

Viking CCS Pipeline

9.20 Applicant's Comments on Local Impact Reports

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Applicant: Chrysaor Production (U.K.) Limited,
a Harbour Energy Company
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1 Introduction

1.1 Purpose of this Document

- 1.1.1 This document has been prepared for the Viking CCS Pipeline (the 'Proposed Development') on behalf of Chrysaor Production (UK) Limited ('the Applicant'), in relation to an application ('the Application') for a Development Consent Order (DCO) that has been submitted under Section 37 of the Planning Act 2008 (PA 2008) to the Secretary of State (SoS) for Energy Security and Net Zero.
- 1.1.2 This document provides the Applicant's comments to the Local Impact Reports (LIRs) submitted by:
- North East Lincolnshire Council;
 - North Lincolnshire Council;
 - East Lindsey District Council;
 - West Lindsey District Council; and
 - Lincolnshire County Council.

1.2 The DCO Proposed Development

- 1.2.1 The Proposed Development comprises a new onshore pipeline which will transport CO₂ from the Immingham industrial area to the Theddlethorpe area on the Lincolnshire coast, supporting industrial and energy decarbonisation, and contributing to the UK target of Net-Zero by 2050. The details of the Proposed Development can be found within the submitted DCO documentation. In addition to the pipeline, the Proposed Development includes a number of above ground infrastructure, including the Immingham Facility, Theddlethorpe Facility and 3 Block Valve Stations.
- 1.2.2 A full, detailed description of the Proposed Development is outlined in *Environmental Statement (ES) Volume II Chapter 3: Description of the Proposed Development [APP-045]*.

2 Applicant's Response

- 2.1.1 The subsequent tables in this section provide the Applicant's comments to the Local Impact Reports (LIRs) submitted by the relevant local authorities to Deadline 1.
- Table 1: Applicant's response to the Local Impact Report submitted by North East Lincolnshire Council (NELC) [REP1-064]
 - Table 2: Applicant's response to the Local Impact Report submitted by North Lincolnshire Council (NLC) [REP1-062]
 - Table 3: Applicant's response to the Local Impact Report submitted by East Lindsey District Council (ELDC) [REP1-053]
 - Table 4: Applicant's response to the Local Impact Report submitted by West Lindsey District Council (WLDC) [REP1-066]
 - Table 5: Applicant's response to the Local Impact Report submitted by Lincolnshire County Council (LCC) [REP1-058]

Table 1: Applicant's response to the Local Impact Report submitted by North East Lincolnshire Council (NELC) [REP1-064]

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
1.1	1.0	1.0 Introduction (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by North East Lincolnshire Council (NELC) and has no further comment.
2.0 Policy Framework			
1.2	2.1	North East Lincolnshire Local Plan 2013-2032 (NELLP) adopted March 2018 is the development plan for the area. The relevant policies of the NELLP are: Policy 1 – Employment land supply Policy 5 – Development boundaries Policy 6 – Infrastructure Policy 22 – Good design in new developments Policy 31 – Renewable and low carbon infrastructure Policy 32 – Energy and low carbon living Policy 33 – Flood risk Policy 34 – Water management Policy 39 – Conserving and enhancing the historic environment Policy 41 – Biodiversity and geodiversity Policy Policy 42 – Landscape	The applicant agrees that the North East Lincolnshire Local Plan 2013-2032 (NELLP) adopted March 2018 is the development plan for the area and the policies identified are relevant. The policies identified are considered in the Planning, Design and Access Statement [APP-129].
1.3	2.2	The Planning Design and Access Statement provided with the DCO application goes into detail of how the proposed development accords with the various strategic and specific Policies of the NELLP.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comment.
1.4	3.0	3.0 Site Description and Surroundings (Text not copied from original document)	The Applicant acknowledges this section of the LIR by NELC which provides a description of the Proposed Development and has no further comment.
4.1 Relevant Issues. Issue 1 – Principle of Development			
1.5	4.1.1	The Local Plan recognises the importance of renewable and low carbon infrastructure. Policy 31 supports such developments where significant adverse impacts can be satisfactorily minimised and any residual harm is outweighed by the public benefits of a proposal. Furthermore, Policy 32 seeks to minimise waste and re-use material derived from excavation and demolition. The proposal represents a significant mitigation in that the pipeline would capture CO2 emissions at the source, in an area known for its high rate of emissions, in order to transport this and store in underwater storage compartments within the North Sea. This is considered a significant benefit to both local and national government agendas, in relation to net zero.	The Applicant acknowledges the response of NELC highlighting the significant benefit to both local and national government agendas in relation to net zero. The Applicant has no further comments at this time.
5.2 Relevant Issues. Issue 2 – Character, Visual Amenity, Landscape and Heritage			

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
1.6	5.2.1	The relevant policies in this regard of the NELLP are 5, 22, 39 and 42.	The Applicant agrees that the North East Lincolnshire Local Plan 2013-2032 (NELLP) adopted March 2018 is the development plan for the area and the policies identified are relevant. The policies identified are considered in the Planning, Design and Access Statement [APP-129].
1.7	5.2.2	The proposed development is of a large scale both in terms of the land take and the physical length of it. However, the majority of the proposal would be positioned underground therefore limiting the visual impacts of this. It is important to note that the construction of such would likely be of greater visual impact than the proposal itself. The proposal consists of several work areas above ground which include Block Valve stations and temporary construction compounds. Two Block Valve stations would fall within NELC's area with one to the west of Barton Street, close to Keelby and Laceby, and the other positioned to the south of Thoroughfare close to Ashby Cum Fenby. In addition, the Central Construction Compound would fall to the east of Barton Street between Barnoldby le Beck positioned to the east.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comment.
1.8	5.2.3	The development, once complete, will not be visible in the immediate and wider landscape due to the underground nature of the project. However, there will be some physical presence due to the Block Valve Stations and Central Compound. These aspects are considered to be minimal when compared to the project as a whole and fundamental to the overall operation. The wider landscape is identified in the Local Plan Landscape Assessment as being mostly open farmland and open wooded farmland however some areas fall within the industrial landscape and sloping farmland.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comment.
1.9	5.2.4	In regard to Policy 22 and good design, the overall scale of the development is clearly extensive, but the underground nature of the majority mitigates visual impacts. The above ground works are relatively minor when compared with the overall development and the works are functional to what is proposed and, in many ways, common to that which is found in countryside locations in relation to infrastructure. Landscaping is also proposed to assimilate these elements into the landscape. The construction period will have visual impact, but this is temporary and typical of such a project.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comment.
1.10	5.2.5	The project would see the ground disturbed to facilitate the works. The Heritage Officer has reviewed the details, and further documentation, and notes that archaeological evaluation is ongoing, following the submission of the Geophysics and Desk Based Assessment, given the need for trial trenching along the route. The specification for the trial trenching has been approved. The trenching is due to begin in April 2024 and this will inform if further work is required either during the construction of the pipeline, in the form of archaeological monitoring or for set piece excavation. Should any significant finds come to light, these will be further assessed in relation to heritage and archaeology. In relation to other heritage impacts, some of the route passes within proximity to Listed Buildings however these are situated away sufficiently in that it can be considered that these would not be affected by the project. Archaeological work therefore continues to assess the project, and this will need to be completed to a satisfactory level to accord to Policy 39 of the NELLP.	As outlined by NELC, the applicant can confirm that archaeological evaluation is ongoing. Trial trenching has commenced and is progressing well with several teams undertaking trenching along the corridor of the Proposed Development. The Applicant continues to liaise with the NELC heritage officer regarding progress of the trenching and any finds. The outline archaeological Written Scheme of Investigation (WSI) agreed with NELC has been used as the basis for the preparation of a more detailed WSI produced by the Archaeological contractor and reviewed by NELC. This detailed WSI has been appended to the Outline WSI (EN070008/APP/6.4.8.3 Revision A) and will be submitted at deadline 2.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
1.11	5.2.6	The project also passes through areas of trees and 'Ferriby Wood' which is allocated as an open space and woodland and positioned to the end of the route within the NELC boundary. The Trees and Woodlands Officer has reviewed the details and confirmed that there are no issues in relation to the trees and landscaping detail. The pipeline will also go through part of the Area of Outstanding Natural Beauty but due to the underground nature of the works it is not considered that there will be adverse impact upon it.	The Applicant acknowledges this paragraph of the NELC LIR and welcomes the conclusion the underground nature of the works are such that they are not considered to result in an adverse impact upon the AONB.
1.12	5.2.7	Having regard to the above it is considered that the proposed development would accord with Policies 5, 22, 39 and 42 of the NELLP subject to appropriate mitigation through landscaping being secured through the requirements of any granted Development Consent Order (DCO).	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.
5.3 Relevant Issues. Issue 3 – Impact on Neighbouring Land Uses			
1.13	5.3.1	Policy 5 of the NELLP requires an assessment be made on the impact on neighbouring land uses by virtue of noise, air quality, disturbance and visual intrusion. This section ties into section 8 below which specifically relates to HSE matters.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.
1.14	5.3.2	The proposed development is located on land of an open nature with limited above ground works. The route would sit on the outskirts of some residential properties however these areas are minimal.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.
1.15	5.3.3	The proposed development would not present unacceptable impacts on the neighbouring land uses by its physical presence, given this would be underground, and therefore this is considered to be compatible and acceptable. The associated impacts in regard to noise, light and odour have been assessed through the Environmental Statement and have not given rise to any concerns. There has been full consultation with the Councils Environmental Health Officer. Control measures would need to be in place through the DCO Requirements to ensure that this remains the case.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time. The applicant has developed a Construction Environmental Management Plan [APP-068] to control associated impacts during the construction stage of the Proposed Development.
1.16	5.3.4	The physical presence of the associated above ground works with the development, that of the block valve stations and compound areas, are sufficiently separated from neighbouring land uses and within the open land therefore mitigating any undue impacts.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.
1.17	5.3.5	The proposed development is therefore considered to be compatible with the adjacent and nearby land uses and would not cause undue harm. The proposal therefore accords with Policy 5 of the NELLP.	The Applicant acknowledges this paragraph of the NELC LIR and welcomes the conclusion that the proposed development is considered to be compatible with the adjacent and nearby land uses and would not cause undue harm.
5.4 Relevant Issues. Issue 4 – Impact on Highway Network			
1.18	5.4.1	Policy 5 of the NELLP requires that the suitability of the proposal with regards to access and traffic generation levels is considered. Similarly, Policy 36 promotes sustainable transport use whilst Policy 38 sets out the requirements for parking.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.
1.19	5.4.2	The proposed development would not lead to a significant amount of traffic generation once operational. These movements would be limited to	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		management and maintenance once operational and be focused to the Block Valve stations.	
1.20	5.4.3	The construction phase of the development is much more intensive in regard to traffic movements for both deliveries and employees. The information supplied details that the construction generation, at peak construction, would be significant however not detrimental. This has been assessed and whilst these are large numbers it would not result in severe impacts on the highway network. In order to control these construction traffic movements and to help reduce the impact on the network detailed conditions will be subject to approval by NELC through the Requirements of the DCO.	The Applicant has assessed the potential impact of construction traffic in Chapter 12 of the Environmental Statement [APP-054] and this document has been updated and will be submitted at deadline 2 (EN070008/APP/6.2.12 Revision A). A Construction Traffic Management Plan has been developed [APP-107]. Requirement 6 of the draft DCO secures the submission of a Construction Traffic Management Plan for the approval of the discharging authority before the development can commence.
1.21	5.4.4	The Highway Officer has raised some concerns over the access points as detailed. There are ongoing discussions on this matter with the applicant and these matters will need to be addressed to ensure the project is acceptable in highway safety terms. Also, there are ongoing discussions regarding the rights to access the highway to allow for the works.	The Applicant can confirm that discussions are ongoing with the local highway authority. Requirement 7 of the draft DCO secures the requirement for new temporary and permanent means of access to be approved by the Local Highway Authority before construction commences.
5.5 Relevant Issues. Issue 5 – Ecology			
1.22	5.5.1	Policy 41 of the NELLP seeks development to have regard to biodiversity and geodiversity. The scale and nature of the proposed development means that there is the potential for ecological impact. Moreover, the route also passes through a Site of Nature Conservation Interest.	The potential for ecological impacts associated with the Proposed Development was assessed within the Environmental Statement (Chapter 6: Ecology and Biodiversity). Whilst the Proposed Development's boundary does pass through a Site of Nature Conservation north of Mablethorpe (Saltfleetby-Theddlethorpe Dunes and Gibraltar Point), no works are proposed within this section.
1.23	5.5.2	The Council's Ecologist has reviewed the Environmental Statement (ES) in regard to the impacts of the proposed development. The Ecology Officer has highlighted some concerns in relation to chalk streams and blow wells resulting in the lack of consideration in relation to habitats of principle importance. This has been raised with the applicant and these discussions are ongoing. It is noted that a Construction Environmental Management Plan is required to be agreed with NELC and then implemented throughout the construction phase through Requirements of the DCO.	The applicant has continued the discussion with the NELC ecologist regarding chalk streams and blow wells. A joint site visit attended by both the applicant ecologist and authority ecologist is due to take place during May 2024 to locate and observe these features.
5.6 Relevant Issues. Issue 6 – Pollution, Air Quality and Contamination			
1.24	5.6.1	Pollution, air quality and contamination are factors which need consideration under Policy 5 of the NELLP, which requires any necessary measures to mitigate impacts to be provided.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.
1.25	5.6.2	Regard has been had to the chapters of the ES that cover pollution, air quality and contamination. Consideration has also been given to such matters through the construction phase, which can on occasion be more of an impact that the actual operation of the development. Requirements of the DCO relate to the need for a Construction Environmental Management Plan and for Construction Hours. The Environmental Health Officer has considered these matters in	The Applicant acknowledges this paragraph of the NELC LIR and welcomes the conclusion that the environmental health officer has no concerns over the potential impacts, or the control measures proposed.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		detail and have raised no concerns over the potential impacts, or the control measures proposed. As such the proposal is considered to accord with Policy 5 of the NELLP.	
5.7 Relevant Issues. Issue 7 – Drainage and Flood Risk			
1.26	5.7.1	Policy 33 of the NELLP seeks to mitigate flood risk impacts and requires development to be supported by a site-specific flood risk assessment with Policy 34 requiring adequate arrangements for foul and surface water drainage.	The applicant submitted a flood risk assessment [APP-101] and Drainage Strategy [AS-023] as part of the application for Development Consent. An updated version of the FRA (EN070008/APP/6.4.11.5 Revision A) will be submitted by the Applicant to the ExA at Deadline 2.
1.27	5.7.2	Parts of the site are located within Environment Agency Flood Zone 3, specifically to the start connection point. Sequentially, given the nature of the proposed development the development is deemed to be acceptable in terms of the sequential requirements of policy 33.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.
1.28	5.7.3	The development is supported by a site-specific flood risk assessment and detailed drainage strategy. This has been reviewed by the NELC Drainage Officer, as the Lead Local Flood Authority, and no concerns have been raised. It is recommended that further consultations are held with the Environment Agency and the relevant Drainage Board(s) to ensure the development is acceptable to them as well. The proposal is therefore deemed to accord with Policies 33 and 34 of the NELLP.	The Applicant acknowledges this paragraph and welcomes the conclusion that the Lead Local Flood Authority have no concerns. Discussions are ongoing with the Environment Agency and the relevant Drainage Board(s) to ensure the development is acceptable.
5.8 Relevant Issues. Issue 8 – HSE Requirements and Consultation			
1.29	5.8.1	Policy 5 of the NELLP requires due consideration to be given to Health and Safety associated with proposed development. The nature of the project raises question in regard to the HSE requirements. This has been highlighted to the applicant that liaison with the HSE should be undertaken however the documents refer to safety being an important factor. The nature of the pipeline itself should be discussed and this is considered ongoing until such confirmation is received.	<p>The Applicant is highly experienced in health and safety management and takes very seriously its legal duty under the UK's Health and Safety at Work Act to protect workers and the public from its activities.</p> <p>The Applicant has engaged with the HSE, including their science division, to seek their expert opinion on the pipeline design and associated risk assessments. The Applicant has also engaged with other industry experts and will continue to engage both regulator and industry experts throughout the pipeline design and subsequent operation.</p> <p>The pipeline has been designed in compliance with Engineering Standard BSI PD 8010-1:2016, which makes specific provision for CO₂ pipelines. The Applicant has also had regard to a range of guidance from the HSE in designing the pipeline, to ensure that risks are reduced as far as is reasonably practicable.</p>
5.9 Relevant Issues. Issue 9 – Construction Phase			
1.30	5.9.1	The proposed development is very large and involves extensive complex engineering. The construction phase reflects this and is likely to last in excess of 1 year. During that time there will be large numbers of deliveries and construction workers going to and from the site as well as additional environmental impacts. Requirements of the DCO are proposed (Construction Environmental Management Plan), 7 (Construction Traffic Management Plan)	<p>Agreed.</p> <p>Requirement 6 of the draft DCO secures the submission of a Construction Traffic Management Plan for the approval of the discharging authority before the development can commence.</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		and (Working Hours) to control the construction phase of the development and create measures to protect general amenity but also environmental factors as well.	Requirement 7 of the draft DCO secures the requirement for new temporary and permanent means of access to be approved by the Local Highway Authority before construction commences.
6.0 - Conclusion			
1.31	6.1	NELC recognise the environmental benefits that the proposed development would bring, and this is well aligned with the strategic objectives of NELLP in relation to net zero by means of emission reduction. It is not considered that there are any unacceptable impacts in regard to neighbouring land uses, visual impact, drainage and flood risk. The impacts on the highway network, heritage and ecology are matters that are subject to further consideration through the Development Consent Order process, which is welcomed. This is to ensure no adverse impacts. Confirmation on Health and Safety matters has also been sought.	The Applicant acknowledges this paragraph of the NELC LIR and has no further comments at this time.

