

Viking CCS Pipeline

8.3 Draft Statement of Common Ground – Lincolnshire County Council

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Applicant: Chrysaor Production (U.K.) Limited,
a Harbour Energy Company
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This Draft Statement of Common Ground has been agreed between Chrysaor Production (UK) Limited and Lincolnshire County Council on the day specified below

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Duly Authorised for and on behalf of Lincolnshire County Council

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1 Introduction

1.1 Overview

1.1.1 This Statement of Common Ground (SoCG) has been prepared by Chrysaor Production (UK) Ltd (the 'Applicant') in conjunction with Lincolnshire County Council in respect of the Viking CCS Pipeline project (the 'Proposed Development').

1.1.2 The SoCG sets out the matters of agreement between the Applicant and Lincolnshire County Council and also explains those matters which, at the time of writing, remain unresolved between the parties. The agreements to date have been reached through consultation and continuing discussions between the parties through online meetings.

1.2 The Role of Lincolnshire County Council

1.2.1 Lincolnshire County Council is one of the five local planning authorities within the Order limits. Lincolnshire County Council determines planning applications for the majority of development types in the district and has a statutory duty to prepare a local development plan.

1.2.2 As a host local authority, Lincolnshire County Council has specific responsibilities, including:

- Responding to consultations by the applicant:
- Discussing DCO requirements and legal agreements with the applicant:
- Providing 'adequacy of consultation' responses to PINS:
- Preparing statements of common grounds and local impact reports: and
- Submitting written representations to PINS and participating in the examination process.

1.3 Purpose of this Statement of Common Ground

1.3.1 The purpose of this document is to summarise the agreements reached between the parties on matters relevant to the examination of the application and to assist the Examining Authority ('ExA'). It also sets out the matters that remain unresolved at the time of writing, but which both parties are working positively toward resolving. As such, it is expected that further iterations of the SoCG will be submitted to the ExA throughout the Examination and prior to the making of any Development Consent Order ('DCO') for the Proposed Development.

1.3.2 The SoCG has been prepared with regard to the guidance in 'Planning Act 2008: examination of applications for development consent' (Department for Communities and Local Government, March 2015).

1.3.3 The remainder of this SoCG is structured as follows:

- Section 2 - Summary of consultation and discussions; and
- Section 3 - Position of the parties

1.4 Status of this Statement of Common Ground

1.4.1 This SoCG is currently in draft form.

2 Summary of Consultation and Discussions

Introduction

2.1.1 In addition to the consultation undertaken as part of statutory consultation, there have been a number of meetings and correspondence relating to the Proposed Development. Details of various meetings and key correspondence are set out in Table 2-1 Record of meetings and correspondence with Lincolnshire County Council. Table 2-1 below.

Table 2-1 Record of meetings and correspondence with Lincolnshire County Council.

Date of meeting/ correspondence	Description of meeting/correspondence
26 November 2021	Early scheme engagement, which involved a basic introduction to the scheme.
26 January 2022	<p>Introduction to the project, including extent of the project corridor, other project interactions, environmental and engineering considerations and EIA scoping and survey information.</p> <p>Planned stakeholder engagement and consenting programme was highlighted. Interface with GDF was noted, and ongoing engagement with the project was questioned. Further meetings requested, alongside justification for the project.</p>
23 February 2022	<p>Further introductory meeting outlining the scheme and its context, Harbour Energy and the current carbon portfolio.</p> <p>A summary of the route was provided, including requirements for block valves and the routing process.</p> <p>EIA scoping (including progress of historic assessment), stakeholder engagement and planning application was explained, and timeframes were noted. Natural England’s application for a heritage coast was noted as well as the interface with GDF.</p>
17 October 2022	<p>Scheme update with Lincolnshire County Council and Lincolnshire Wolds AONB. The volume of other projects coming forward in the area was note. Interface with National Grid’s Humber Low Carbon Pipeline was discussed, and it was questioned whether the Applicant were liaising with them. Importance of differentiating the projects was noted.</p> <p>Justification was sought on why the pipeline must be routed through the Lincolnshire Wolds AONB and local sensitivities were noted. Biodiversity net gain was queried, including the suggestion to increase the 10% commitment as this may be requested from the Environment Agency.</p> <p>Block valves were discussed, including that the block valve station in Ashby-cum-Fenby may be visible from the AONB, therefore screening should be considered.</p>

Date of meeting/ correspondence	Description of meeting/correspondence
5 December 2022	<p>Presentation to the planning committee including an update on the engineering and environmental considerations, revisions to the project since the EIA scoping and route corridor refinement.</p> <p>Overview of the non-statutory consultations, and statutory consultation was provided.</p>

