

Viking CCS Pipeline

9.13 Planning Design and Access Statement Addendum

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

- 1.1.1 An application for Development Consent for the Viking CCS Pipeline was submitted to the Planning Inspectorate in October 2023 and was subsequently accepted on 17th November 2023. An updated suite of National Policy Statements (NPS) for energy were subsequently published by the Department for Energy Security and Net Zero (DESNEZ) in November 2023. The new suite of NPS were designated and came into force on 17 January 2024, superseding the earlier NPSs for energy. The content of the updated NPS for energy are important and relevant considerations in the determination of this application.
- 1.1.2 The Planning Design and Access Statement [APP-129] submitted with the application in October 2023 included tables setting out the Proposed Development's compliance with the relevant policies in the Overarching NPS for Energy EN-1 and NPS for Natural Gas Supply Infrastructure and Gas and Oil Pipelines EN-4 adopted in 2011 and the draft versions published in draft during March 2023.
- 1.1.3 Following the adoption of the new suite of NPS for energy, this document is provided as an addendum to the Planning Design and Access Statement [APP-129]. The Planning Act 2008 (PA 2008) outlines at Section 104 the approach to be taken to decision-making where an NPS has effect in relation to that type of development, and at Section 105 where no NPS has effect.
- 1.1.4 Whilst NPS EN-1 has effect in relation to carbon capture storage pipeline infrastructure, its transitional provisions provide that it will only have effect in relation to applications for development consent accepted for Examination after its designation in January 2024. As such, the Application continues to fall within the scope of Section 105 of the PA 2008, for the reasons outlined in chapter 2 the Planning Design and Access Statement.
- 1.1.5 Section 105 of the PA 2008 sets out the matters which the Secretary of State (SoS) should have regard to when making decisions for applications where no NPS has effect. Section 105(2) requires that, in decision making the SoS must have regard to any local impact report prepared by the relevant local planning authority; any matters prescribed in relation to development of the description to which the application relates; and any other matters which the SoS thinks are both important and relevant.
- 1.1.6 The updated NPSs are considered to contain that the policies and provisions that are important and relevant in decision making for this Application.

2 Planning Appraisal

The need for new nationally significant carbon capture and storage infrastructure

- 1.1.7 NPS EN-1 provides considerable policy support for carbon capture and storage (CCS) infrastructure. EN-1 sets out the Government's objectives for the energy system: to ensure a secure, reliable and affordable supply of energy, which is consistent with the target to cut greenhouse gas emissions to net-zero by 2050. Paragraph 2.3.4 notes that meeting these objectives necessitates a significant amount of new energy infrastructure, including the infrastructure needed to capture, transport and store carbon dioxide.
- 1.1.8 Paragraph 3.5.1 states that there is an "urgent need" for new CCS infrastructure to support the transition to a net zero economy, with paragraph 3.5.2 noting that the Climate Change Committee consider CCS to be a necessity in reaching net-zero. Paragraph 3.5.3 notes that the UK's Net Zero Strategy and Industrial Decarbonisation Strategy have reaffirmed the importance of CCS infrastructure in decarbonising energy intensive sectors such as chemicals and oil refining.
- 1.1.9 Paragraph 3.5.4 sets out the Government's aim to use carbon capture, utilisation and storage technology to capture and store between 20 to 30 million tonnes of carbon dioxide equivalent annually by 2030, which will "require the timely development and deployment of CCS infrastructure". As paragraph 3.5.5 notes, the UK has one of the largest potential carbon dioxide storage capacities in Europe, with an estimate 78 billion tonnes of carbon dioxide storage capacity under the seabed.
- 1.1.10 Paragraph 3.5.9 notes that the alternatives to new CCS infrastructure for delivering net zero by 2050 are limited. Alternative methods of decarbonising industry are limited as many emissions are process emissions. CCS infrastructure therefore has "an essential role to play", either on its own or in combination with other decarbonisation methods.
- 1.1.11 The Proposed Development will make a significant contribution to achieving these national policy aims, as more fully set out in the Planning Design and Access Statement [APP-129] and the Need Case for the Scheme [APP-131].

2.1 Carbon capture and storage infrastructure as critical national priority infrastructure

- 1.1.12 One of the key changes introduced through NPS EN-1 is the classification of certain forms of infrastructure as critical national priority (CNP) infrastructure.
- 1.1.13 Paragraph 4.2.2 notes that ensuring that the UK is more energy independent, resilient and secure requires the smooth transition to abundant, low-carbon energy. The UK's strategy to increase supply of low carbon energy is dependent on the deployment of, amongst other technologies, carbon capture, utilisation and storage. Energy security and net zero ambitions can only be delivered if the development of new low carbon sources of energy is enabled at speed and scale.
- 1.1.14 Paragraph 4.2.4 states that the Government has therefore concluded that there is a critical national priority for the provision of nationally significant low carbon infrastructure. Paragraph 4.2.5 notes that CNP infrastructure will include energy infrastructure, pipelines and storage infrastructure which fit within the normal definition of "low carbon", including carbon dioxide distribution. In addition, paragraph 3.5.8 states that, to support the urgent

need for new CCS infrastructure, CCS technologies, pipelines and storage infrastructure are considered to be CNP infrastructure.

- 1.1.15 Paragraph 3.3.63 notes that, subject to any legal requirements, the urgent need for CNP infrastructure in achieving energy objectives, together with national security, economic, commercial and net zero benefits, will in general “outweigh any other residual impacts not capable of being addressed by application of the mitigation hierarchy”. It further states that Government “strongly supports the delivery of CNP infrastructure and it should be progressed as quickly as possible”.
- 1.1.16 Paragraph 4.1.7 adds that, for projects which qualify as CNP infrastructure, it is likely that the need case will outweigh the residual effects in all but the most exceptional cases. This presumption, however, does not apply to residual impacts which present an unacceptable risk to, or interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero. This exception also applies to residual impacts which present an unacceptable risk to, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.
- 1.1.17 As a form of nationally significant low carbon infrastructure, the Proposed Development would constitute CNP infrastructure for the purposes of NPS EN-1.
- 1.1.18 The design for the Proposed Development has evolved to avoid impacts to the environment, and where impacts occur the applicant has sought to reduce the significance through the adoption of mitigation. Nevertheless, a limited number of residual significant adverse effects would remain as outlined in Chapter 21 of the ES [APP-063]. The residual effects are limited to:
- Landscape and visual impact at a limited number of visual receptors.
 - Historic environment to views from listed buildings and potential buried remains
 - Agriculture and soils resulting from the loss of 0.2ha of grade 2 agricultural land.
 - Traffic and transport resulting from severance, fear and intimidation associated with construction traffic.
- 1.1.23 The Proposed Development will not present an unacceptable risk to, or unacceptable interference with, human health and public safety, defence, irreplaceable habitats or unacceptable risk to the achievement of net zero, or unacceptable interference offshore to navigation, or onshore to flood and coastal erosion risk.
- 1.1.24 The Proposed Development will also assist in achieving net zero and the Environmental Statement sets out in Chapter 21 [APP-063] that the project will result in a beneficial effect.
- 1.1.25 It is considered that the Proposed Development is infrastructure that is a critical national priority for which there is both a compelling need and considerable policy support, as set out in NPS EN-1.
- 1.1.26 Overall, the updated NPS provide further support for carbon capture, storage and transportation developments. The updated policies are considered to significantly strengthen the needs case for the Proposed Development and should be given considerable weight in the planning balance.