Table 2: Applicant's response to the Local Impact Report submitted by North Lincolnshire Council (NLC) [REP1-062]

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.1	1.	1. Introduction (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by NLC and has no further comment.
2.2	2.	2. Location (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by NLC and has no further comment.
3. Planning History			
2.3	3.1	The Planning Design and Access Statement [APP-129] submitted by the Applicant accurately outlines the planning history of the site in respect of North Lincolnshire at Section 4.2. This includes identifying a number of other Nationally Significant Infrastructure Projects located in area.	The Applicant acknowledges this paragraph of the North Lincolnshire Council (NLC) LIR and has no further comments at this time.
2.4	3.2	Planning applications PA/2023/421 and PA/2023/422, relating to the proposed carbon capture facilities at VPI Immingham and Phillips 66 Humber Refinery are still pending with the LPA yet to issue a formal decision. These applications have been with the LPA for some time and are at a very advanced stage of the determination process. The LPA are currently working with the Applicant's to resolve outstanding concerns raised by statutory consultee's. It is currently anticipated that the LPA will be in a position to issue decisions on both planning applications within the examination period and the ExA will be kept updated on this matter	The applicant notes this response from NLC.
4. Local Policy Framework			
2.5	4.1	The current Development Plan for North Lincolnshire comprises the saved policies of the North Lincolnshire Local Plan (NLLP) (2003); the North Lincolnshire Core Strategy (NLCS) (2011); and the North Lincolnshire Housing and Employment Land Allocations Development Plan Document (HELADPD) (2016). There are no Neighbourhood Plans relevant to the determination of this application. It is considered that these Development Plan documents are "important and relevant" considerations as defined in the Planning Act 2008.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.6	4.2	The Development Plan policies relevant to the consideration of this application are set out below.	The Applicant acknowledges the response of NLC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.7	4.3	<p>North Lincolnshire Local Plan (NLLP) (2003):</p> <ul style="list-style-type: none"> • RD2 – Development in the Open Countryside; • T1 – Location of Development; • T2 – Access to Development; • T18 – Traffic Management; • T19 – Car Parking Provision & Standards; • R5 – Recreational Paths Network; • LC1 – Special Protection Areas, Special Areas of Conservation and Ramsar Sites; • LC2 – Sites of Special Scientific Interest and National Nature Reserves • LC4 – Development Affecting Sites of Local Nature Conservation Importance; • LC5 – Species Protection; • LC6 – Habitat Creation; • LC7 – Landscape Protection; • LC12 – Protection of Trees, Woodland and Hedgerows; • LC20 - South Humber Bank – Landscape Initiative; • HE5 – Development affecting Listed Buildings; • HE8 – Ancient Monuments; • HE9 – Archaeological Evaluation; • DS1 – General Requirements; • DS7 – Contaminated Land; • DS11 – Polluting Activities; • DS12 – Light Pollution; • DS13 – Groundwater Protection and Land Drainage; • DS14 – Foul Sewage and Surface Water Drainage; • DS15 - Water Resources; and • DS16 – Flood Risk; and 	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time. An assessment of the Proposed Developments compliance with the policies in the North Lincolnshire Local Plan (NLLP) (2003) is set out in Appendix D of the Planning, Design and Access Statement [APP-129].</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.8	4.4	<p>North Lincolnshire Core Strategy (NLCS) (2011):</p> <ul style="list-style-type: none"> • CS1 – Spatial Strategy for North Lincolnshire; • CS2 – Delivering More Sustainable Development; • CS3 – Development Limits; • CS5 – Delivering Quality Design in North Lincolnshire; • CS6 – Historic Environment; • CS11 – Provision and Distribution of Employment Land; • CS16 – North Lincolnshire's Landscape, Greenspace and Waterscape; • CS17 – Biodiversity; • CS18 – Sustainable Resource Use and Climate Change; • CS19 – Flood Risk; • CS20 – Sustainable Waste Management; and • CS25 – Promoting Sustainable Transport; 	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time. An assessment of the Proposed Developments compliance with the policies in the North Lincolnshire Core Strategy (NCS) (2011) is set out in Appendix D of the Planning, Design and Access Statement [APP-129].</p>
2.9	4.5	<p>North Lincolnshire Housing and Employment Land Allocations Development Plan Document:</p> <ul style="list-style-type: none"> • PS1 – Presumption in favour of sustainable development; • SHBE-1 – South Humber Bank • Inset Map 57 – South Humber Bank 	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.</p>
2.10	4.6	<p>North Lincolnshire Council is currently in the process of preparing a new Local Plan to 2038. Once formally agreed this document will replace the current North Lincolnshire Local Plan (2003), North Lincolnshire Core Strategy (2011) and Housing and Employment Land Allocations DPD (2016).</p>	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time. An assessment of the Proposed Development's compliance with the policies in the emerging Local Plan (Submission Version) November 2022 (draft) is set out in Appendix D of the Planning, Design and Access Statement [APP-129].</p>
2.11	4.7	<p>NLC submitted the new Local Plan and supporting evidence to the Government's Planning Inspectorate for examination on 11 November 2022. However, the plan is still at an early stage of examination, with hearings currently anticipated to take place in January and March 2025 at the earliest, and a number of unresolved objections. As such the local planning authority is giving very limited weight to the emerging local plan in decision-making and this position is unlikely to change either prior to the close of the examination, or the date by which the Secretary of State is due to make a decision on the application</p>	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time. An assessment of the Proposed Developments compliance with the policies in the emerging Local Plan (Submission Version) November 2022 (draft) is set out in Appendix D of the Planning, Design and Access Statement [APP-129].</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.12	4.8	<p>The policies within the emerging Local Plan that are deemed relevant to the determination of the proposed development are as follows:</p> <ul style="list-style-type: none"> • SS1 – Presumption in Favour of Sustainable Development; • SS2 – A Spatial Strategy for North Lincolnshire; • SS3 – Development Principles; • SS10 – Strategic Site Allocation – South Humber Bank • SS11 – Development Limits; • EC2 – Existing Employment Areas; • EC4 – South Humber Bank Landscape Initiative • TC2 – Place Making and Good Urban Design; • RD1 – Supporting Sustainable Development in the Countryside; • DQE1 – Protection of Landscape, Townscape and Views; • DQE3 – Biodiversity and Geodiversity; • DQE4 – Local Nature Reserves; • DQE5 – Managing Flood Risk; • DQE6 – Sustainable Drainage Systems; • DQE7 – Climate Change and Low Carbon Living; • DQE11 – Green Infrastructure Network; • DQE12 – Protection of Trees, Woodland, and Hedgerows; • HE1 – Conserving and Enhancing the Historic Environment; • T1 – Promoting Sustainable Transport; • T3 – New Development and Transport; • T4 – Parking; • DM1 – General Requirements; • DM3 – Environmental Protection; • ID1 – Delivering Infrastructure; 	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time. An assessment of the Proposed Developments compliance with the policies in the emerging Local Plan (Submission Version) November 2022 (draft) is set out in Appendix D of the Planning, Design and Access Statement [APP-129].</p>
2.13	4.9	<p>In addition to the Development Plan policies listed above, there are supplementary planning documents and guidance documents which have relevance to the proposed development as set out below:</p> <ul style="list-style-type: none"> • Sustainable Drainage Systems (SuDS) and Flood Risk Guidance (2017); and • Landscape Character Assessment & Guidelines (1999). 	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.</p>