Date of meeting/ correspondence	Description of meeting/correspondence
24 March 2023	<p>Scheme update meeting, including environment update, and stakeholder engagement and consultation updates.</p> <p>Feedback from the meeting noted that:</p> <ul style="list-style-type: none"> • The council confirmed they would provide feedback on archaeology and cumulative assessments. • Interactivity of the pipeline and GDF was discussed. • A request for highways route to be used during construction was made. • Volume of other projects coming forward in the area was noted, and it was requested this be noted to PINS in the next call. The council noted they were establishing a DCO team. • Project milestones were discussed.
31 March 2023	<p>Meeting to introduce the highways officer to the project. The meeting was held with representatives of all local highways authorities. A presentation was given explaining the purpose and location of the Proposed Development. In feedback, it was agreed that a second meeting would be held once more definition was available regarding proposed traffic access routes and access points and also when an indication of traffic levels was available.</p>
11 July 2023	<p>Meeting with highways officer</p>
30 June 2023	<p>Scheme update meeting with planning officers that included an overview of progress preparing the DCO application documents, project schedule, environment surveys and assessments and the additional consultation during April and May 2023.</p> <p>Discussion and feedback received from LCC included:</p> <ul style="list-style-type: none"> • Use of land at Theddlethorpe Gas Terminal (TGT) and the projects that may take place at this site. • The timescale for the pre-examination period for the application. • Venues for the examination of the DCO application.
8 March 2024	<p>Project update meeting with a planning officer. The applicant provided an overview of the activities that had taken place following the submission of the application to PINS.</p> <p>The applicant also discussed with the planning officer arrangements for the Preliminary meeting including venue and timings, relevant representations received and summary of key themes, progress towards Statements of Common Ground and future work.</p>
10 April 2024	<p>Meeting with planning officers of all the host authorities to discuss matters arising during the Issue Specific Hearings on the 27th March 2023.</p> <p>Discussions included the process for discharging DCO such as the authority responsible for discharging obligations, the time limit for approvals of requirements and highways works, payment of fees to the discharging authority.</p>

3 Position of the Parties

3.1.1 Table 3-1 below sets out the position of the parties relating to the following topics:

- **Consultation** – including comment on the consultation documents and consultation process. The principal application document is the PIER.
- **Environmental Impacts** – including; landscape and visual impact viewpoints; ecology and biodiversity; geology and hydrogeology; traffic and transport; air quality impacts; noise and vibration; cumulative Impacts; water environment; historic environment; agriculture and soils; and biodiversity net gain. The principal application documents are:
 - Chapter 7 Landscape and Visual [APP-049] and appendices
 - Chapter 6 Ecology and Biodiversity [APP-048] and appendices
 - Chapter 9 Geology and Hydrogeology [APP-051] and appendices
 - Chapter 12 Traffic and Transport [APP-054] and appendices
 - Chapter 14 Air Quality [APP-056] and appendices
 - Chapter 13 Noise and Vibration [APP-055] and appendices
 - Chapter 11 Water Environment [APP-053] and appendices
 - Chapter 8 Historic Environment [APP-050] and appendices
 - Chapter 10 Agriculture and Soils [APP-052] and appendices
 - Initial Biodiversity Net Gain Assessment [APP-125] and Draft Biodiversity Net Gain Strategy [APP-126]
 - Chapter 20 Cumulative Impact Assessment [APP-062]
- **Planning Policy Matters** – reference to matters regarding planning policy. The principal application document is the PDAS [APP-129].
- **Minerals and Waste** – The Principal application document is Chapter 18 Materials and Waste of the Environmental Statement [APP-060]

3.1.2 To provide clarity, each of the matters for which a position has been attributed have been colour coded as follows:

Agreed	The matter is agreed between the parties, or there is no significant disagreement such that the matter is considered closed.
Not agreed - no material impact	The matter is not agreed between the parties; however the outcome of the approach taken by the Applicant or Lincolnshire County Council is not considered to result in a material impact to the assessment conclusions. Discussions on this matter have concluded.
In discussion	This matter is neither ‘agreed’ or ‘not agreed’. Technical work is being undertaken with the aim of achieving agreement, though the risk of disagreement remains.
Not agreed	The matter is not agreed between the parties and the outcome of the approach taken by the Applicant or Lincolnshire County Council is considered to result in a materially different impact to the assessment conclusions.

