and operational phase have been identified. The impacts from a single development or a single environmental impact may not be significant on their own but when combined with other developments or impacts these effects could become significant. We would therefore recommend reviewing other developments likely to affect those same receptors where residual effects are assessed as minor in the ES Chapter 6 (e.g. Humber Estuary SPA). This should be done by assuming a worst-case scenario and/ or detailing any cumulative effect arising from different residual effects of the developments where no details are given or available. The list of nearby projects has been updated in this Authority's response to the Examining Authority's first written questions.