5. Key Issues

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.14	5.1	<p>The key issues identified by North Lincolnshire Council in relation to this National Significant Infrastructure Project are:</p> <ul style="list-style-type: none"> • Local planning policy context • Landscape and visual impact • Ecology and Biodiversity • Traffic and Transport • Water resources and flood risk • Historic environment • Air Quality • Noise and Vibration 	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.</p>
6. Local Planning Policy Context			
2.15	6.1	<p>The local Development Plan does not make specific allocation of land for new energy related or carbon capture infrastructure/facilities.</p>	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.</p>
2.16	6.2	<p>The Order limits relevant to North Lincolnshire lie outside of any defined development boundary and are located partly within and partly outside of local policy allocations. The Immingham Facility (Work no.'s 01, 01a, 01b & 01c) is located within strategic employment allocation SHBE-1 (South Humber Bank). This policy allocates 900 hectares of land for B1, B2 and B8 port related activities to take special advantage of the location within an existing port environment, flat topography and being adjacent to an existing deep water channel of the Humber Estuary. This strategic allocation is proposed to be brought forward in the emerging new local plan</p>	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.</p>
2.17	6.3	<p>The other parts of the proposed development located within North Lincolnshire are located outside of any policy allocation. These being the northern construction compound (Work no.'s 07, 07a & 07b); and approximately 1km of the pipeline route (Work no.'s 03 & 03a).</p>	<p>The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.</p>
2.18	6.4	<p>It is understood that the western pipeline route option (Work no. 02) is no longer being taken forward for consideration as part of the Development Consent Order application.</p>	<p>The applicant can confirm that the western pipeline route option is no longer being taken forward for consideration as part of the Development Consent Order application. An application for a change request that included the removal of the western Pipeline was submitted to the Examining Authority on the 19th March 2023 and has been accepted into the examination.</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.19	6.5	Parts of the application site lie outside of defined development limits and as such policies RD2 of the North Lincolnshire Local Plan and CS2 and CS3 are relevant in assessing the principle of development. These policies seek to generally direct development within defined development limits and to previously developed sites. However, Policy RD2 does allow employment related development appropriate to the open countryside provided that the open countryside is the only appropriate location and that the development cannot reasonably be accommodated within development boundaries. Policies CS2 and CS3 similarly make allowance for uses that require a countryside location.	The Applicant acknowledges that these policies are supportive of the location for the Proposed Development and has no further comments at this time.
2.20	6.6	In this instance the proposal seeks to construct carbon capture transmission infrastructure immediately adjacent to existing CO2 emitters, within a heavily industrialised area. The location of the identified emitters and other potential emitters in the Immingham industrial area is a key driver in site selection. Given this locational requirement and the scale and nature of the development proposed it is not possible to be located within existing development boundaries; this is not uncommon for infrastructure developments of this nature. It is also acknowledged that the Immingham Facility will be developed on brownfield land previously used as construction laydown in connection with the Immingham Power Station. Therefore, there is justification for siting the proposed development outside of defined development limits in this instance.	The Applicant acknowledges that these policies are supportive of the location for the Proposed Development and has no further comments at this time.
2.21	6.7	With regards to the appropriateness of the location, both the application site and the local area has a history of heavy industry and power generation and associated infrastructure. Furthermore, the siting of the proposed development also means that it will be viewed in the context of existing largescale industrial structures and energy infrastructure. For these reasons it is considered that the proposed development is an appropriate form of development in this location subject to it complying with the relevant policies contained in the Development Plan.	The Applicant acknowledges that NLC consider the location for the Proposed Development to be appropriate due to the heavy industry and power generation infrastructure in the area.
2.22	6.8	The Immingham Facility is located within strategic employment allocation SHBE-1, which seeks to develop a large area of the South Humber Bank for port related industrial and employment uses. Whilst the proposed development is not port related, it is directly related to the existing industrial uses immediately adjacent the site and within the wider area and as such it's location is considered to be justified. It is also noted at para. 4.4.1 of the Housing and Employment land Allocations DPD that the expected port related activities will be predominantly heavy industrial users and as such pollution and waste control measures will be crucial to the success of the site in sustainability terms. The proposed carbon capture transmission infrastructure will play an important role in allowing the decarbonisation and reduction in polluting emissions from existing and future industrial operations in the area. This is demonstrated by the pending applications for carbon capture facilities at both the P66 Humber Refinery and the VPI Immingham Power Station.	The Applicant acknowledges that NLC consider the location for the Proposed Development to be justified and appropriate and that the development will be crucial to making existing heavy industry sustainable.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.23	6.9	Facilitating the decarbonisation of existing and potential future operators in this heavily industrialised area is in accordance to both local and national planning policy which seeks to minimise carbon emissions and to contribute to sustainable development.	The Applicant acknowledges that NLC consider the Proposed Development to accord with Local and National planning policy and will contribute towards sustainable development.
2.24	6.10	Overall it is considered that the proposed development generally accords with the aims of the Development Plan subject to conformity with the relevant policies of the plan, including those that seek to protect the environment and amenity of the area.	The Applicant acknowledges that NLC consider the Proposed Development to accord with the aims of the Development Plan.
2.25	6.11	The following sections consider the more detailed elements of the proposal.	Noted.
7. Landscape and Visual Impact			
2.26	7.1	A Landscape and Visual Impact Assessment (LVIA) has been submitted as part of the ES. It appears to have been prepared in an appropriate manner that is consistent with recognised best practice and guidance, notably the Landscape Institute/IEEMA's 'Guidelines for Landscape and Visual Impact Assessment' (Third Edition), as well as other associated published advice and technical guidance. It is clear and concise and appears to draw sound and reasonable conclusions regarding the likely landscape and visual impacts of this development in accordance with the guidance. It is therefore regarded to form a suitable basis upon which to assess the landscape and visual impacts of this proposal.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.27	7.2	A series of viewpoints have been analysed as part of the assessment and these have been complemented by a collection of photomontages. This viewpoint analysis provides an important assessment of key and representative views from a range of locations at varying distances and aspects and adds value to the information provided in this chapter of the Environmental Statement.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.28	7.3	There are no designated landscapes affected by the development that are located within North Lincolnshire. The proposed works relating to the Immingham Facility, the Northern Construction Compound and the relatively small section of pipeline that are located within North Lincolnshire are within a part of the landscape which is heavily industrialised with manufacturing and energy related infrastructure as well as significant transport related infrastructure setting a relatively urban/industrialised context.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.29	7.4	There will be changes to views primarily associated with the construction and operational phases of development. However, these changes will be localised in nature and will not be at odds with the existing industrialised nature of the landscape.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.30	7.5	Construction impacts will be limited in duration and will primarily affect receptors using the local and national highway network. Views from the edge of the nearest settlement of South Killingholme (in respect of the Northern Construction Compound) will be mitigated as a result of distance and intervening roads and landscaping.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.31	7.6	During operation impacts within North Lincolnshire will largely be limited to the Immingham Facility, which will be visible from Humber Road and Rosper Road, including a 25m high vent stack. Again, these impacts will be very localised and the proposed infrastructure will be viewed against the backdrop of existing heavy industrial uses.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.32	7.7	Landscaping will be used to mitigate the visual impacts of the proposed development and NLC is pleased to note that the Applicant proposes to landscape the Immingham Facility in accordance with policy LC20 of the North Lincolnshire Local Plan (South Humber Bank Landscape Initiative). This is welcomed and details will be agreed at the post consent stage via Requirements.	The Applicant is proposing a range of landscaping for the Proposed Development. The Applicant would clarify that there may be aspects of the OLEMP that may not accord precisely with the South Humber Bank Landscape Initiative, but are considered to be appropriate to the location and nature of the Immingham Facility. The final details of landscaping will be designed and agreed with the authority post-consent in accordance with requirement 11 of the draft DCO.
2.33	7.8	Overall it is considered that the landscape and visual impacts of the development relevant to North Lincolnshire will not be significant. This is due to the lack of sensitivity of the landscape in this part of the authority area, existing heavy industrial uses and infrastructure in the area, the localised nature of identified impacts and proposed mitigation through additional landscaping.	The Applicant acknowledges the response of NLC and has no further comments at this time
8. Biodiversity and Ecology			
2.34	8.1	The Environmental Statement contains numerous chapters relating to ecology. The assessments have been prepared in an appropriate manner that is consistent with recognised best practice and guidance. The information that is provided appears to be sufficiently detailed to enable a full appraisal of the potential impacts of the development.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.35	8.2	The ES identifies known sites of ecological importance. Bespoke study areas were identified for varying nature conservation interests around the Order limits. An extensive suite of surveys were undertaken in support of the proposals, including surveys for habitats and a range of protected and notable species.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.36	8.3	The submitted Report to Inform the Habitats Regulations Assessment has identified a likely significant effect (LSE) on the Humber Estuary Special Protection Area (SPA) and Ramsar site due to noise and visual disturbance of breeding avocet and wintering and passage waterbirds using Rosper Road Pools. This effect may occur due to the project alone, but also acting in combination with one or more other projects proposed around Rosper Road Pools. The use of close-board noise fencing is proposed to attenuate sound power levels to an acceptable standard, in order to ensure no adverse effect on the integrity of the Humber Estuary Special Protection Area (SPA) and Ramsar site. This mitigation measure will need to be secured by DCO requirements	<p>The draft Construction Environmental Management Plan (CEMP) [REP1-012] includes commitment B26 in Table 3: Draft Mitigation Register (Construction Phase) for the use of noise abatement fencing / reduction measures such as acoustic fencing or other barriers in areas such as Rosper Road Pools. The preparation and approval of the CEMP is secured by Requirement 5 of the draft DCO.</p> <p>An updated version of the Report to Inform the Habitats Regulation Assessment (EN070008/APP/6.5 Revision B) will be submitted to the ExA at Deadline 2. Additionally, an updated version of the Draft CEMP (EN070008/APP/6.4.3.1 Revision B) will also be submitted to the ExA at Deadline 2.</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.37	8.4	<p>The Local Sites in North Lincolnshire that lie close to the proposals are all Local Wildlife Sites (LWS). These are:</p> <ul style="list-style-type: none"> • Rosper Road Pools LWS • Mayflower Wood Meadow LWS • Burkinshaw's Covert LWS • Eastfield Road Railway Embankment LWS 	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.38	8.5	Station Road Field LWS has already been lost to the Able Marine Energy Park development, with compensatory neutral grassland habitat developing at Halton Marshes Wet Grassland.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.39	8.6	Mitigation measures proposed within the Construction Environmental Management Plan (CEMP) are set out in section 6.9 of the PEIR and are welcomed. With mitigation measures in place, no significant impacts on Local Sites or priority habitats are anticipated within North Lincolnshire.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.40	8.7	<p>It should be noted that it is relatively easy for a hedgerow to be "important" in North Lincolnshire due to the reduced criteria thresholds and the potential to count additional features. See: http://www.legislation.gov.uk/ukxi/1997/1160/schedule/1/made</p>	This is noted. The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.41	8.8	Proposals to minimise impacts on hedgerows and to carry out reinstatement are welcomed	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.42	8.9	Appropriate measures to safeguard protected and priority species are proposed in the CEMP.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.43	8.10	Appropriate measures are also proposed to deal with any invasive non -native species that are encountered, including Japanese knotweed, giant hogweed and Himalayan (Indian balsam).	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.44	8.11	Overall, an appropriate approach has been followed for the survey of habitats and species. Impacts are proposed to be avoided where possible, through careful siting of the pipelines. The detailed consideration of alternatives prior to the selection of the proposed route is welcomed. Other mitigation measures are proposed as appropriate.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.45	8.12	The commitment to providing Biodiversity Net Gain is welcomed. However, it appears that the approach to the Immingham Facility requires further explanation. The VPI Carbon Capture (PA/2023/421) baseline survey shows the area as scrub and grassland. However, the Viking CCS baseline shows bare ground. This may reflect an assumption that the VPI development will have taken place in advance of Viking CCS and will have addressed habitat losses, but this is not clear.	The assumption has been made that the site of the Immingham Facility will be cleared and presented to the Applicant in a fully remediated state, with bare ground present. This approach ensured there was no double counting of any vegetation loss and allowed for a reasonable BNG assessment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.46	8.13	In the biodiversity metric, high strategic significance should only be assigned where there is an adopted document that gives guidance on a specific location. Blanket Biodiversity Action Plan proposals are not likely to be adequate. High strategic significance should be assigned sparingly as it results in less habitat being created than would otherwise be the case (Defra)	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.47	8.14	Similarly, ecological desirability (medium significance) should reflect the position in the landscape, not just the potential for protected or priority species.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.48	8.15	BNG proposals appear to differ from those in the LEMP.	The proposed Landscaping plans have been provided within the Outline LEMP [APP-127]. These are indicative plans and are not designed to represent the final BNG solution. The Applicant's approach to BNG is set out within the Draft Biodiversity Net Gain Strategy [APP-126].
9. Traffic and Transport			
2.49	9.1	The Council has assessed the submitted information concerning the assessment of potential traffic and transport effects of the proposed development. This is set out in ES Chapter 12 (Traffic and Transport) and supporting appendices, including a Transport Assessment (TA), draft Construction Environmental Management Plan (CEMP) and draft Construction Phase Traffic Management Plan (CTMP)	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.50	9.2	The assessments submitted focus on the impact of the construction phase of the pipeline as vehicle movements during the operational phase are anticipated to be minimal so were scoped out of the assessment.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.51	9.3	The nature of the proposals mean that the majority of the works will occur outside of North Lincolnshire. However, the Immingham Facility, Northern Construction Compound and short section of pipeline are located within North Lincolnshire.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.52	9.4	Chapter 12 and the TA state that the anticipated hours of work for the majority of staff will be 07:00 – 19:00 and therefore the majority of movements will occur outside the peak hours on the highway network. The draft CTMP (Appendix 12.5) suggests working hours of 07:00 – 17:00 in the winter and 07:00 – 19:00 in the summer. If this is the case, the vehicle trips in winter are still likely to fall outside of the evening peak on the highway network, which is identified as 16:00 – 17:00.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.53	9.5	The Northern Compound is located on Habrough Road, just to the south of Habrough Roundabout on the A160. This is the location which was used as the site compound for the A160/A180 works and it is assumed that the existing site access will be used, which is acceptable for this type of usage. Although the site access is within North Lincolnshire, it is anticipated that most vehicles will access the site via the A160, which is part of the Strategic Road Network and therefore the responsibility of National Highways. Any traffic arriving from the south will be travelling on roads which are the responsibility of North East Lincolnshire Council. It is therefore unlikely that construction traffic travelling to the Northern Compound will have an adverse impact on the adopted highway within North Lincolnshire.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.54	9.6	The Immingham Facility is located to the east of Rosper Road. Access for construction traffic will be from a temporary access point on Rosper Road, with the creation of a permanent access on Rosper Road for operational purposes. No location plans or indicative designs appear to have been submitted for the proposed. The locations and designs will need to be agreed with North Lincolnshire Council. It is expected that they will be designed to DMRB standards and meet the relevant visibility requirements.	All access points will be designed to DMRB standards (currently CD123 Geometric design of at-grade priority and signal-controlled junctions version 2.1.0) and meet the relevant visibility requirements. Access designs are being prepared as part of the ongoing FEED contract. Further discussions are ongoing with NLC relating to this matter. Requirement 7 of the draft DCO requires an access plan to be submitted to and approved by the relevant highway authority prior to construction of any new permanent or temporary access commencing. The access plan must include details of the siting, design, layout, visibility splays, access management measures and a maintenance programme relevant to the access it relates to.
2.55	9.7	Table 23 in Appendix 12-2 (Construction Traffic Flows) estimates there will 54 two-way vehicle movements per day to the access point, which is a modest increase on the AADT flows. It is therefore not anticipated that the construction of this facility will have an adverse impact on the adopted highway within North Lincolnshire.	The Applicant acknowledges the response of NLC and has no further comments at this time.
2.56	9.8	A short section of pipeline will be provided within North Lincolnshire, from the Immingham Facility to the A180. Two options have been identified for the routing of the pipeline; however it is understood that the eastern route option has now been selected, this will involve crossing Humber Road and the railway line before running parallel to Manby Road. The proposed method of crossing Humber Road will need to be agreed at an early stage with the relevant Highway Authority. Any required traffic management measures will need to be agreed with North Lincolnshire Council, National Highways and possibly North East Lincolnshire Council.	The ExA has now accepted the applicants change request which removes the pipeline exit route from the Immingham Facility through the P66 Site. The pipeline will cross Humber Road and the railway using a trenchless technique (guided auger bore). Further engagement will be undertaken with NLC, NELC, Network rail and National Highways during the Front End Engineering Design development.
2.57	9.9	A draft CEMP and CTMP have been submitted. The draft CEMP sets out the initial mitigation measures that have been identified to avoid or reduce adverse impacts during construction. It is intended that the draft CEMP will be updated during the FEED (Front End Engineering Design) process and finalised by the appointed contractor prior to the start of construction. The final CEMP will cover all construction activities and will require approval by all local authorities prior to construction commencing. It will however remain a live document and will be updated as and when required	Agreed. The Applicant acknowledges the response of NLC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.58	9.10	The draft CEMP lists a suite of separate environmental control plans, including a CTMP and Travel Plan, which will be developed prior to construction.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.59	9.11	Both Chapter 12 (Traffic and Transport) of the Environmental Statement and the CEMP include a comprehensive list of suggested measures that will be implemented to mitigate against the impact of construction traffic on the highway network. A framework CTMP has been submitted with the DCO application, although this appears to focus more on the technical details associated with construction traffic, than how the impact of construction traffic will be mitigated.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.60	9.12	In conclusion, it is agreed that the main impact of the scheme will be during the construction of the pipeline and associated infrastructure. The majority of vehicle movements will either occur outside of North Lincolnshire, or on the Strategic Road Network within North Lincolnshire. Only a small number of movements are predicted to occur on the local road network within North Lincolnshire. The impact of these movements will be managed through the CEMP and associated CTMP. The construction of the Proposed Development is therefore not predicted to have an adverse impact on the local highway network within North Lincolnshire.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
10. Water Resources and Flood Risk			
2.61	10.1	The application has been accompanied by detailed reports and assessments exploring the impact of the development on water resources and flood risk. The reports appear to have been carried out to accepted standards and methodologies.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.62	10.2	Construction flood mitigation measures would be applied to reduce the risk to the construction sites and workers. The standard construction methods and mitigation are described in the Draft CEMP (including the need for the contractor to produce a Flood Warning and Evacuation Plan to cover emergencies. Given this mitigation, flood risk can be effectively and appropriately managed during the construction phase.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.63	10.3	The Immingham facility is proposed to be a manned facility and is located within an area of tidal flood risk due to its proximity to the Humber Estuary. There is the potential for impact on operational staff associated with the residual tidal flood risk associated with a breach of the Humber flood defences. The submitted Flood Risk Assessment (FRA) (ES Volume IV: Appendix 11.5) contains details of the residual breach tidal flood risk to these facilities, with average modelled flood depths up to 3.25 m, 2.01 m, 2.06 m within the Immingham Facility. However it is proposed that the Immingham Facility will not remain operational during a breach flood event given that the facilities which feed CO2 into the pipeline would shut down during the flood event. Given that the likelihood of a breach event occurring is very low, and the sites will not be operational during a breach event, the likelihood of an impact to the workers is very low.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.64	10.3 (formatting error in NLC LIR)	There are no impacts on surface water receptors, flood risk and people, property and infrastructure anticipated with the buried pipeline, given that the pipeline will be buried to a suitable cover beneath the ground and watercourses.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.65	10.4	A Surface Water Drainage Strategy has been submitted and there will be a need to agree a detailed surface water drainage scheme for the Immingham Facility prior to construction of the facility. This mitigation is adequate to ensure that there are no unacceptable impacts as a result of an increase in surface water flood risk.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
11. Historic Environment			
2.66	11.1	The Council has reviewed the following documents for the section of the project that falls within North Lincolnshire: <ul style="list-style-type: none"> • APP-050 Environmental Statement - Volume II - Chapter 8: Historic Environment • APP-089 Environmental Statement - Volume IV - Appendix 8-1: Historic Environment Desk Based Assessment • APP-090 Environmental Statement - Volume IV - Appendix 8-2: Aerial Review and Light Detection and Ranging (LiDAR) • AS-001 Environmental Statement - Volume IV - Appendix 8-3: Written Scheme of Investigation (WSI) for Archaeological Evaluation. (Supersedes APP-091). 	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.67	11.2	These comments take account of the Applicant's Change Request dated 19th March 2024 and the revised boundary of the DCO at the northern end of the project in North Lincolnshire as shown on: AS-046 4.2_Works_Plans_Part_1_of_2_Revision_A.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.68	11.3	The short section of this project in North Lincolnshire comprising the Immingham Facility and the northernmost section of the pipeline contains a wealth of archaeological and palaeo-environmental evidence. This evidence attests the presence of Bronze Age, Iron Age and Roman occupation and activity, including evidence of salt-working, on and around the edge of the former coastline and salt marshes where former tidal inlets provided access to the Humber estuary and Lincolnshire coast.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.69	11.4	One such former tidal inlet is located at the Immingham Facility where previous and recent archaeological investigations have identified an enclosed Iron Age roundhouse settlement located on the southern edge of the inlet which was infilling at this time. The settlement was first identified in the investigations for the A160/A180 upgrade and Rosper Road/Manby Road roundabout link in 2015/2016.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.70	11.5	More recently, in 2023, archaeological investigations were undertaken for the proposed VPI Carbon Capture Plant (pending planning application ref: PA/2023/421) that coincides with the area of the Immingham Facility site. Here, archaeological evaluation comprising geoarchaeological boreholes and palaeoenvironmental assessment and archaeological trial trenching identified the continuation of the Iron Age farmstead northwards within the Immingham Facility site.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.71	11.6	The earlier phase of Iron Age settlement was replaced into the Roman period and in the 3rd century AD a separate occupation area developed to the east across an area that straddles Rosper Road. These later Roman settlement remains were left in-situ beneath the surface of the VPI CHP car park adjacent to the road, they lie just to the north of the DCO red line boundary at the northeast corner of the Immingham Facility.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.72	11.7	The extents of the settlements north and south of the former tidal inlet at the Immingham Facility/VPI Carbon Capture Plant and CHP sites are not accurately shown in the Desk Based Assessment Report (APP-089; Fig 3 (2 of 20), gazetteer monument nos 9, 10, 13) as the HER data was obtained in mid-2022 before the latest investigations and the HER has been updated since	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.73	11.8	The Iron Age and Roman settlements on and around the Immingham Facility are among several other occupation sites of these periods in the surrounding area in North Lincolnshire. These are described within Chapter 8 of the Environmental Statement [APP 050] with the exception being a new recorded monument, a Ring Ditch and undated gullies identified during a trial trench evaluation on the south side of the A180 adjacent to the DCO boundary. These features are considered likely to represent an Iron Age/Romano-British roundhouse and occupation site and may form part of a larger site located to the southeast just inside the North-East Lincolnshire boundary recently identified by geophysical survey	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.74	11.9	The applicant has undertaken geophysical survey along much of the pipeline route, none of which was in North Lincolnshire.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.75	11.10	Geophysical survey data is available for the Immingham Facility site courtesy of the VPI Carbon Capture plant evaluation; the route of the pipeline to the south along on the north side of the A180 was deemed unsuitable for geophysical survey due to the presence of overground pipes and belowground services. The pipeline route then crosses into North-East Lincolnshire.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.76	11.11	The applicant is currently proposing to undertake archaeological trial trench evaluation to further inform the archaeological assessment. This work was due to commence in early April. No further archaeological trial trenches are required at the Immingham Facility, the evaluation for the VPI Carbon Capture plant was comprehensive (AOC, 2023 updated March 2024) and provides adequate information to assess the Viking CSS project.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.77	11.12	Two trial trenches along the pipeline route in North Lincolnshire are proposed north of the A180 where access/existing constraints allow. The trenches target the area where the site of a possible Medieval farmstead is recorded within the DCO limit (APP 089, Fig 3 (2-20), monument no. 25) and the probable Iron Age/Romano-British Ring Ditch is located immediately adjacent to the DCO boundary.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.78	11.13	Until the trial trenches are completed and reported on, the identification and assessment of archaeological significance of any unknown remains present in the section of the pipeline in North Lincolnshire cannot be made. It is expected that the results of the trial trench evaluation will be made available during the Examination period.	The Applicant acknowledges this paragraph of the NLC LIR. The Applicant confirms that the results of the trial trenching will inform the final route selection of the pipeline within the Order Limits.
2.79	11.14	The northern construction compound for the project lying to the west of Habrough Road is also within North Lincolnshire. This area was evaluated for the A160/A180 upgrade in 2014/15 and subsequently used as a construction compound. No archaeology was identified in the evaluation trial trenches and no further archaeological work is considered necessary for the Viking CCS project.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.80	11.15	The archaeological impacts of the Viking CCS project at the site of the proposed Immingham Facility can be well understood from the existing archaeological data. Work No.01, Work Nos.1a-c and Work No.02 (AS-046) will directly impact archaeologically significant Bronze Age, Iron Age and Roman remains described above, resulting in their destruction.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.81	11.16	As such, this area will require archaeological mitigation to off-set this harm comprising archaeological strip map and record excavations in advance of the commencement of any groundworks associated with construction.	Agreed. The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.82	11.17	A Framework (Outline) Written Scheme of Investigation (WSI) for the archaeological mitigation investigations at the Immingham Facility should be prepared at the earliest opportunity and submitted during the Examination period to inform the assessment and decision-making process. The outline WSI for the Immingham Facility should be appended to the draft CEMP (APP068).	Agreed. The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.83	11.18	The outline WSI should make provision for the preparation of a detailed project design to be prepared by archaeological contractor appointed to undertake the programme of excavation and post-excavation. The contractor's detailed project design would constitute the written scheme of investigation referred to under Schedule 2, Requirement 10 of the draft DCO (APP-006).	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.84	11.19	It should be noted that an archaeological mitigation strategy set out in a Framework WSI for Excavation has already been prepared and agreed with the local planning authority for the proposed VPI CC Plant that fully encompasses the area of the proposed Immingham Facility (PA/2023/421). It is unclear which of these developments would be constructed first should both be permitted	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.85	11.20	Project planning and programming for the Viking CCS project will therefore need to pay close attention to the sequencing of these two developments ensuring that adequate time is allowed for the archaeological excavations to take place at the Early Works stage of the project should the Viking CCS project and construction of the Immingham Facility and works precede the construction of the VPI CC Plant.	Agreed. The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.86	11.21	Until the results of the evaluation trial trenching within North Lincolnshire to the south of the Immingham Facility are available to inform and complete the assessment of archaeological significance, the need for additional mitigation works cannot be commented on.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.87	11.22	This information should be made available prior to the close of the examination so that the Examining body and Local Planning Authority has the opportunity to assess the results and the scope and content of any necessary mitigation measures to avoid or off-set harmful impacts	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.88	11.23	With regards to built heritage assets, the tallest element of the proposed development is the vent pipe at the Immingham Facility at 25m, which in views east may be seen against the backdrop of the 3 no listed lighthouses in that area, however given there are already quite a range of tall industrial structures in the vicinity the development is not considered to represent a notable change to the setting of the lighthouses.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.89	11.24	Other listed buildings further afield will not be affected due to distance and a lack of intervisibility.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
12. Air Quality			
2.90	12.1	The Council has assessed the submitted information concerning the assessment of potential effects of the proposed development in respect of air quality. This is primarily set out in Chapter 14 of the ES and it's appendices. The assessment appears to have been carried out to recognised and appropriate standards and methodologies.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.91	12.2	<p>Following the scoping and consultation process that has been undertaken, the scope of the air quality assessment in this chapter is as follows:</p> <ul style="list-style-type: none"> • Construction phase dust assessment (including site plant and non-road mobile machinery (NRMM) emissions) in line with Institute of Air Quality Management (IAQM) guidance. • Construction phase site plant and non-road mobile machinery (NRMM) emissions assessment in line with IAQM guidance. • Screening of construction phase road traffic emissions assessment in line with IAQM and Environmental Protection UK guidance <p>The proposed development covers several Local Authority Boundaries and is divided into Sections. Section 1 is most relevant for North Lincolnshire.</p>	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.92	12.3	In accordance with IAQM Guidance, due to the presence of high sensitivity receptors within the screening distances set by the guidance, a detailed assessment of construction dust impacts is required.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.93	12.4	Section 1 is classed as a 'medium risk' for dust soiling sensitivity and 'low risk' for human health sensitivity. The overall magnitude of risk is classified as 'medium-risk' without appropriate mitigation measures.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.94	12.5	Section 14.8 of the report describes mitigation measures and references a Draft CEMP (ES Volume IV: Appendix 3.1) which has been reviewed. The DCO includes a requirement for the CEMP to be submitted to and approved by the relevant local planning authority prior to commencement of development.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.95	12.6	Section J of the Draft CEMP contains measures relating to air quality which are detailed and extensive in nature. NLC agree that potential air quality impacts as a result of the construction phase can be appropriately mitigated via the implementation of the proposed CEMP. No significant air quality impacts are anticipated during the operational phase of development.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
13. Noise and Vibration			
2.96	13.1	The Council has assessed the submitted information concerning the assessment of potential effects of the proposed development in respect of noise and vibration. This is set out primarily within Chapter 13 of the ES. This assessment appears to have been carried out in accordance with appropriate guidance and methodologies.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.97	13.2	<p>The Noise and Vibration assessment considers the following:</p> <ul style="list-style-type: none"> Noise and vibration associated with construction and decommissioning works; Road traffic associated with construction and decommissioning works; and Noise associated with operational activities associated with Immingham Facility, Block Valve Stations and Theddlethorpe Facility 	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.98	13.3	<p>Baseline noise monitoring has been carried out to establish the existing noise climate at sensitive receptors within the noise and vibration study area. Attended and unattended measurements were undertaken from 19 January to 26 January 2023 and from 26 January to 3 March 2023. Relevant to North Lincolnshire, attended monitoring was undertaken at NM1 (R1) – Properties on School Road, South Killingholme and NM17 (R50) – Hazel Dene, Marsh Lane, South Killingholme.</p>	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.99	13.4	<p>Using the calculated distances in Table 13-19, distances between sensitive receptors and the nearest boundary of the DCO Site Boundary were used to predict what properties would be affected by the Lowest Observed Adverse Effect Level (LOAEL) and Significant Observed Adverse Effect Level (SOAEL) for each assessment phase. Receptors R1 and R50 (those within North Lincolnshire) are not identified as being subject to a SOAEL impact.</p>	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.100	13.5	<p>The Northern compound located south of Harborough Roundabout and the A160 is approximately 200 m away from the nearest receptor R1 to the north. The set-up phase at the northern compound will likely require the use of bull dozers and graders to complete the earthworks. As these works are temporary in nature and 200 m away from the nearest residential receptor, noise emissions from plant would not generate a significant effect. Notwithstanding this, activities in the construction phase would be controlled through mitigation measures secured in the CEMP.</p>	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.101	13.6	<p>Section I of the Draft CEMP contains measures relating to noise which are detailed and extensive in nature.</p>	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.102	13.7	<p>The highest levels of vibration that would be generated by pipeline construction would be vibratory roller use during reinstatement. Vibratory rollers may generate significant levels of vibration (i.e., exceeding 1.0 mm/s) at receptors within 20 m. Consequently, receptors within 20 m of Proposed Development route are identified as experiencing an exceedance of the SOAEL and a significant vibration effect. Receptors within 50 m are identified as an exceedance of the LOAEL.</p>	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.103	13.8	<p>Receptors R1 and R50 (those within North Lincolnshire) are not located within 20m of the pipeline route and will therefore not be subject a SOAEL impact.</p>	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.104	13.9	However, measures to control vibration as defined in Section 8 of BS 5228-2 will be adopted where reasonably practicable. These measures will be secured within a Construction Environmental Management Plan (CEMP) for the construction phase.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.105	13.10	Calculations of construction traffic noise during pipe set up and transport indicate a change in road traffic noise of, at worst, 0.5 dB. This is equivalent to a Negligible effect, which is not significant.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.106	13.11	Calculations of construction traffic noise during construction of site access indicate a change in road traffic noise of, at worst, 1.6 dB. This is equivalent to a Minor Adverse effect, which is not significant. The roads predicted to experience a minor adverse effect are located outside of North Lincolnshire.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.107	13.12	The impact of operational noise from the Immingham Facility, Block Valve Stations and the Theddlethorpe Facility (Options 1 and 2) have been assessed following the methodology set out in BS 4142. No receptors within North Lincolnshire are identified in close proximity to the above locations.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.108	13.13	NLC are of the view that the proposed development will not result in significant noise and vibration impacts upon receptors within North Lincolnshire and that impacts in this regard will be appropriately mitigated via the implementation of the proposed CEMP. Impacts are not expected during operation	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
14. Conclusion			
2.109	14.1	National guidance on Local Impact Reports recommends that a view is given by the local planning authority of the relative importance of different social, environmental or economic issues and impacts of the scheme on them.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.110	14.2	Short term negative social and environmental impacts are anticipated during the construction phase. Such impacts include increased traffic generation, construction disturbance and increased emissions. Longer term adverse impacts include the visual intrusion caused by the above ground installations; and the potential impact on heritage assets. North Lincolnshire Council are of the view that via the implementation of impact avoidance, design and mitigation measures that will be secured through Requirements (subject to comments raised above) contained within the draft DCO and through other regulatory regimes that these negative impacts will not be significant.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.
2.111	14.3	The Council also considers that the proposed development would provide a positive impact in terms of contributing to a reduction in the carbon emissions of the heavy industry and energy generating facilities located on the South Humber Bank.	The Applicant acknowledges this paragraph of the NLC LIR and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's Response
2.112	14.4	The Council has been fully involved in the scheme throughout the pre-application consultation process and work will remain ongoing through the Examination process. Additional clarification is required in respect of BNG proposals for the Immingham Facility and the archaeological investigation of the pipeline route located within North Lincolnshire; however it is anticipated that these issues can be addressed and updated within the pending Statement of Common Ground.	The Applicant acknowledges this comment from NLC and has no further comments at this time. Ongoing discussions with NLC are taking place to close these last few remaining items out. This will be reflected within the agreed SoCG.
2.113	14.5	Overall, the Council is satisfied that the submitted application provides sufficient information to demonstrate that the principle of the application is acceptable and the Council would not wish to make an in principle objection	The Applicant acknowledges the response of NLC and has no further comments at this time.