Table 3-1 Position of the Parties

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
Consultation					
LCC1	Consultation process	The pre-application engagement undertaken by the applicant has been proactive and professional and accords with the Statement of Community Consultation (SoCC).	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses.	Applicant: Agreed Lincolnshire: Agreed	Agreed
Socio-Economics					
LCC2	Social Value	The approach used for the Assessment of potential socio-economic impacts reported in chapter 11 of the Environmental Statement [APP-058] follows standard best practice for projects of this nature. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. ES Chapter 16: Socio Economics [APP-058] LCC Relevant Representation dated 12 th January 2024.	Applicant: agreed Lincolnshire: Agreed	Agreed
LCC3	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Socio-Economics is appropriate and reasonable for the purposes of assessment. The sensitivity and types of receptors used in the Socio-Economics assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the ES Chapter 16: Socio Economics [APP-058] LCC Relevant Representation dated 12 th January 2024.	Applicant: Agreed Lincolnshire: Agreed	Agreed
Landscape and Visual					
LCC4	Assessment methodology	The scope of the assessment and assessment methodology in chapter 7 - Landscape and Visual [APP-	Chapter 7 Landscape and	Applicant: Agreed	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>049] of the Environmental Statement are suitable and acceptable.</p>	<p>Visual [APP-049] and appendices</p>	<p>Lincolnshire: Agreed</p>	
LCC5	<p>Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors</p>	<p>The baseline information used in the assessment for the Landscape and Visual Impact is appropriate for the purposes of assessment.</p> <p>The sensitivity and types of receptors used in the landscape and visual impact assessment are appropriate, and the relevant receptors have been identified within the study area.</p>	<p>Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses.</p> <p>Chapter 7 Landscape and Visual [APP-049] and appendices</p>	<p>Applicant: Agreed, the methodology and viewpoints used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period.</p> <p>Lincolnshire: Agreed, the methodology and viewpoints were discussed and agreed during the pre-application period.</p>	Agreed
LCC6	<p>Assessment findings</p>	<p>The conclusions of the Assessment of Effects in chapter 7 - Landscape and Visual [APP-049], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on landscape and visual receptors. In accordance with the impact assessment's methodology, effects which have been assessed to be 'moderate' or 'major' are considered significant in EIA terms.</p>	<p>Chapter 7 Landscape and Visual [APP-049]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed.</p>	Agreed
LCC7	<p>Assessment findings</p>	<p>The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 7- Landscape and Visual Impact [APP-049], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.</p>	<p>Chapter 7 Landscape and Visual [APP-049]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed, in so far as the projects that have been considered for the purposes of cumulative assessment to date.</p>	Agreed
LCC8	<p>Securing mitigation</p>	<p>All relevant mitigation measures specified in ES Chapter 7 Landscape and Visual [APP-049] is adequately secured through the Outline Landscape and Ecological Management Plan [APP-127]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project on landscape and visual receptors. Requirement 11 of the DCO [AS-008] states that the final Landscape Management Plan will accord with the Outline Landscape and Ecology Management Plan submitted in support of the DCO application."</p>	<p>Chapter 7 Landscape and Visual [APP-049]</p> <p>Outline Landscape and Ecological Management Plan [APP-127]</p> <p>Draft DCO [AS-008]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: LCC is generally satisfied with the draft Construction and Environmental Management Plan (CEMP) and the Outline Landscape Management Plan in respect of Landscape and Visual mitigation and considers that detailed mitigation measures (including any specific measures that maybe be required in respect of the AONB and the Lincolnshire Heritage Coast) can be agreed prior to commencement of the development through the submission of the final plans under requirements 5 and 11 of the DCO. However, the draft DCO requirement 5 and does not include all of Environmental Control Plans set out in the draft CEMP and this should be expanded accordingly to ensure that all of the plans are required to be submitted and approved.</p>	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
Ecology and Biodiversity					
LCC9	Assessment methodology	The scope of the assessment and assessment methodology in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement are suitable and acceptable.	Chapter 6 Ecology and Biodiversity [APP-048] and appendices	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC10	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Ecology and Biodiversity in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Ecology and Biodiversity assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 6 Ecology and Biodiversity [APP-048] and appendices	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC11	Assessment findings	The conclusions of the Assessment of Effects in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 6 Ecology and Biodiversity [APP-048]	Applicant: Agreed Lincolnshire: Agreed, subject to the results of ongoing ecological surveys e.g. bats and riparian mammals.	Agreed
LCC12	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 6 – Ecology and Biodiversity [APP-048] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 6 Ecology and Biodiversity [APP-048]	Applicant: Agreed Lincolnshire: LCC is aware that discussions around in-combination impacts resulting from the Viking CCS and a number of other developments relating to disturbance of birds using Rosper Road Pools in North Lincolnshire are ongoing.	In Discussion