Table 3: Applicant's response to the Local Impact Report submitted by East Lindsey District Council (ELDC) [REP1-053]

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
3.1	1.	1. Terms of Reference – Introduction (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by East Lindsey District Council (ELDC) and has no further comment.
3.2	1.	1. Terms of Reference – Purpose and Structure of the LIR (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by East Lindsey District Council (ELDC) and has no further comment.
3.3	2.	2. Description of the Area (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by East Lindsey District Council (ELDC) and has no further comment.
3. Statutory Development Plan			
3.4	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.5	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).	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.6	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
Assessment of Impact and Adequacy of Response			
3.7	4.	4. Introduction (Text not copied from original document)	The Applicant acknowledges this section for the LIR prepared by ELDC and has no further comment.
5. The Principle of the Development			
3.8	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 <i>“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”</i> . Clause two advises that: <i>“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.”</i>	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.9	5.3 (formatting error in LIR)	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
3.10	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
6. Ecology and Biodiversity			
3.11	6.1	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	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.12	6.2	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.	The Applicant acknowledges this paragraph of the ELDC LIR. The baseline information and survey data gathered and presented for the Proposed Development within the ES is deemed appropriate, relevant and sufficient. No temporary or permanent losses of coastal habitats will occur as a result of the proposed Development. As outline in the Draft CEMP [REP1-013], numerous plans will be prepared by the applicant and agreed with ELDC before the commencement of works. These include a Construction Ecological management Plan, Species Protection Plan, Invasive Non-Native Species Method Statement and a Tree and Hedgerow Protection Strategy. Opportunities to deliver the agreed voluntarily BNG commitments are currently being explored by the Applicant and discussions have taken place with numerous parties, including Lincolnshire Wildlife Trust.
3.13	6.3	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	An updated version (Revision B) of the Report to inform the HRA will be submitted to the ExA at Deadline 2. Additionally, the Applicant has prepared a separate technical note (EN070008/EXAM/9.25) responding to the issues raised in section 2 of the memo from Royal Haskoning [REP1-057]. This will be submitted to the ExA at Deadline 2
7. Landscape and Visual			
3.14	7.1	Strategic Policy 10 (SP10) - Design. This policy relates to the design of new development. It sets out criteria by which the Council will	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		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.	
3.15	7.2	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.16	7.3	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.	The Applicant welcomes the conclusion of ELDC that the LVIA includes a robust methodology and that the visual effects of the Proposed Development will be mitigated through the embedded mitigation measures.
8. Historic Environment			
3.17	8.1	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.18	8.2	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	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		Ashleigh Farm. With regard to the archaeological impacts, we would adopt the position of Lincolnshire County Council.	
3.19	8.3	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment. /
9. Geology and Hydrogeology			
3.20	9.1	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.21	9.2	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.22	9.3	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 –	<p>The Applicant has assumed in Chapter 9 [APP-051] that the pipeline will remain in-situ in the decommissioning phase (as outlined in the Draft Decommissioning Strategy presented in Appendix 3-5 [APP-072]. Section 3.15 of Chapter 3 [APP-045] also states that a detailed decommissioning strategy would be developed prior to the commencement of any decommissioning activities.</p> <p>If above ground infrastructure or specific sections of the pipeline need to be removed or grouted, and the land reinstated during the decommissioning phase, the relevant mitigation measures outlined in Chapter 9 [APP-051] for the construction phase and included in the draft Construction Environmental Management Plan [REP1-013] will remain applicable (e.g. environmental emergency response plan (E4), preparation of a Site Waste Management Plan (E5), Soil Management Plan (F1), pre-entry meetings (E6), a watching brief (E7), and a dynamic risk assessment in accordance with Environment Agency report Land Contamination Risk Assessment (LCRM) will be undertaken if required (E8). Additionally, the mitigation measures to prevent the creation of new contaminant pathways / linkages will also be required [Section 9.8.5 of APP-051]. The mitigation measures will be outlined in a Decommissioning Environmental Management Plan, as detailed in the CEMP (Section 7.1.8 of REP1-013).</p> <p>The decommissioning works will be undertaken in accordance with the Environment Agency Position Statement A8 in 'The Environment Agency's approach to groundwater protection',</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
			Version 1.2 dated February 2018, if there is the potential for introducing preferential pathways into superficial and bedrock aquifers with backfill designed to suitable engineering standards at the time of decommissioning.
10. Agriculture and Soils			
3.23	10.1	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.24	10.2	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	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.25	10.3	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
11. Water Environment			
3.26	11.1	Strategic Policy 10 (SP10) - Design. Clause 9 requires that: <i>"Development around water sources will only be supported if it contains adequate protection preventing pollution from entering into the water source."</i> 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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.27	11.2	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	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment. An updated version (Revision A) of the FRA will be submitted to the ExA at Deadline 2.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		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.	
3.28	11.3	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.	An updated version of the FRA (EN070008/APP/6.4.11.5 Revision A) and an updated version of the WFD (EN070008/APP/6.4.11.4 Revision A) will be submitted to the ExA at Deadline 2. Additionally, the Applicant has prepared a separate technical note (EN070008/EXAM/9.25) responding to the issues raised in section 2 of the memo from Royal Haskoning [REP1-057]. This will be submitted to the ExA at Deadline 2
12. Traffic and Transport			
3.29	12.1	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.30	12.2	Regarding the traffic and transport impacts we would adopt the position of Lincolnshire County Council Highway Authority.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.31	12.3	Regarding the traffic and transport impacts we would adopt the position of Lincolnshire County Council Highway Authority.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
13. Noise and Vibration			
3.32	13.1	Strategic Policy 10 (SP10) - Design. Clause 5 requires states that development will be supported provided it does not unacceptably harm any nearby residential amenity.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment. NP

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
3.33	13.2	There is the potential for construction and operational noise and vibration to impact on human health and result in a negative impact.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.34	13.3	There are a number of inadequacies within the Noise and Vibration chapter which need to be addressed which have been provided to the applicant.	The Applicant has prepared a separate technical note (EN070008/EXAM/9.25) responding to the issues raised in section 2 of the memo from Royal Haskoning [REP1-057]. This will be submitted to the ExA at Deadline 2.
14. Air Quality			
3.35	14.1	Strategic Policy 10 (SP10) - Design. Clause 5 requires states that development will be supported provided it does not unacceptably harm any nearby residential amenity.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.36	14.2	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.37	14.3	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
15. Climate Change			
3.38	15.1	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.39	15.2	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.40	15.3	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	The Applicant acknowledges the response of ELDC. An updated version (Revision A) of the ES Climate Change chapter will be submitted to the ExA at Deadline 2.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		supported by evidence, and therefore the conclusions would be stronger if details of avoided emissions could be provided.	
16. Socio-Economics			
3.41	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.42	16.2	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.	The Applicant has prepared a separate technical note (EN070008/EXAM/9.25) responding to the issues raised in section 2 of the memo from Royal Haskoning [REP1-057]. This will be submitted to the ExA at Deadline 2.
3.43	16.3	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	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
17. Health and Wellbeing			
3.44	17.1	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.45	17.2	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	The Applicant has prepared a separate technical note (EN070008/EXAM/9.25) responding to the issues raised in section 2 of the memo from Royal Haskoning [REP1-057]. This will be submitted to the ExA at Deadline 2.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		should be questioned by ELDC to confirm acceptability of these assessments and ensure mitigation is appropriate.	
3.46	17.3	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
19. Materials and Waste			
3.47	19.1	The relevant document in this case is the Lincolnshire County Council Minerals and Waste Local Plan (LCCM&WLP)	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.48	19.2	In relation to waste and minerals we would adopt the position of Lincolnshire County Council Highway Authority.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.49	19.3	In relation to waste and minerals we would adopt the position of Lincolnshire County Council Highway Authority.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
20. Major Accidents and Disasters			
3.50	20.1	Strategic Policy 10 (SP10) - Design. Clause 10 of this policy requires that: <i>"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."</i>	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.51	20.2	In relation to major accidents and disasters we would adopt the position of Lincolnshire County Council Highway Authority and Health and Safety Executive.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.52	20.3	In relation to major accidents and disasters we would adopt the position of Lincolnshire County Council Highway Authority and Health and Safety Executive.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
21. Cumulative Effects			
3.53	21.1	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.54	21.2	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.	The Applicant acknowledges this paragraph of the ELDC LIR and has no further comment.
3.55	21.3	The ES Chapter 6 assessment identified minor adverse residual effects on receptors during the construction phase (e.g. national and	The Cumulative Effects Assessment [APP-062] submitted as part of the application for Development Consent was prepared based on relevant legislation and guidance and included the

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		<p>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.</p>	<p>Projects known at that time (up to 31st May 2023) as is typical for this type of assessment. The assessment included projects where planning permission had been granted and were either under construction or not yet constructed. The assessment also included projects where a planning application or Scoping Request had been submitted but had not yet been determined and Local Plan allocations. Local Planning Authorities were consulted to confirm the list of developments to include in the assessment.</p> <p>ELDC identified in their response to the ExAs first written questions two new projects for which planning permission has been granted. At this stage it is not considered that there are any projects that have evolved that would necessitate an update to the Cumulative Impact Assessment.</p> <p>Further detail on potential cumulative effects has however been added to the updated Habitat Regulations Assessment (HRA) (EN070008/APP/6.5 Revision B) submitted at Deadline 2 and within the Quantitative Cumulative Assessment for Traffic (EN070008/EXAM/9.22) also submitted at Deadline 2.</p>

Table 4: Applicant's response to the Local Impact Report submitted by West Lindsey District Council (WLDC) [REP1-066]

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
4.1	1.	1. Introduction and Scope (text not copied from original document)	The Application acknowledges this section of the LIR prepared by WLDC and has no further comments.
2. Legislative and Policy Context			
4.2	2.1	National Policy	Heading for section, no comment necessary.
4.3	2.2	The Secretary of State (SoS) is required to have regard to any relevant national policy statement (NPS), amongst other matters, when deciding whether to grant a DCO. Where there is a relevant NPS in place DCO applications are determined in line with Section 104 of the PA2008. Where there is no relevant NPS in place then Section 105 of the PA2008 takes effect and provides the legal basis for determining DCO applications. Section 105 requires the SoS to consider 'important and relevant' matters which includes this LIR and any matters which the SoS thinks are both important and relevant to its decision.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.4	2.3	The now withdrawn 2011 NPS's EN-1 – Overarching National Planning Policy Statement for Energy and EN-4 – National Planning Policy Statement for Gas Infrastructure and Gas and Oil Pipelines, were replaced in January 2024. However, under the transitional arrangements the Viking CCS Pipeline is required to be considered under the 2011 NPS's. The updated EN-1 and EN-4 (dated November 2023) that came into force 17 January 2024, will however be a significant consideration to the determination of this proposal.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.5	2.4	NPS EN-1 (2011) sets out national policy for energy infrastructure to be decided against. This type of development is not specifically accounted for in EN-1 (2011), however, paragraph 3.3.5 of EN-1 (2011), states that <i>"The UK is choosing to largely decarbonise its power sector by adopting low carbon sources quickly. There are likely to be advantages to the UK of maintaining a diverse range of energy sources so that we are not overly reliant on any one technology (avoiding dependency on a particular fuel or technology type). Government would like industry to bring forward many new low carbon developments (renewables, nuclear and fossil fuel generation with CCS) within the next 10 to 15 years to meet the twin challenge of energy security and climate change as we move towards 2050."</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.6	2.5	NPS EN-1 (November 2023) updates the 2011 EN-1 and sets out the Government's policy for delivery of major energy infrastructure and confirms the commitment to the 2050 net zero Greenhouse Gases (GHG) emission target set through the Climate Change Act 2008 (2050 Target Amendment) Order 2019. EN-1 (2023) places a greater emphasis on Carbon Capture Storage (CCS) and identifies an urgent need for new CCS infrastructure to support the transition to a net zero economy. New CCS infrastructure, CCS technologies, pipelines and storage infrastructure are considered to be critical national priority (CNP) infrastructure.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
4.7	2.6	EN4 (2023) should be read in conjunction with EN-1 (2023). EN-4 recognises that pipelines could carry different types of gas but states that the NPS only has effect for those nationally significant infrastructure pipelines which transport natural gas or oil. EN-4 states that the need for CCS infrastructure is established in Section 3.5 of overarching EN-1 and the NPS does not have effect for CCS infrastructure, but it may contain information that is important and relevant to the SoS decision on applications for CCS infrastructure.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.8	2.7	The National Planning Policy Framework (NPPF) (December 2023) at paragraph 5 states that the document does not contain specific policies for NSIPs. These are to be determined in accordance with the decision-making framework set out in the Planning Act and relevant NPS's for nationally significant infrastructure projects, well as any other matters that are considered both important and relevant.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.9	2.8	Development Plan	Heading for section, no comment necessary.
4.10	2.9	So far as the development being within the WLDC boundary, the Central Lincolnshire Local Plan (CLLP) forms part of the development plan for West Lindsey (replacing the previous Central Lincolnshire Local Plan, adopted in 2017). The Local Plan was adopted on 13th April 2023 and therefore represents an 'up to date' statutory development plan to which significant weight should be afforded in decision making under section 105 of the PA 2008.	The relevant policies in the Central Lincolnshire Local Plan (CLLP) have been considered in the Planning Design and Access Statement [APP-129].
4.11	2.10	<p>The relevant policies are as follows:</p> <p>Policy S1: The Spatial Strategy and Settlement Hierarchy</p> <p>Policy S5: Development in the Countryside</p> <p>Policy S16: Wider Energy Infrastructure</p> <p>Policy S21: Flood Risk and Water Resources</p> <p>Policy S47: Accessibility and Transport</p> <p>Policy S48: Walking and Cycling Infrastructure</p> <p>Policy S53: Design and Amenity</p> <p>Policy S54: Health and Wellbeing</p> <p>Policy S57: The Historic Environment</p> <p>Policy S59: Green and Blue Infrastructure Network</p> <p>Policy S60: Protecting Biodiversity and Geodiversity</p> <p>Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains</p> <p>Policy S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value</p> <p>Policy S66: Trees, Woodland and Hedgerows</p>	The compliance of the Proposed Development with the relevant policies in the Central Lincolnshire Local Plan (CLLP) is assessed in Appendix D of the Planning Design and Access Statement [APP-129].