LCC13	Securing mitigation	All relevant mitigation measures specified in Chapter 6 - Ecology and Biodiversity [APP-048] of the Environmental Statement are adequately secured through the draft Construction Environmental Management Plan [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development. The Outline Landscape Environmental Management Plan [APP-127] outlines a number of other measures as part of	Chapter 6 Ecology and Biodiversity [APP-048] Outline Landscape and Ecological Management Plan [APP-127] Draft DCO [AS-008]	Applicant: Agreed Lincolnshire: LCC is satisfied with the draft CEMP in respect of ecology and agrees that detailed mitigation measures can be agreed prior to commencement of the development. However, the draft DCO requirement 5 and does not include ecological mitigation measures and LCC therefore suggest the addition of details of ecological mitigation measures to requirement 5 of the draft DCO.	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		an ecology strategy to provide additional safeguards. The provision of these measures is secured by requirement 11 of the DCO [AS-008] which requires that the LEMP must be prepared and approved before commencement of development.			
Geology and hydrogeology					
LCC14	Assessment methodology	The scope of the assessment and assessment methodology in chapter 9 – Geology and Hydrogeology of the Environmental Statement [APP-051] are suitable and acceptable.	Chapter 9 Geology and Hydrogeology [APP-051] and appendices	Applicant: Agreed Lincolnshire: <i>[comment to be inserted by LCC]</i>	In Discussion
LCC15	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline Information used in the assessment for Geology and Hydrogeology is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Geology and Hydrogeology assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 9 Geology and Hydrogeology [APP-049] and appendices	Applicant: Agreed, the methodology used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period. Lincolnshire: <i>[comment to be inserted by LCC]</i>	In Discussion
LCC16	Assessment findings	The conclusions of the Assessment of Effects in chapter 9 – Geology and Hydrogeology [APP-051] of the Environmental Statement during construction and operation are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 9 Geology and Hydrogeology [APP-051]	Applicant: Agreed Lincolnshire: <i>[comment to be inserted by LCC]</i>	In Discussion
LCC17	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in the ES 9 Geology and Hydrogeology [APP-051] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 9 Geology and Hydrogeology [APP-051]	Applicant: Agreed Lincolnshire: <i>[comment to be inserted by LCC]</i>	In Discussion
LCC18	Securing mitigation	All relevant mitigation measures specified in ES Chapter 9 Geology and Hydrogeology [APP-051] is adequately secured through the draft Construction Environmental Management Plan [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.	Chapter 9 Geology and Hydrogeology [APP-051] Draft DCO [AS-008]	Applicant: Agreed Lincolnshire: <i>[comment to be inserted by LCC]</i>	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
Traffic and transport					
LCC19	Assessment methodology	The scope of the assessment and assessment methodology in chapter 12 – Traffic and Transport [APP-054] of the Environmental Statement are suitable and acceptable.	Chapter 12 Traffic and Transport [APP-054] and appendices	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC20	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Traffic and Transport is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Traffic and Transport assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 12 Traffic and Transport [APP-054] and appendices	Applicant: Agreed, the methodology used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period. Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.	Agreed
LCC21	Assessment findings	The conclusions of the Assessment of Effects in chapter 12 – Traffic and Transport [APP-054] , are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on receptors. In accordance with the impact assessment’s methodology, effects which have been assessed to be ‘moderate’ or ‘major’ during the construction phases and are considered significant in EIA terms.	Chapter 12 Traffic and Transport [APP-054]	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC22		It is agreed that the trip generation and distribution numbers presented in chapter 12 – Traffic and Transport [APP-054] are appropriate for this type of development and results in increases of generally less than 10% on most links is within the daily variation and would not be a concern in terms of highway capacity or safety.	LCC relevant representation dated 12 th January 2024. Chapter 12 Traffic and Transport [APP-054]	Applicant: Agreed Lincolnshire: LCC in its capacity as Highway Authority has identified that some single track roads would have significantly higher than a 10% increase. LCC will make further comments on this in the Local Impact Report (LIR).	In Discussion
LCC23	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 12 – Traffic and Transport [APP-054] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 12 Traffic and Transport [APP-054]	Applicant: Agreed Lincolnshire: Agreed, in so far as the projects that have been considered for the purposes of cumulative assessment to date.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
LCC24	Securing mitigation	<p>All relevant mitigation measures specified in ES Chapter 12 Traffic and Transport [APP-054] is adequately secured through the draft Construction Environmental Management Plan [APP-068]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.</p> <p>Further mitigation is provided in the Construction Traffic Management Plan (CTMP) which includes measures to be adopted during the construction phase. The proposed mitigation is appropriate for managing construction traffic impacts. The provision of mitigation is secured by requirement 6 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>Chapter 12 Traffic and Transport [APP-054]</p> <p>draft Construction Environmental Management Plan [APP-068]</p> <p>Draft Construction Traffic Management Plan [APP-107]</p> <p>Draft DCO [AS-008]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Not agreed. LCC consider that there are impacts on single tracks roads which will probably need to be mitigated. Further details of LCC's views will be provided in the LIR and also on construction worker hours and detail required in respect offsite compounds and access points</p>	Not Agreed
Air Quality					
LCC25	Assessment methodology	The scope of the assessment and assessment methodology in chapter 14 – Air Quality [APP-056] of the Environmental Statement are suitable and acceptable.	Chapter 14 Air Quality [APP-056] and appendices	<p>Applicant: Agreed</p> <p>Lincolnshire: [Updated comment to be inserted by LCC]</p>	In Discussion
LCC26	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline information used in the assessment for the Air Quality is appropriate for the purposes of assessment.</p> <p>The sensitivity and types of receptors used in the Air Quality assessment are appropriate, and the relevant receptors have been identified within the study area.</p>	<p>Appendix E to the Consultation Report [APP-03] providing the Statutory Consultation Responses.</p> <p>Chapter 14 Air Quality [APP-056] and appendices</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: [Updated comment to be inserted by LCC]</p>	In Discussion
LCC27	Assessment findings	The conclusions of the Assessment of Effects in Chapter 14 Air Quality [APP-056] of the Environmental Statement during construction are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 14 Air Quality [APP-056]	<p>Applicant: Agreed</p> <p>Lincolnshire: [comment to be inserted by LCC]</p>	In Discussion
LCC28	Assessment findings	It is agreed that environmental health for air quality has been adequately assessed and the conclusions of the assessment are suitable in Chapter 14 – Air Quality [APP-056] and chapter 17 – Health and Wellbeing of the Environmental Statement [APP-059] .	Chapter 14 Air Quality [APP-056]	<p>Applicant: Agreed</p> <p>Lincolnshire: [comment to be inserted by LCC]</p>	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
LCC29	Securing mitigation	All relevant mitigation measures specified in ES Chapter 14 Air Quality [APP-056] is adequately secured through the draft Construction Environmental Management Plan [APP-068]. The proposed mitigation is appropriate for air quality impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.	Chapter 14 Air Quality [APP-056] Draft Construction Environmental Management Plan [APP-068] Draft DCO [AS-008]	Applicant: Agreed Lincolnshire: [comment to be inserted by LCC]	In Discussion
Noise and Vibration					
LCC30	Assessment methodology	The <u>scope</u> of the assessment and assessment methodology in chapter 13 – Noise and Vibration [APP-055] of the Environmental Statement are suitable and acceptable.	Chapter 13 Noise and vibration [APP-055] and appendices	Applicant: Agreed Lincolnshire: [comment to be inserted by LCC]	In Discussion
LCC31	Study Area	The general study area (zone of Influence) of 500 m from the Theddlethorpe Facility and Block Valve Stations, and 300 m from the Order Limits has been used to identify the sensitive receptors and is deemed to be appropriate.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 13 Noise and Vibration of the Environmental Statement [APP-055].	Applicant: Agreed, the methodology and study area used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period. Lincolnshire: [comment to be inserted by LCC]	In Discussion
LCC32	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Noise and Vibration is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Noise and Vibration assessment are appropriate, and the relevant receptors have been identified within the study area	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 13 Noise and vibration [APP-055] and appendices	Applicant: Agreed Lincolnshire: [Updated comment to be inserted by LCC]	In Discussion
LCC33	Assessment findings	The conclusions of the Assessment of Effects in chapter 13 Noise and Vibration of the Environmental Statement [APP-055] during construction, operation and decommissioning	Chapter 13 Noise and Vibration [APP-055]	Applicant: Agreed Lincolnshire: [comment to be inserted by LCC]	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.			
LCC34	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 13 – Noise and Vibration [APP-055] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 13 Noise and Vibration [APP-055]	Applicant: Agreed Lincolnshire: <i>[comment to be inserted by LCC]</i>	In Discussion
LCC35	Securing mitigation	All relevant mitigation measures specified in ES chapter 13 – Noise and Vibration [APP-055] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project on Noise and Vibration receptors Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	Chapter 13 Noise and [APP-055] Construction Environmental Management Plan. [APP-068] Draft DCO [AS-008]	Applicant: Agreed Lincolnshire: <i>[comment to be inserted by LCC]</i>	In Discussion
Water Environment					
LCC36	Assessment methodology	The scope of the assessment methodology in chapter 11 – Water Environment of the Environmental Statement [APP-053] are suitable and acceptable.	Chapter 11 Water Environment [APP-049] and appendices	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC37	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The approach used for the Flood Risk Assessment reported in chapter 11 of the Environmental Statement [APP-053] follows standard best practice for projects of this nature. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines. The findings of the sequential and exceptions test are considered to be suitable.	PDAS Section 7.21 [APP-129] ES Chapter 11: Water Environment [APP-053]	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC38	Assessment findings	The conclusions of the Assessment of Effects in chapter 11 – Water Environment of the Environmental Statement [APP-053] during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms	ES Chapter 11 Water Environment [APP-053]	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC39	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 11 – Water Environment of the Environmental Statement [APP-053] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	chapter 11 – Water Environment of the Environmental Statement [APP-053]	Applicant: Agreed Lincolnshire: Agreed, insofar as the projects that are currently being considered for the assessment of cumulative effects	Agreed