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		Policy S67: Best and Most Versatile Agricultural Land	
4.12	2.11	There are no Neighbourhood Plans within the WLDC District that are relevant to the development.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
3. West Lindsey District Council Identified Impacts			
4.13	3.1	Approximately 2km of the pipeline would run through the administrative boundary of West Lindsey to the northeast of the settlement of Riby, through agricultural fields and across the A18- Barton Street. In addition to this there is a proposed Block Valve Station (Washingdales Lane- Document reference EN070008/APP/4.14) located c. 400m to the southeast of the WLDC administrative boundary.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.14	3.2	The following sections identify the relevant policies within the development plan and other local policy, the key issues raised by the proposed development, so far as they are relevant to the West Lindsey District and the extent to which the applicant addresses them and thus the proposal complies with local policy.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
3.3 Principle of the Development			
4.15	3.4	Policy S1 of the CLLP states that; <i>The spatial strategy will focus on delivering sustainable growth for Central Lincolnshire that meets the needs for homes and jobs, regenerates places and communities, and supports necessary improvements to facilities, services and infrastructure.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.16	3.5	Policy S16 (Wider Energy Infrastructure) of the CLLP states that; <i>The Joint Committee is committed to supporting the transition to net zero carbon future and, in doing so, recognises and supports, in principle, the need for significant investment in new and upgraded energy infrastructure.</i> <i>Where planning permission is needed from a Central Lincolnshire authority, support will be given to proposals which are necessary for, or form part of, the transition to a net zero carbon sub-region, which could include: energy storage facilities (such as battery storage or thermal storage); and upgraded or new electricity facilities (such as transmission facilities, substations or other electricity infrastructure.</i> <i>However, any such proposals should take all reasonable opportunities to mitigate any harm arising from such proposals, and take care to select not only appropriate locations for such facilities, but also design solutions (see Policy S53) which minimises harm arising.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.17	3.6	Policy S16 does not specifically reference CCS infrastructure and whilst the Viking CCS pipeline is not a proposal for energy infrastructure, its development would help contribute towards meeting net zero targets by assisting with the decarbonisation of industry in the Humber region and is therefore considered to be within the broader themes of Policy S16.	The applicant also acknowledges that the Proposed Development will contribute towards meeting net zero targets through the decarbonisation of industry.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
4.18	3.7	NPS (National Policy Statement) EN-1 sets out the national policy for energy infrastructure and is an overarching document that does not specifically cover CCS. However, it does include high level support for CCS projects. NPS EN-1 outlines the Government's ambition to reach the legally binding net zero target by 2050. NPS EN-1 recognises that: <i>"the most likely method for transporting the captured CO2 is through pipelines"</i> .	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.19	3.8	WLDC are generally supportive of the decarbonisation development across the Humber and Lincolnshire regions, and the opportunities for new inward investment into a future low carbon economy. WLDC recognises that such developments as this, can help to meet targets for reducing carbon emissions, leading to positive impacts. For the Council to be fully supportive of the proposals it must be demonstrated that environmental impacts arising from the development are managed and/or mitigated through the DCO process.	The applicant welcomes the comment that WLDC are generally supportive of the Proposed Development which will help to decarbonise the region and provide opportunities for inward investment while also having a positive impact.
3.9 Ecology and Biodiversity			
4.20	3.10	Policy S60 (Protecting Biodiversity and Geodiversity) of the CLLP states that: <i>development proposals will be considered in the context of the relevant Local Authority's duty to promote the protection and recovery of priority species and habitats. Where adverse impacts are likely, development will only be supported where the need for and benefits of the development clearly outweigh these impacts. In such cases, appropriate mitigation or compensatory measures will be required.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.21	3.11	Policy S61 (Biodiversity Opportunity and Delivering Measurable Net Gains) of the CLLP states that; <i>all qualifying development proposals must deliver at least a 10% measurable biodiversity net gain (BNG) attributable to the development. The net gain should be calculated using Natural England's Biodiversity Metric and be provided on-site where possible. Unless specifically exempted by Government, a biodiversity gain plan should be submitted providing clear and robust evidence for biodiversity net gains and losses. This plan should also include details of the pre-development biodiversity value of the onsite habitat, the post-development biodiversity value of the onsite habitat following implementation of the proposed ecological enhancements/interventions, and an ongoing management strategy for any BNG proposals.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.22	3.12	Policy S66 (Trees, Woodland and Hedgerows) of the CLLP states that; <i>planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site. Proposals for new development will also be expected to retain existing hedgerows where appropriate and integrate them fully into the design, having regard to their management requirements.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.23	3.13	In terms of Ecology, the information within Chapter 6 of the ES has been reviewed, this chapter details the potential ecological effects of the proposed	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		development. The tables 6-12 to 6-15 (inclusive) give a suitable summary of ecological interest features and the likely significant effects. The tables also include mitigation and residual effects from the proposed development. In terms of protected and priority species, a range of desk based and field surveys have been undertaken to identify any species which may be within the DCO limits. The level of survey work and methods within Chapter 6 are considered to be appropriate. Some survey work would be required post application to ensure the surveys and mitigation is still appropriate.	
4.24	3.14	The applicants ES highlights a series of potential impacts on ecology during the construction stage. Measures to protect species are proposed to be incorporated into a CEMP, this should be secured in the DCO. Subject to the appropriate mitigation measures, WLDC considers that there would be a minor negative impact on ecology.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.25	3.15	BNG for NSIP proposals is not mandatory however it is good practice for such schemes so provide 10%. Due to the scale of the development, it is expected that BNG should be delivered and the applicant's intention to deliver 10% is welcomed.	<p>Although delivery of BNG is not a legal or national policy requirement for NSIPs, the Applicant recognises the importance of BNG and is committed to delivering BNG that is proportionate to the nature of the Proposed Development. The Applicant's approach to delivery of BNG is set out in the Draft Biodiversity Net Gain Strategy [APP-126] and the Initial Biodiversity Net Gain Assessment [APP-125].</p> <p>In summary, the Applicant is making a voluntary commitment to deliver a 10% net gain in biodiversity relating to the permanent habitat losses at the Immingham Facility, Theddlethorpe Facility and Block Valve Stations. This is not a 10% gain in respect of the entire order limits, which is considered disproportionate. The majority of the pipeline crosses through arable land and will be fully reinstated to arable use once the pipeline is installed. Delivering 10% net gain on this temporary habitat loss is considered disproportionate and, as delivery of BNG is not currently mandatory for NSIPs, would need to be done through landowner agreement as it is not possible for the Applicant to take rights over land compulsorily for the purpose of delivering BNG.</p>
4.26	3.16	<p>The Applicant sets out the methodologies and details the baseline and post development BNG assessment for the Proposed Development in [APP-125] 6.7.1 Initial Biodiversity Net Gain Assessment and sets out the approach to delivering BNG in [APP-126] 6.7.2 Draft Biodiversity Net Gain Strategy. Post development, the metric shows that there would be <i>Areas of permanent habitat loss related to above ground installations are predicted to result in a net loss of 7.44% for area-based habitat units, a net loss of 30.24% for hedgerow units and a net loss of 0.68% for watercourse units.</i></p> <p>The applicant considers that the following should be achievable. <i>"a net gain of 10.42% for area-based habitat units, a net gain of 2597.43% for hedgerow habitats and a net gain of 26.12% for watercourse habitats"</i></p>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.27	3.17	So far as the pipeline running through the WLDC boundary is concerned the development would involve the removal of some trees and partial removal of hedgerows in the section of the pipeline route that runs through the WLDC district. The trees within the DCO limits have been assessed in the ES Appendix 6-10 Arboriculture Report (EN070008/APP/6.4.6.10) upon reading	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		the submission the trees to be removed are either Category B or C trees as well as partial hedgerow removal.	
4.28	3.18	WLDC recognises that the routing of the pipeline has been done to minimise as much as practicable the impacts upon the trees and woodland to be retained and welcomes the proposed protection measures, minimal hedgerow removal and working width reductions where necessary. In terms of mitigation, this will be in the form of new tree planting and associated landscaping works detailed within the Outline Landscape and Ecological Management Plan which will in turn provide compensatory measures for the loss of habitats. Overall the council considers that the development would bring positive benefits in terms of BNG and compensatory tree and hedgerow planting.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
3.19 Landscape and Visual			
4.29	3.20	Policy S53 (Design and Amenity) of the CLLP states that; <i>all development must achieve high quality sustainable design that contributes positively to local character and landscape. Development proposals should be based on a sound understanding of the context, integrate into the surroundings, relate well to the site, contribute to the sense of place, and protect any important local views into, out of, or through the site.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.30	3.21	Policy S62 (Area of Outstanding Natural Beauty and Areas of Great Landscape Value) of the CLLP seeks to protect the Lincolnshire Wolds AONB from adverse impacts from development proposals within or affecting the setting of the AONB. Proposals which will result in an adverse impact on the AONB or which fail to demonstrate that they will not have an adverse impact taking into account any mitigation proposed, will not be supported. The policy also seeks to protect locally designated Areas of Great landscape Value (AGLV).	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.31	3.22	The proposals include a block valve station at Washingdales Lane (c.400m to the southeast of the WLDC boundary and adjacent to the AGLV designation)- See Appendix 1. The WLDC section of the pipeline would run adjacent to an Area of Great Landscape Value nearby to Riby.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.32	3.23	Much of the visual impacts within the district would likely be through the construction process and would therefore be temporary. A temporary access road is proposed along Barton Street and a construction laydown area is sited directly adjacent to the north boundary of the WLDC boundary, again these are temporary during the construction period and would not have a permanent visual impact upon the landscape. Once complete, the operation and maintenance of the buried pipeline would not have significant impacts upon landscape character or the AGLV designation.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.33	3.24	The proposed Washingdales Lane Block Valve Station would be sited close to the AGLV designation. Cumulatively the compound measures 38m by 43m, visual mitigation is in the form of 10m wide planting strips surrounding the	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		3.2m high mesh fencing. The scale of the block valve station itself is minor and it is due to this scale that the council considers that visual impacts would not be harmful upon the character of the AGLV. The council considers that there would be a neutral impact upon the landscape and AGLV.	
3.25 Archaeology and Historic Environment			
4.34	3.26	With regard to Archaeology, Policy S57 (The Historic Environment) of the CLLP states that; <i>Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them. If initial assessment does not provide sufficient information, developers will be required to undertake field evaluation in advance of determination of the application. This may include a range of techniques for both intrusive and non-intrusive evaluation, as appropriate to the site.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.35	3.27	With regard to Listed Buildings and their settings Policy S57 states that; <i>Development proposals that affect the setting of a Listed Building will, in principle, be supported where they make a positive contribution to, or better reveal the significance of the Listed Building.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.36	3.28	There are no designated heritage assets within the WLDC section of the DCO pipeline route. Nearby designated heritage assets, so far as they are within the WLDC boundary are as follows; Riby- Grade II* Listed Buildings; Church of St Edmund, Riby [129]. Grade II Listed Buildings; Barn at Church Farm, Riby [153]; Church Farmhouse, Riby [154]. Keelby- Grade I Listed Buildings; Church of St Bartholomew, Keelby [134]; N Grade II Listed Buildings; Village hall, Keelby [157]; Manor House, Keelby [158]; No 1 and outbuildings and railings, Keelby [159]; Churchyard cross at Church of St Bartholomew, Keelby [120] (also a scheduled monument); Rifle range, Keelby [160]; o 9 shop and Church End Farm, Keelby [135]; Numeric references above are taken from the ES Volume IV- Appendix 8-1: Historic Environment Desk Based Assessment. Document Ref: EN070008/APP/6.4.8.1.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.37	3.29	It is not considered that the pipeline itself would result in a permanent change to the setting of the designated assets detailed above. The ground will be reinstated once construction and laying of the pipeline has been undertaken. The temporary construction access and laydown areas would also be removed following the development. So far as the impacts upon designated	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		heritage assets within the WLDC district boundary the council considers the impacts would be neutral .	
4.38	3.30	With regard to below ground archaeological impacts, to the east of the Lindens in Riby, a possible moated site is visible on aerial photographs with an associated extending to the west across the site boundary, it is located immediately east of the DCO site boundary. The construction of the pipeline would have a direct physical impact upon the least. It is not considered that the impact would be significant, however WLDC would defer to the comments and specialist views of Lincolnshire County Councils Archaeologists, as a whole, in this regard.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.39	3.31	WLDC has been informed by the applicant that the trial trenching programme will be commencing on site and a WSI for the trenching programme has been produced and is to be reviewed and discussed with the relevant authority.	The applicant can confirm that a Written Scheme of Investigation has been prepared and trial trenching commenced during April 2024.
4.40	3.32	The Applicant's evaluation of the impact on buried heritage assets concludes that during construction, in all sections, there would be direct physical permanent impact on any as of yet unidentified archaeological remains within the DCO boundary, the applicants have concluded in their ES that the development as a whole would have a negative impact upon heritage assets, the council would agree with this at this stage.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
3.33 Agriculture and Soils			
4.41	3.34	<p>Policy S67 (Best and Most Versatile Agricultural Land) of the CLLP states that <i>proposals should protect BMV agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy. Significant development resulting in the loss of BMV agricultural land will only be supported if:</i></p> <ul style="list-style-type: none"> <i>The need for the proposed development has been clearly established and there is insufficient lower grade land available;</i> <i>The benefits and/or sustainability considerations outweigh the need to protect such land, when taking into account the economic and other benefits of the BMV agricultural land;</i> <i>The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and</i> <i>Where feasible, once any development which is supported has ceased its useful life, the land will be restored to its former use.</i> 	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.42	3.35	The Applicant has undertaken a desk-based study to assess the impact of the development on agriculture and soils. Within Chapter 10 (Doc reference EN070008/APP/6.2.10) of the applicants ES, the WLDC section of the pipeline lies within Section 2 of the Study Area. Within Section 2 the Proposed Working Area covers 29.59 ha, comprising 9.02 ha of Grade 2 (Very Good) and 20.57 ha of Grade 3 land (good to Moderate).	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
4.43	3.36	During the construction phase the development would result in the loss of use and disturbance to large areas (whole development) of large areas of BMV agricultural land. Permanent loss would occur through the development of the Theddlethorpe facility and its new access road as well as the three block valve stations. During the development there would be a loss of use and disturbance to areas of BMV land, this would be short term. The applicant considers that there would be no permanent loss of BMV land along the pipeline route. The applicant has outlined Soil management during construction in their Outline Soil Management Plan ES Volume 2 Appendix 10-1, the measures in the plan are welcomed. So far as the pipeline runs through the WLDC district the council consider that there is neutral impact upon BMV land.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
3.37 Traffic and Transport			
4.44	3.38	Policy S47 of the CLLP states that; <i>Development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported.</i> <i>All developments should demonstrate, where appropriate, that they have had regard to the following criteria:</i> a) <i>Located where travel can be minimised and the use of sustainable transport modes maximised;</i> b) <i>Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, car clubs, walking and cycling links and integration with existing infrastructure;</i> c) <i>Making allowance for low and ultra-low emission vehicle refuelling infrastructure.</i>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.45	3.39	Within the WLDC district boundary a new temporary access road would be installed along Barton Street, a laydown area is also to be located directly north of the WLDC boundary to the northeast of Riby. WLDC has had regard to the assessment within the ES Volume II- Chapter 12, Transport and Accessibility is appropriate and provides a realistic estimate of HGV and car traffic associated with the development during construction and shows that the impact would be within acceptable levels on the road network. This information has also included trip generation for construction traffic and workers. WLDC agrees that the operational phase of the development would not result in any severe impact. During construction mitigation is proposed to be managed by the detailed Construction Traffic Management Plan (CTMP), this is considered to be acceptable.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.46	3.40	WLDC would further defer to any comments/impacts made by Lincolnshire County Council as the Highways Authority for WLDC in this regard.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
3.41 Major Accidents and Disasters			

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
4.47	3.42	<p>ES Chapter 19: Major Accidents and Disasters gives an assessment of the major accidents and disasters that have the potential to arise from construction to decommissioning stage. Included within this is the assessment of reasonably foreseeable worst case environmental consequences and measures to prevent or mitigate the significant adverse effects on the environment.</p> <p>Other key documents are as follows;</p> <ul style="list-style-type: none"> • Risk management system and adherence to all applicable HSE guidelines; • Adherence to the CEMP; • Undertaking additional studies, where required, to produce an inherently safer design and to ensure residual risks are managed to be ALARP; • Preparation of bespoke incident response plans to ensure reasonably foreseeable incidents can be managed appropriately; and • Developing detailed emergency plans for dealing with potential major incidents. 	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.48	3.43	<p>It is noted that Carbon Dioxide (CO2) is not defined as a dangerous fluid under Pipeline Safety Regulations and, as such, CO2 pipelines are not classified as Major Accident Hazard Pipelines (MAHPs). CO2 is not flammable and will not support combustion and the risk from explosions is low. The key risks to people relate to its potential to act as a toxic material by inhalation at concentrations in excess of 5%v/v and as an asphyxiant at concentrations in excess of 50%v/v where it displaces oxygen in air to dangerously low levels. It is noted the ES considers the most likely cause is due to an external event (e.g. a landslide) rather than an operational issue. The ES concludes that the risk of a pollution accident is very low.</p>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.49	3.44	<p>One of the key documents is the Draft Construction Environmental Management Plan (CEMP) (ES Volume IV Appendix 3.1 (Application Document 6.4.3.1.)), this sets out additional mitigation measures identified in this assessment of likely significant effects within the Mitigation Register. Section N of the register sets out additional mitigation measures in respect of major accidents and disasters. N11 relates to fire detection and states that fire protection measures will be installed at other development and at the Proposed Development. The Operational Phase Mitigation (ES Volume IV, Appendix 3.6 (Application Document 6.4.3.6)) sets out mitigation measures identified in this assessment of likely significant effects during operation, the design of the proposed development will allow for it to be shutdown safely in an emergency. It is noted that the ES concludes that the risks are mitigated to a 'tolerable' level and the effects are concluded 'not significant'.</p>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.
4.50	3.45	<p>WLDC agrees with assessment, risk descriptions and mitigation measures contained within table 19-6- Assessment of Short -Listed Major Accident and</p>	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		Disasters and the methodology contained within the Draft Emergency Response Plan as well as the proposed three-level response plan. Such mitigation and emergency response plans should be secured in the DCO.	<p>The Applicant amended the draft Operational Phase Mitigation [REP1-015] at Deadline 1 to include the following commitment:</p> <p><i>"The Applicant will prepare an Emergency Response Plan which covers potential emergency scenarios, including shut down procedures. This Emergency Response Plan will be regularly tested through desk top exercises."</i></p> <p>An outline of the content of what such a plan must include is set out in the Draft Emergency Response Plan [APP-116]. Requirement 15 of the draft DCO [REP1-002] includes a requirement for the undertaker to submit an Operational Phase Mitigation plan to the local planning authority for approval no later than three months prior to planned completion of commissioning of the Proposed Development. Thereafter the approved plan must be implemented. This therefore secures the requirement to provide a plan of this nature.</p>
4. Conclusion			
4.51	4.1	To conclude, WLDC consider the overarching aims of the Viking CCS pipeline accord with the Central Lincolnshire Local Plan's aims to result in carbon reduction and aim towards net zero. It is overall considered that the effects of development will be neutral at a District Level. The necessary mitigations should be secured by the DCO to minimise the negative impacts identified in the applicant's submission.	<p>The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.</p> <p>The Applicant considers that the necessary mitigations for the scheme have been adequately secured through the requirements to the draft DCO [REP1-002] and associated outline management plans.</p>
4.52	4.2	WLDC requests that the Examining Authority and Secretary of State have regard to this Local Impact Report when making its decision in addition to any further written representations that WLDC may wish to make during the Examination process.	The Applicant acknowledges this paragraph of the WLDC LIR and has no further comment.

Table 5: Applicant's response to the Local Impact Report submitted by Lincolnshire County Council (LCC) [REP1-058]