LCC40	Securing mitigation	All relevant mitigation measures specified in chapter 11 – Water Environment of the Environmental Statement [APP-	chapter 11 – Water Environment of the	Applicant: Agreed	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>053] and Appendix 11-5 – Flood Risk Assessment [APP-101] are adequate and will be secured through the draft Construction Environmental Management Plan CEMP [APP-068].</p> <p>The proposed mitigation is appropriate for managing construction and post construction impacts from the Project.</p> <p>Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>Environmental Statement [APP-053]</p> <p>chapter 11 – Water Environment of the Environmental Statement [APP-053]</p> <p>Construction Environmental Management Plan. [APP-068]</p> <p>LCC Relevant representation dated 12th January 2024.</p> <p>Draft DCO [AS-008]</p>	<p>Lincolnshire: Agreed. The Flood Risk Assessment (ES Vol 4, App. 11.5) considers surface water flood risk in Section 5.7 to 5.9 and outlines some mitigation measures that may be necessary during the construction phase, these seem appropriate. The CEMP will need to ensure that surface water flood risk is considered during construction and no increased risk to nearby properties results from site works.</p>	
Historic Environment					
LCC41	Assessment methodology	The scope of the assessment methodology including the baseline data used in the assessment of the Historic Environment chapter 8 of the Environmental Statement [APP-050] are suitable and acceptable.	<p>Chapter 8 Historic Environment [APP-050]</p> <p>LCC Relevant Representation 12th January 2024.</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed</p>	Agreed
LCC42	Assessment Methodology	The search area for the desk based assessment (DBA) for the Historic Environment chapter 8 of the Environmental Statement [APP-050] are suitable and acceptable.	<p>Chapter 8 Historic Environment [APP-050]</p> <p>LCC Relevant Representation 12th January 2024.</p>	<p>Applicant: in the assessment a study area of 2km from the Order Limits was adopted to provide historical and archaeological context and to identify designated heritage assets with the potential to be affected. Due to the nature of the Proposed Development and its likely visibility within the landscape, the 2km study area was considered to be sufficient.</p> <p>Designated heritage assets up to 5km from the Order Limits have been considered where the settings of designated heritage assets of the highest significance (being scheduled monuments, Grade I and Grade II* listed buildings) may be impacted.</p>	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>The study area for non-designated heritage assets was refined to 500m from the Order Limits to capture detail about known heritage assets and allow proportionate and sufficient archaeological context to be gathered to understand the potential for previously unknown heritage assets to be present.</p> <p>Non-designated heritage assets outside of the 500m study area and up to 1km have been considered where these provide context and inform the potential for unknown archaeology within the Order Limits. Inclusion of assets outside of the defined study areas is based on research and professional judgment. This approach is in accordance with Historic England guidance.</p> <p>Lincolnshire: The issue of the DBA being limited to a 500m search of the HER rather than the 1km which was promised in the scoping documents has been discussed and is less than ideal however we are very pleased to see a robust programme of trenching which will shortly commence. The trenching programme is informed by the DBA so widening the search area at this point would be of limited value.</p>	
LCC43	Assessment Methodology	The approach used for the assessment for the Historic Environment (chapter 8) reported in the Environmental Statement [APP-050] follows standard best practice. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.	<p>PDAS Section 7.22 [APP-129]</p> <p>ES Chapter 8: Historic Environment [APP-050]</p>	<p>Applicant: The methodology for the assessment of Historic Environment is considered appropriate and includes the necessary receptors and baseline data.</p> <p>Lincolnshire: The production of the geophysical survey along with the impending programme of trial trenching are part of the standard suite of archaeological evaluation techniques, the results of the which are required to identify the the location, significance, depth and extent of surviving archaeology within the redline boundary.</p>	In Discussion
LCC44	Assessment findings	<p>The conclusions of the Assessment of Effects in Chapter 8 Historic Environment [APP-050], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on receptors. In accordance with the impact assessment's methodology, effects which have been assessed to be 'moderate' or 'major' are considered significant in EIA terms.</p> <p>The impact assessment concluded that potential significant effects (in EIA terms) may occur during the construction phase on buried archaeological remains at Roxton and Greenlands Farm, the views of Grade II* listed Church of St Edmund, the setting of the Grade II Listed Manor House at</p>	<p>PDAS Section 7.22 [APP-129]</p> <p>ES Chapter 8: Historic Environment [APP-050]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>Barnoldby le beck, and temporary changes to the setting of the Grade II Listed Ashleigh Farm and Dicote House during construction in respect of Theddlethorpe Option 2. During the operational phase, potential significant effects could occur on the setting of the Grade II Listed Ashleigh Farm as a result of Theddlethorpe Facility Option 2.</p> <p>The assessment of compliance with planning policy in section 7.22 of the PDAS [APP-129] concludes that in accordance with national policy, the benefits of the Proposed Development to the public outweigh the less than substantial harm caused to the grade II listed Ashleigh Farm.</p>			