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
5.1	1.	1. Introduction and Scope (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment. AW
5.2	2.	2. Overview of Proposed Development (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.3	3.	3. Description of Site and Surrounding (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.4	4.	4. Planning History (Text not copied from original document)	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5. Policy Context			
5.5	5.1	The Secretary of State (SoS) is required to have regard to any relevant national policy statement (NPS), amongst other matters, when deciding whether to grant a DCO. Where there is a relevant NPS in place DCO applications are determined in line with Section 104 of the PA2008. However, where there is no relevant NPS in place then Section 105 of the PA2008 takes effect and provides the legal basis for determining DCO applications. Section 105 requires the SoS to consider 'important and relevant' matters which includes this LIR and any matters which the SoS thinks are both important and relevant to its decision.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.6	5.2	The now withdrawn 2011 NPS's EN-1 - Overarching National Planning Policy Statement for Energy and EN-4 - National Planning Policy Statement for Gas Infrastructure and Gas and Oil Pipelines, were replaced in January 2024. However, under the transitional arrangements the Viking CCS Pipeline is required to be considered under the 2011 NPS's. The updated EN-1 and EN-4 (dated November 2023) that came into force 17 January 2024, will however be a significant consideration to the determination of this proposal.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.7	5.3	EN-1 (2011) sets out national policy for energy infrastructure to be decided against. This type of development is not specifically accounted for in EN-1 (2011), however, paragraph 3.3.5 of EN-1 (2011), states that <i>"The UK is choosing to largely decarbonise its power sector by adopting low carbon sources quickly. There are likely to be advantages to the UK of maintaining a diverse range of energy sources so that we are not overly reliant on any one technology (avoiding dependency on a particular fuel or technology type). Government would like industry to bring forward many new low carbon developments (renewables, nuclear and fossil fuel generation with CCS) within the next 10 to 15 years to meet the twin</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		<i>challenge of energy security and climate change as we move towards 2050. ”</i>	
5.8	5.4	NPS EN-1 (November 2023) updates the 2011 EN-1 and sets out the Government's policy for delivery of major energy infrastructure and confirms the commitment to the 2050 net zero Greenhouse Gases (GHG) emission target set through the Climate Change Act 2008 (2050 Target Amendment) Order 2019. EN-1 (2023) places a greater emphasis on Carbon Capture Storage (CCS) and identifies an urgent need for new CCS infrastructure to support the transition to a net zero economy. New CCS infrastructure, CCS technologies, pipelines and storage infrastructure are considered to be critical national priority (CNP) infrastructure.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.9	5.5	NPS EN-1 (2023) at paragraph 3.5.2 advises that <i>“The Climate Change Committee states that CCS is a necessity not an option. As well as its role in reducing emissions associated with generating electricity from natural gas, CCS infrastructure will also be needed to capture and store carbon dioxide from hydrogen production from natural gas, industrial processes, the use of Bioenergy with carbon capture and storage (BECCS) and from direct air carbon capture storage (DACCS). CCS infrastructure could be new or repurposed infrastructure.”</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.10	5.6	The Viking CCS Pipeline, as a new onshore CO2 pipeline over 16.093 km in length is considered to be within the scope of EN-1 (2023). General guidance on the assessment of CCS technology is provided in section 4.9 of EN-1 (2023).	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.11	5.7	EN4 (2023) should be read in conjunction with EN-1 (2023). EN-4 recognises that pipelines could carry different types of gas but states that the NPS only has effect for those nationally significant infrastructure pipelines which transport natural gas or oil. EN-4 states that the need for CCS infrastructure is established in Section 3.5 of overarching EN-1 and the NPS does not have effect for CCS infrastructure, but it may contain information that is important and relevant to the SoS decision on applications for CCS infrastructure.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.12	5.8	The National Planning Policy Framework (NPPF) (December 2023) at paragraph 5 states that the document does not contain specific policies for NSIPs. These are to be determined in accordance with the decision-making framework set out in the Planning Act and relevant NPS's for nationally significant infrastructure, well as any other matters that are considered both important and relevant (which may include the NPPF).	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.13	5.9	The NPPF does, however, state that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change and support	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		renewable energy and low carbon and associated infrastructure (paragraph 157).	
5.14	5.10	<p>For the purpose of Section 38(3) of the Planning and Compulsory Purchase Act 2004, the relevant documents that comprise the development plan in force in the area and of relevance to this DCO application are:</p> <ul style="list-style-type: none"> • North Lincolnshire Core Strategy (NLCS), (June 2011) and the North Lincolnshire Local Plan - saved policies, (May 2003); • North East Lincolnshire Local Plan (NELLP), (March 2018); • Central Lincolnshire Local Plan (CLLP), (April 2023); • East Lindsey Local Plan (ELLP), (July 2018); and • Lincolnshire Minerals and Waste Local Plan (LMWLP), (June 2016). 	These planning policy documents have been considered in the Planning Design and Access Statement [APP-129]
5.15	5.11	<p>The local policies of relevance to the topic areas covered in this LIR, in so far as the development affects LCC administrative area, are as follows:</p> <p>Central Lincolnshire Local Plan Policies</p> <ul style="list-style-type: none"> • S5: Development in the Countryside • S16: Wider Energy Infrastructure • S21: Flood Risk and Water Resources • S47: Accessibility and Transport • S48: Walking and Cycling Infrastructure • S53: Design and Amenity • S54: Health and Wellbeing • S57: The Historic Environment • S59: Green and Blue Infrastructure Network • S60: Protecting Biodiversity and Geodiversity • S61: Biodiversity Opportunity and Delivering Measurable Net Gains • S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value • S66: Trees, Woodland and Hedgerows • S67: Best and Most Versatile Agricultural Land. 	The compliance of the Proposed Development with local planning policy has been considered in Appendix D of the Planning Design and Access Statement [APP-129].