LCC45	Securing mitigation	The Additional Mitigation and Enhancement Measures set out in chapter 8 – Historic Environment [APP-050] of the Environmental Statement are suitable and acceptable.	Chapter 8 – Historic Environment [APP-050]	<p>Applicant: Agreed</p> <p>Lincolnshire: The results of the geophysical survey and the trenching evaluation will provide the baseline evidence to inform an appropriate and fit for purpose archaeological mitigation strategy to deal with the impact of the development.</p> <p>Regarding specific approaches, section 8.8.4 lays out a presumably preservation in situ approach citing limiting the extent of ground impact and trenchless construction methods. Any preservation in situ areas will need mitigation measures to ensure these areas are protected from development works which could damage or destroy the surviving archaeology.</p> <p>The full extent of the archaeological areas must be determined and each area must be fenced off and subject to a programme of monitoring to ensure there will be no ground disturbance whatsoever which may disturb or affect the archaeological remains, including potential compaction through plant movement or storage as well as no groundworks whatsoever.</p> <p>Regarding section 8.8.7 the mitigation strategy will need to be informed by the DBA, the geophysical survey and the trenching results to ensure that the archaeological mitigation within the redline boundary is proportionate to the significance of the archaeology and therefore in keeping with NPPF and other national policy as well as professional good practice.</p>	In Discussion
LCC46	Securing mitigation	All relevant mitigation measures are specified in chapter 8 – Historic Environment [APP-050] . This includes the	Chapter 8 – Historic	Applicant: Agreed	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>preparation and implementation of a Written Scheme of Investigation (WSI) for an archaeological ground investigation to confirm the presence or absence of buried archaeology. The approach to the WSI has been agreed with LCC.</p> <p>The proposed mitigation is considered to be appropriate and is secured by requirement 10 of the DCO [AS-008] which requires a written scheme of investigation to be prepared and implemented for areas of archaeological interest.</p> <p>The additional mitigation outlined in chapter 8 – Historic Environment [APP-050] will be secured through the draft Construction Environmental Management Plan CEMP [APP-068]. The need to prepare the CEMP is secured by Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>Environment [APP-050]</p> <p>Construction Environmental Management Plan. [APP-068]</p> <p>Draft DCO [AS-008]</p>	<p>Lincolnshire: We have been informed that Wessex Archaeology have produced their own trenching evaluation WSI but we have yet to see it. We hope that the WSI can be agreed before the trenching programme commences. We agree with the proposed wording of the Draft DCO.</p>	
LCC47	Assessment findings	<p>The conclusions the Assessment detailed in ES Chapter 8 – Historic Environment [APP-050], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.</p>	<p>Chapter 8 – Historic Environment [APP-050]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: LCC defer to Historic England on this point.</p>	In Discussion
Agriculture and Soils					
LCC48	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline information used in the assessment for the Agriculture and Soils assessment in Chapter 10 of the ES [APP-052] is appropriate for the purposes of assessment.</p>	<p>Chapter 10 Agriculture and Soils [APP-052] and appendices</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.</p>	Agreed
LCC49	Assessment Methodology	<p>The approach used for the assessment of Agriculture and Soils (chapter 10) of the Environmental Statement [APP-052] follows standard best practice. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.</p>	<p>Chapter 10 Agriculture and Soils [APP-052] and appendices</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed</p>	Agreed
LCC50	Assessment findings	<p>The conclusions of the Assessment of Effects in chapter 10 – Agriculture and Soils [APP-052], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on agricultural land. In accordance with the impact</p>	<p>Chapter 10 Agriculture and Soils [APP-052] and appendices</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Not agreed. There is potential for negative effects on Best and Most Versatile (BMV) Land in LCC's area should the Theddlethorpe option 2 site be</p>	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		assessment's methodology, effects which have been assessed to be 'moderate' or 'major' adverse are considered significant in EIA terms. No significant effects were identified for agricultural receptors within the LLC local authority area.		developed. Further details will be provided in the Council's LIR.	
LCC51	Assessment findings	The development would result in the loss of use and disturbance of best and most versatile (BMV) agricultural land during the construction phase however this loss would be temporary and short term.	LCC Relevant Representation dated 12 th January 2024.	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC52	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 10 – Agriculture and Soils [APP-052] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 10 Agriculture and Soils [APP-052] and appendices Soil Management Plan [APP-096] . LCC Relevant Representation dated 12 th January 2024.	Applicant: Agreed Lincolnshire: Agreed, insofar as the projects that are currently being considered for the assessment of cumulative effects	Agreed
LCC53	Securing mitigation	All relevant mitigation measures specified in the Agriculture and Soils assessment in Chapter 10 of the ES [APP-052] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	Chapter 10 Agriculture and Soils [APP-052] and appendices Construction Environmental Management Plan. [APP-068] Draft DCO [AS-008]	Applicant: Agreed Lincolnshire: This matter should also refer to the outline soil management plan. It is imperative that good practice and mitigation measures are in place to protect the soil resource during construction and also during decommissioning to ensure the land is restored to agricultural use without any degrading of land quality.	In Discussion
Biodiversity Net Gain					
LCC54	Approach to assessment of BNG	The approach to Biodiversity Net Gain, as presented in the Draft Biodiversity Net Gain Strategy [APP-126] , provides an appropriate approach to consideration of net gain within the Projects.	Draft Biodiversity Net Gain Strategy [APP-126]	Applicant: Agreed Lincolnshire: LCC broadly agrees that the approach is appropriate but wishes to review the BNG metric spreadsheet	In Discussion
LCC55	Approach to assessment of BNG	The assessment methodologies used for the Biodiversity Net Gain Assessment, as presented in the Initial Biodiversity Net Gain Assessment [APP-125] , provide an	Initial Biodiversity Net Gain	Applicant: Agreed	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		appropriate approach to assessing potential impacts of the Projects.	Assessment [APP-125]	Lincolnshire: LCC broadly agrees that the approach is appropriate but wishes to review the BNG metric spreadsheet.	
Cumulative Impacts					
LCC56	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The approach used for this assessment follows standard best practice for projects of this nature and includes development consented by the Town and Country Planning Act (1990) and Planning Act (2008). The baseline data survey methods used are appropriate and follow standard guidelines.</p> <p>The sensitivity of receptors presented in the assessment are appropriate and the relevant receptors have been identified within the study area.</p>	<p>LCC Relevant Representation 12th January 2024</p> <p>ES Chapter 20: Cumulative Effects Assessment [APP-062]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed</p>	Agreed
LCC57	Assessment Methodology	The list of developments included in the cumulative impact assessment in chapter 20 of the Environmental Statement [APP-062] is adequate and suitable for the purposes of the assessment.	ES Chapter 20: Cumulative Effects Assessment [APP-062]	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed.</p>	Agreed
Planning policy matters					
LCC58	Need	The Proposed Development will reduce CO2 emissions to atmosphere and will help the Government to meet the legally binding target for reduce greenhouse gas emissions and achieve Net Zero by 2050 as set out in the Climate Change Act 2008 Order 2019.	PDAS Section 5 [APP-129]	<p>Applicant: Agreed that there is a demonstrated need for the development to reduce CO2 emissions and assist the government in achieving Net Zero by 2050.</p> <p>Lincolnshire: Agreed.</p>	Agreed
LCC59	Good Design	The Planning Design and Access Statement [APP-129] and ES Chapter 2: Design Evolution and Alternatives [APP-044] set out clearly the overarching design principles/objectives considered by the Applicant and how their design has been refined pre-application. These demonstrate good practice (including safety) and demonstrate Good Design.	<p>ES Chapter 2: Design Evolution and Alternatives [APP-044]</p> <p>PDAS Section 5 [APP-129]</p>	<p>Applicant: Agreed that the Proposed Development accords with the principles of good design.</p> <p>Lincolnshire: Agreed</p>	Agreed
Minerals and Waste					
LCC60		<p>LCC have raised that there are:</p> <p><i>a number of extant mineral planning permissions associated with the former Theddlethorpe gas terminal. There are conditions associated with these planning permissions requiring restoration of the land back to agricultural use that have not to date been complied with. The DCO, if granted, would conflict with these restoration requirements. The Council will therefore make further comments on the impact of the development on these requirements in the LIR.</i></p>	LCC Relevant Representation 12 th January 2024.	<p>Applicant: [to be completed through further discussions]</p> <p>Lincolnshire: LCC will provide further details on the extant mineral planning permission through the LIR and in response the ExA written questions.</p>	In Discussion

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
LCC61	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The approach used for the assessment in Chapter 18 - Materials and Waste [APP-060] follows standard best practice for projects of this nature. The baseline data survey methods used are appropriate and follow standard guidelines.</p> <p>The sensitivity of receptors presented in the assessment are appropriate and the relevant receptors have been identified within the study area.</p>	<p>Relevant Representation 2024</p> <p>ES Chapter 18 Materials and Waste [APP-060]</p>	<p>Applicant: to be discussed and agreed during the examination process.</p> <p>Lincolnshire: outlined in their relevant representation 12th January 2024: <i>The Council will have some points of detail in relation to</i> 1) <i>the Study Area,</i> 2) <i>Landfill Capacity (noting that 2021 data has been used rather than 2022 data which is available) and</i> 3) <i>Potential Impacts and Assessment effects, in particular the absence of material by material assessment.</i> <i>These will be picked up in the LIR and through discussions with the Applicant.</i></p>	In Discussion
General					
		No areas of common ground to agree at this time.			

4 References

There are no references at this time