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		<p>East Lindsey Local Plan Policies</p> <ul style="list-style-type: none"> • SP2: Sustainable Development • SP10: Design • SP11: Historic Environment • SP16: Inland Flood Risk • SP17: Coastal East Lindsey • SP22: Transport and Accessibility • SP23: Landscape • SP24: Biodiversity and Geodiversity • SP27: Renewable and Low Carbon Energy • SP28: Infrastructure and S106 Obligations. <p>Lincolnshire Minerals and Waste Local Plan Core Strategy and Development Management Policies</p> <ul style="list-style-type: none"> • DM1: Presumption in favour of sustainable development • DM4: Historic Environment • DM12: Best and Most Versatile Agricultural Land • M10: Underground Gas Storage • M11: Safeguarding of Mineral resources • M12: Safeguarding of Existing Mineral Sites • R1: Restoration and Aftercare. 	
5.16	5.12	<p>There are no adopted Neighbourhood Plans within the administrative areas of East Lindsey District Council or West Lindsey District Council that are of relevance to the Proposed Development.</p>	<p>The Applicant acknowledges the response of LCC and has no further comments at this time.</p>
6. Assessment of Impacts and Adequacy of Response			
5.17	6.1	<p>The following sections identify, for each topic heading listed below, the relevant policies, the key issues and impacts raised by the proposed development and the extent to which the Applicant has addressed these issues in the application documents:</p> <ul style="list-style-type: none"> • Principle of the development - Climate Change • Ecology and Biodiversity • Landscape and Visual 	<p>The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		<ul style="list-style-type: none"> • Historic Environment (Archaeology) • Agricultural and Soils • Water Environment • Traffic and Transport • Public Rights of Way • Socio-Economics • Materials (Minerals) and Waste • Cumulative Impacts. 	
7. Climate Change			
5.18	7.1	<p>Local Policy:</p> <ul style="list-style-type: none"> • CLLP Policy S16: Wider Energy Infrastructure • CLLP Policy S53: Design and Amenity • ELLP Policy SP2: Sustainable Development • ELLP Policy SP28: Infrastructure and S106 Obligations • LMWLP Policy DM1: Presumption in favour of sustainable development. 	The Applicant acknowledges this section of the LIR prepared by LCC and has no further comment.
5.19	7.2	The overarching energy NPS EN-1 (2023) sets out the overarching needs case for different types of energy infrastructure and general assessment principles. EN-1 (2023) re-affirms the government's commitment to net zero and sets out that the government's objectives for the energy system to ensure energy supply remains secure, reliable, affordable, and is consistent with meeting the UK net zero target by 2050.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.20	7.3	Section 3.2 of EN1 (2023) requires the SoS in decision making to assess all applications for development of the types of infrastructure covered by this NPS on the basis that the government has demonstrated that there is a need for those types of development which is urgent. The government has concluded that there is a critical national priority for the provision of nationally significant low carbon infrastructure for both energy security and net zero	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.21	7.4	Section 3.5 of EN1 (2023) considers the need for new nationally significant CCS Infrastructure and states that <i>"There is an urgent need for new carbon capture and storage (CCS) infrastructure to support the transition to a net zero economy."</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
5.22	7.5	CLLP Policy S16 (Wider Energy Infrastructure) supports the transition to a net zero carbon future and, in doing so, recognises and supports, in principle, the need for significant investment in new and upgraded energy infrastructure. Support will be given to proposals which are necessary for, or form part of, the transition to a net zero carbon sub-region. This policy, however, caveats that any such proposals should take all reasonable opportunities to mitigate any harm arising from such proposals and take care to select not only appropriate locations for such facilities, but also design solutions (reference to Policy S53) which minimises harm arising.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.23	7.6	Whilst the CCS pipeline is not a proposal for an energy infrastructure and policy S16 does not specifically reference CCS infrastructure, it is development that would contribute to meeting net zero targets by assisting with the decarbonisation of industry in the Humber region and is therefore considered to be within the theme of policy S16.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.24	7.7	ELLP Policy SP2 (Sustainable Development) encourages a positive sustainable development approach to development that reflects the presumption in favour of sustainable development contained in the NPPF. It states that the Council <i>"will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area."</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.25	7.8	Similar to ELLP Policy SP2, policy DM1 (Presumption in favour of sustainable development) of the LMWLP states that the County Council will take a positive approach to development that reflects the presumption in favour of sustainable development contained in the NPPF.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.26	7.9	ELLP Policy SP28 (Infrastructure and S106 Obligations) states that <i>"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."</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.27	7.10	The importance of CCS projects in achieving net zero is recognised in NPS EN-1 (2023) as this type of development is considered to be CNP infrastructure. In principle this development would assist in meeting a national need to reduce carbon emissions and mitigate climate change. It would accord with the sustainable development objectives contained in the NPPF and in local plan policies by supporting the UK's transition to net zero.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.28	7.11	The Applicant's assessment of climate change impacts from the development itself considers lifecycle greenhouse gas (GHG) impact and climate change resilience. This considers all the major lifecycle	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		sources of GHG emissions and includes both direct GHG emissions as well as indirect emissions from activities such as transportation of materials and embodied carbon in construction materials. The Applicant's assessment concludes that with mitigation measures such as the adoption of an Energy Reduction Plan the development would have a minor adverse residual effect that is considered not significant. The development as part of the wider CCS project to abate carbon emissions from industry in the Humber area is expected to give rise to a significant beneficial effect. The Applicant's conclusions are not disputed by the Council at this stage.	
5.29	7.12	The Council recognises that this development, in principle, can help meet targets for reducing carbon emissions and would offer significant positive impacts in terms of the transition and movement towards Net Zero. The Council's position is therefore that, adopting a 'whole life' approach to GHG emissions, there are no negative and neutral impacts and that significant positive impacts would accrue. However, in order to be supported it must be demonstrated that there are no significant adverse environmental, economic or social impacts that cannot be appropriately managed and/or mitigated through the DCO process.	The applicant acknowledges the view of LCC that the Proposed Development can help meet targets for reducing carbon emissions and would offer significant positive impacts in terms of the transition and movement towards Net Zero. The Applicant considers that potential adverse environmental impacts can be suitably mitigated through the requirements within the draft DCO and the associated management plans.
5.30	7.13	The sections below consider the potential impacts of the development on other factors/topics and the Examining Authority (ExA) will need to balance these positive impacts against any negative impacts identified within this LIR and those raised by other host authorities and Interested Parties.	The Applicant acknowledges the response of LCC and has no further comments at this time.
8. Ecology and Biodiversity			
5.31	8.1	Local Policy: <ul style="list-style-type: none"> • CLLP Policy S59: Green and Blue Infrastructure Network • CLLP Policy S60: Protecting Biodiversity and Geodiversity • CLLP Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains • CLLP Policy S66: Trees, Woodland and Hedgerows • ELLP Policy SP24: Biodiversity and Geodiversity. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.32	8.2	CLLP Policy S59 (Green and Blue Infrastructure Network) states that the Central Lincolnshire Authorities will safeguard green and blue infrastructure from inappropriate development and work actively with partners to maintain and improve the quantity, quality, accessibility and management of the green infrastructure network. This policy also notes that proposals that cause loss or harm to the green and blue infrastructure will not be supported unless the need	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		for and benefits of the development demonstrably outweigh any adverse impacts. Where adverse impacts on green infrastructure are unavoidable, development will only be supported if suitable mitigation measures for the network are provided.	
5.33	8.3	CLLP Policy S60 (Protecting Biodiversity and Geodiversity) states that development proposals will be considered in the context of the relevant Local Authority's duty to promote the protection and recovery of priority species and habitats. Where adverse impacts are likely, development will only be supported where the need for and benefits of the development clearly outweigh these impacts. In such cases, appropriate mitigation or compensatory measures will be required	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.34	8.4	CLLP Policy S61 (Biodiversity Opportunity and Delivering Measurable Net Gains) states that all qualifying development proposals must deliver at least a 10% measurable biodiversity net gain (BNG) attributable to the development. The net gain should be calculated using Natural England's Biodiversity Metric and be provided on-site where possible. Unless specifically exempted by Government, a biodiversity gain plan should be submitted providing clear and robust evidence for biodiversity net gains and losses. This plan should also include details of the pre-development biodiversity value of the onsite habitat, the post-development biodiversity value of the onsite habitat following implementation of the proposed ecological enhancements/interventions, and an ongoing management strategy for any BNG proposals.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.35	8.5	CLLP Policy S66 (Trees, Woodland and Hedgerows) states that planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site. Proposals for new development will also be expected to retain existing hedgerows where appropriate and integrate them fully into the design, having regard to their management requirements.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.36	8.6	ELLP Policy SP24 (Biodiversity and Geodiversity) seeks to protect and enhance biodiversity and geodiversity value of land and buildings, and minimise fragmentation and maximise opportunities for connection between natural habitats. It also seeks to protect 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. Development that could adversely affect such sites will only be permitted in exceptional circumstances which are listed in the policy. In exceptional circumstances, where adverse impacts are demonstrated to be unavoidable and development is permitted	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		which would damage the nature conservation or geological value of a site, the Council will ensure that such damage is kept to a minimum and will ensure appropriate mitigation, compensation or enhancement of the site through the use of planning conditions or planning obligations.	
5.37	8.7	The Council has reviewed the submitted information concerning the assessment of potential ecological effects of the proposed development. This is set out in ES Chapter 6 [APP-048]. It is considered that Tables 6-12, 6-13, 6-14 and 6-15 of APP048 provide a reasonable summary of ecological interest features and likely significant effects, mitigation, and residual effects of the proposed development.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.38	8.8	<p>Statutory Designated Sites - there are four European designated sites within the DCO site boundary:</p> <ul style="list-style-type: none"> • The Humber Estuary SPA • The Humber Estuary Ramsar • Saltfleetby-Theddlethorpe Dunes and Gibraltar Point SAC • Greater Wash SPA with marine components • The Humber Estuary SAC, is located 1.27 km north-east of the DCO site boundary at its closest point. Given the proximity of the Humber Estuary SAC, potential impacts on the site's interest features arising from the proposed development are considered in the ES. <p>There is one nationally designated site within the DCO site boundary:</p> <ul style="list-style-type: none"> • Saltfleetby Theddlethorpe Dunes SSSI • There are 15 other nationally designated sites within 10km of the DCO site Boundary. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.39	8.9	Non-Statutory Designated Sites - there are 33 non-statutory sites designated for their nature conservation value within 2 km of the DCO Site Boundary; these designations include Local Wildlife Sites (LWS) and Local Wildlife Trust (LWT) sites.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.40	8.10	The Council notes that in the ES Chapter 6 [APP-048] the Applicant states that "The development has been designed to avoid designated sites and habitats of principal importance wherever possible." Where significant crossings of designated sites occur, sensitive working practices and methodologies will be employed to minimise impacts.	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
5.41	8.11	Habitats regulations - the boundary of the proposed development overlaps with the boundary of the Humber Estuary SPA/Ramsar site and with the boundary of the Greater Wash SPA. The Applicant has provided the Planning Inspectorate, as Competent Authority, with all the information reasonably required for a Habitats Regulations Assessment. This information is contained within [APP-118] 6.5 Report to Inform the Habitats Regulations Assessment.	The Applicant acknowledges the response of LCC and has no further comments at this time. An updated version of the Report to inform the HRA (EN070008/APP/6.5 Revision B) will be submitted to the ExA at Deadline 2.
5.42	8.12	The Applicant has worked with Natural England via the Discretionary Advice Service and potential impacts, such as habitat loss (both temporary and permanent), noise, pollution and disturbance all appear to have been assessed appropriately. Where impacts were considered to have a Likely Significant Effect (LSE) on the site(s) interest features appropriate mitigation measures have been identified to ensure that they do not constitute an Adverse Effect on Integrity (AEOI). Overall the Council has no reason to disagree with the conclusions of the Report to Inform the Habitats Regulations Assessment. The Council advises that mitigatory measures should be secured in the Construction Environmental Management Plan (CEMP) a draft of which is included at APP-068.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.43	8.13	Protected and priority species - a suite of both desk-based studies and field surveys has been undertaken to identify protected and priority species likely to occur within the DCO Site Boundary. These are described in ES Chapter 6 [APP-048] and associated appendices. The Council has reviewed the application in accordance with Natural England's standing advice for protected species. Having considered Chapter 6 of the ES [APP-048] it is considered that the survey methods used, and the survey effort deployed were appropriate.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.44	8.14	Without mitigation the proposed development has the potential to result in negative effects on the populations of a number of the above species / groups. Likely impacts, impact avoidance measures, mitigation measures and enhancement measures are proposed to avoid significantly negative effects. Where protected species would be affected by the proposed development, a licence from Natural England would be sought, and mitigation would be secured as part of the licensing process. A district Level Licensing (DLL) approach to avoid adverse effects on great crested newts has been agreed with Natural England. The Council agrees with the approach and considers that impact avoidance and mitigation measures are appropriate and that they should be secured in the CEMP and Landscape and Ecology Management Plan (LEMP). The Council would wish to be involved in the ongoing development of the CEMP and LEMP.	The Applicant acknowledges the response of LCC and has no further comments at this time. The Applicant would engage with LCC on the ongoing development of the CEMP and OLEMP.
5.45	8.15	The Council notes that some surveys and assessment within the DCO site boundary would be required post DCO application in	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		relation to bats and riparian mammals to ensure the assessment, conclusions and proposed mitigation measures remain valid.	
5.46	8.16	The Council also notes that a method statement would be prepared to avoid the inadvertent spread of Invasive Non-Native Species (INNS) during construction. This approach is welcomed.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.47	8.17	Existing biodiversity value - a range of both desk-based studies and field surveys has been undertaken to establish the suite of habitats present within the DCO site boundary. These are described in ES Chapter 6 [APP-048] and associated appendices. A suite of habitat types of local importance and above were identified. This includes internationally important sand dune habitats and nationally important Veteran trees. The Council is of the opinion that the level of survey effort, survey methods and desk-study research undertaken to identify important habitats and establish the baseline biodiversity value is appropriate. The Council is of the opinion that the level of survey effort, survey methods and desk-study research undertaken to identify important habitats and establish the baseline biodiversity value is appropriate.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.48	8.18	Likely impacts, impact avoidance measures, mitigation measures and enhancement measures are proposed to avoid significantly negative effects on the suite of habitats present. The Council agrees with the approach and considers that impact avoidance and mitigation measures are appropriate and that they should be secured in the CEMP and LEMP. The Council notes the intention to produce a Construction Ecological Management Plan (CEMP), Species Protection Plans (SPP), Invasive NonNative Species Method Statements (INNSMS) and a Tree and Hedgerow Protection Strategy within the draft CEMP and would wish to be involved in the ongoing development of the CEMP, LEMP and associated environmental protection plans. In particular the measures to protect and retain all veteran trees and to retain all water bodies identified through baseline surveys are welcomed.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.49	8.19	Biodiversity Net Gain (BNG) - the delivery of 10% BNG is not currently mandatory for NSIPs however it is accepted as good practice. Given the scale of the development, the Council expects that significant BNG should be delivered. The Council welcomes the Applicant's intention to achieve 10% BNG as a result of the development. Given the scale of the development the Council encourages the Applicant to seek to deliver significantly more than 10% BNG.	<p>Although delivery of BNG is not a legal or national policy requirement for NSIPs, the Applicant recognises the importance of BNG and is committed to delivering BNG that is proportionate to the nature of the Proposed Development. The Applicant's approach to delivery of BNG is set out in the Draft Biodiversity Net Gain Strategy [APP-126] and the Initial Biodiversity Net Gain Assessment [APP-125].</p> <p>In summary, the Applicant is making a voluntary commitment to deliver a 10% net gain in biodiversity relating to the permanent habitat losses at the Immingham Facility, Theddlethorpe Facility and Block Valve Stations. This is not a 10% gain in respect of the entire order limits, which is considered disproportionate. The majority of the pipeline crosses through arable land and will be fully reinstated to arable use once the pipeline is installed. Delivering 10% net gain on this temporary habitat loss is considered disproportionate and, as delivery of BNG is not currently mandatory for NSIPs, would need to be done through landowner agreement as it is</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
			not possible for the Applicant to take rights over land compulsorily for the purpose of delivering BNG.
5.50	8.20	The Applicant sets out the methodologies and details the baseline and post-development BNG assessment for the Proposed Development in [APP-125] 6.7.1 Initial Biodiversity Net Gain Assessment and sets out the approach to delivering BNG in [APP-126] 6.7.2 Draft Biodiversity Net Gain Strategy.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.51	8.21	The Applicant has used Biodiversity Metric 4.0 to establish the baseline and post-development biodiversity values. This was the most up-to date version of the metric at the point the assessments were undertaken.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.52	8.22	The post-development output of the metric shows that <i>“Areas of permanent habitat loss related to above ground installations are predicted to result in a net loss of 7.44% for area-based habitat units, a net loss of 30.24% for hedgerow units and a net loss of 0.68% for watercourse units.”</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.53	8.23	Opportunities to deliver BNG including in partnership with local conservation organisations have been explored and the Applicant considers that <i>“a net gain of 10.42% for area-based habitat units, a net gain of 2597.43% for hedgerow habitats and a net gain of 26.12% for watercourse habitats”</i> should be achievable.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.54	8.24	Whilst the Council has not seen the details of the biodiversity metric, taken at face value, the approach to BNG and the potential level achieved are considered to be acceptable. BNG (including monitoring to ensure ongoing management of established habitats) should be secured in the LEMP. The Council would wish to be involved in the ongoing the development of the LEMP.	The Applicant acknowledges the response of LCC and has no further comments at this time. The Applicant would engage with LCC on the ongoing development of the CEMP and OLEMP.
5.55	8.25	The Council encourages the Applicant to work closely with local stakeholders to refine the approach to BNG delivery. It also advises that the Greater Lincolnshire Nature Partnership has produced Biodiversity Opportunity Mapping (BOM) for the whole of Greater Lincolnshire and is currently in the process of refining this to provide more detailed resolution recommendations. In addition to this a Local Nature Recovery Strategy (LNRS) is currently being produced for Greater Lincolnshire. The BOM and LNRS will both provide useful detail which can be used to refine the approach to BNG delivery and identify additional opportunities.	The Applicant acknowledges the response of LCC. The Applicant is currently exploring options for its BNG commitments with a variety of potential partners, including for example Lincolnshire Wildlife Trust.
5.56	8.26	Ecological Steering Group - the Council suggests that consideration is given to the establishment of an Ecological Steering Group or similar for the Proposed Development. This group should consist of	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		key ecological stakeholders (both statutory and non-statutory). The remit of the group would be to receive updates on project progress and to advise on issues encountered during construction as well as to refine delivery of required mitigation. Meetings should be held at an appropriate frequency to ensure good communication between both the developer and stakeholders.	
5.57	8.27	The Applicant's ES identifies a series of potential impacts on ecology during the construction stage of the development. These range from minor adverse impacts to significant adverse impacts depending on the species, habitat or site concerned. Measures to address these impacts are proposed in a CEMP which should be secured in the DCO. If the mitigation measures are secured and delivered as proposed the Council considers that the development would have a minor negative impact on ecology.	The Applicant acknowledges the response of LCC and has no further comments at this time. The CEMP is secured through requirement 5 of the draft DCO.
5.58	8.28	With regard to BNG, whilst not yet mandatory for NSIP's, the Applicant identifies a potential to deliver slightly in excess of 10% gain in area-based habitat units and considerably more than 10% gain in hedgerow and watercourse habitat units. Whilst the Council encourages the Applicant to seek to deliver additional area-based habitat units, it is considered that overall, the development could have a positive impact in terms of BNG if the measures proposed are secured and delivered.	Although delivery of BNG is not a legal or national policy requirement for NSIPs, the Applicant recognises the importance of BNG and is committed to delivering BNG that is proportionate to the nature of the Proposed Development. The Applicant wishes to clarify that they are making a voluntary commitment to deliver a 10% net gain in biodiversity relating to the permanent habitat losses at the Immingham Facility, Theddlethorpe Facility and Block Valve Stations. The majority of the pipeline crosses through arable land and will be fully reinstated to arable use once the pipeline is installed. Delivering 10% net gain on this temporary habitat loss is considered disproportionate and, as delivery of BNG is not currently mandatory for NSIPs, would need to be done through landowner agreement as it is not currently possible for the Applicant to take rights over land compulsorily for the purpose of delivering BNG.
9. Landscape and Visual			
5.59	9.1	Local Policy: <ul style="list-style-type: none"> • CLLP Policy S53: Design and Amenity • CLLP Policy S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value • ELLP Policy SP10: Design • ELLP Policy SP23: Landscape • ELLP Policy SP27: Renewable and Low Carbon Energy. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.60	9.2	CLLP Policy S53 (Design and Amenity) states that all development must achieve high quality sustainable design that contributes positively to local character and landscape. Development proposals	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		should be based on a sound understanding of the context, integrate into the surroundings, relate well to the site, contribute to the sense of place, and protect any important local views into, out of, or through the site.	
5.61	9.3	CLLP Policy S62 (Area of Outstanding Natural Beauty and Areas of Great Landscape Value) seeks to protect the Lincolnshire Wolds AONB from adverse impacts from development proposals within, or affecting the setting of the AONB. Proposals which will result in an adverse impact on the AONB or which fail to demonstrate that they will not have an adverse impact taking into account any mitigation proposed, will not be supported. The policy also seeks to protect locally designated Areas of Great landscape Value (AGLV).	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.62	9.4	ELLP Policy SP10 (Design) states that <i>"the Council will support well-designed sustainable development, which maintains and enhances the character of the District's towns, villages and countryside."</i> The policy supports the use of brownfield land, unless it is of high environmental value and requires proposals to provide onsite landscaping to integrate the development into its wider surroundings.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.63	9.5	ELLP Policy SP23 (Landscape) states that <i>"the District's landscapes will be protected, enhanced, used and managed to provide an attractive and healthy working and living environment. Development will be guided by the District's Landscape Character Assessment and landscapes defined as highly sensitive will be afforded the greatest protection."</i> It goes on to state that <i>"the distinctive character of the District's landscapes whether they are of cultural, natural or historic significance, will not be compromised. In particular, the highest level of protection will be given to the Lincolnshire Wolds Area of Outstanding Natural Beauty, which is designated at a national level because of its landscape quality."</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.64	9.6	ELLP Policy SP27 (Renewable and Low Carbon Energy) relates to proposals for large scale renewable and low carbon energy development and infrastructure to support such development. Proposals <i>"will be supported where their individual or cumulative impact is, when weighed against the benefits, considered to be acceptable in relation to: b) surrounding landscape, townscape and historic landscape character, and visual qualities."</i> Whilst the proposed development is not a low carbon energy development as such, footnote 4 to the policy's explanatory text states that this includes renewable sources of power and also technologies such as nuclear power, CCS, combined heat and power	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.65	9.7	The Applicant's assessment of landscape and visual impacts is set out in ES Chapter 7 [APP-049] and for the construction phase identifies several elements and activities that have the potential to	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		temporarily impact landscape character and visual amenity within the study area. These impacts relate to the removal of existing landscape features such as hedgerows and arable land, and the visibility of new temporary features such as construction machinery. During the operational phase landscape and visual impacts would arise from the presence and operation of permanent structures including the vent stacks at the Theddlethorpe facility and gaps in vegetation as result of removal during the construction phase. There is also potential for impacts during the decommissioning from the removal of above ground installations.	
5.66	9.8	The Applicant states that the development has been sensitively sited and routed to limit its proximity to settlements and houses and avoid more sensitive landscape features. The Applicant's assessment concludes that there would be no significant landscape effects during any stage of the proposed development. Effects on the Lincolnshire Wolds AONB and the AGLV are assessed to result in minor adverse effects during construction reducing to negligible adverse during operation. In terms of visual impacts significant short-term adverse effects have been identified during the construction phase from four viewpoints potentially affecting users of PROW predominantly in North East Lincolnshire.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.67	9.9	Whilst mitigation measures are proposed to ensure that landscape and visual impacts are minimised and these should be secured through the DCO, the development would nevertheless impact upon landscape features and visual receptors. Therefore, consistent with the Applicant's conclusions within the ES, the Council agrees that the proposed development would have a minor negative landscape and visual impact.	The Applicant acknowledges the response of LCC and has no further comments at this time.
10. Historic Environment (Archaeology)			
5.68	10.1	Local Policy: <ul style="list-style-type: none"> • CLLP Policy S57: The Historic Environment • ELLP Policy SP11: Historic Environment • LMWLP Policy DM4: Historic Environment. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.69	10.2	CLLP Policy S57 (The Historic Environment) states that development proposals are required to protect, conserve, and seek opportunities to enhance the historic environment of Central Lincolnshire. Proposals will be supported where they protect the significance of heritage assets (including where relevant their setting) and take into account the desirability of sustaining and enhancing non-designated heritage assets and their setting. In instances where a development proposal would affect the significance of a heritage asset (where designated or non-designated), the Applicant will be required to undertake and provide	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		information on the significance of the asset; the impact of the proposed development on the significance and special character of the asset; and a clear justification for the works so that the harm can be weighed against public benefits.	
5.70	10.3	This policy also states that where development proposals would result in less than substantial harm to a designated heritage asset, permission will only be granted where the public benefits, including, where appropriate, securing its optimum viable use, outweigh the harm. In addition to this, development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.71	10.4	ELLP Policy SP11 (Historic Environment) states that proposals will be supported that secure the continued protection and enhancement of heritage assets in East Lindsey, contribute to the wider vitality and regeneration of the areas in which they are located and reinforce a strong sense of place. Of relevance to the consideration of Archaeology, proposals will be supported where they: "Do not harm the site or setting of a Scheduled Monument; any unscheduled nationally important or locally significant archaeological site. Appropriate evaluation, recording or preservation in situ is required and should be undertaken by a suitably qualified party."	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.72	10.5	The Applicant's evaluation of the impact on buried heritage assets concludes that during construction, in all sections, there would be direct physical permanent impact on any as of yet unidentified archaeological remains within the DCO boundary, which has been assessed as negligible adverse (not significant) to major adverse (significant).	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.73	10.6	As stated in our Representative Response (RR-050) 12 January 2024 while there are a few issues in the submission documents the Council are satisfied with the direction of travel of this scheme.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.74	10.7	The Council met with the Applicant's consultants (Wessex Archaeology) on the 8 March 2024 regarding the trenching programme and are pleased that it will be commencing on site shortly, that the geophysical survey report has been produced and that Wessex Archaeology who will be undertaking the evaluation fieldwork have produced a Written Scheme of Investigation (WSI) for their trenching which will replace the trenching section of the AECOM overarching WSI. The Council have yet to see this but we hope that it can be agreed before the trenching fieldwork commences.	The Applicant acknowledges the response of LCC and has no further comments at this time. A copy of the Wessex Archaeology WSI will be submitted to the ExA at Deadline 2 (as an appendix to the original WSI [APP-091]).
5.75	10.8	The Council hope that various issues we have identified through the NSIP process for this scheme are moving towards resolution,	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		however, there are concerns which we will seek to move forward through the Draft Statement of Common Ground (dSoCG), such as preserving the archaeology in situ by limiting groundworks or directional drilling without reference to sufficient evaluation to identify the extent of the archaeology and fencing the preservation in situ area off to ensure there are no groundworks, plant movement or storage which could destroy the archaeology by compaction or ground disturbance (ES Chapter 8: Historic Environment section 8.8.4, also dSoCG LCC45).	
5.76	10.9	It's the nature of archaeology that it's an iterative process and we look forward to the geophysical survey and trial trenching results informing the baseline evidence for the Environmental Impact Assessment (EIA) and providing the basis for an effective and fit for purpose mitigation strategy to adequately deal with the impact of this development.	The report titled <i>Supplementary Environmental Information: Geophysical Survey Report and Assessment Update</i> was submitted by the applicant at Deadline 1 which provided the results of the geophysical surveys undertaken during 2022 and 2023.
5.77	10.10	It is hoped that this submission will meet the evidential requirements as set out in the relevant policy and guidance including Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulation 5 (2d)), the NPPF and the NPS Policy EN1 (2011) (Section 5.8) which states "The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents (5.8.10)."	<p>The assessment provided in chapter 8: Historic Environment of the Environmental Statement [APP-050] has been prepared in line with national guidance (i.e., paragraph 5.8.9 of EN-1 and paragraph 194 of the NPPF) and is considered sufficient to assess the affected interests and inform the necessary scope of mitigation measures, including pre-commencement surveys and a written scheme of investigation.</p> <p>Requirement 10 of the draft DCO [REP1-002] requires that prior to commencement of any stage of the Proposed Development with the potential to affect buried archaeological assets, an archaeological written scheme of investigation must be submitted to and approved by the relevant planning authority following consultation with Historic England. The Proposed Development must be undertaken in accordance with the approved scheme. As acknowledged by LCC in Paragraph 10.9 of the Local Impact Report, archaeology is an iterative process. A desk based assessment was carried out and included in the application for Development Consent [APP-050] with the findings of geophysical survey being provided at deadline 1 [REP1-043]. Trial trenching commenced in April 2024 and the results will be provided during the examination period.</p>
5.78	10.11	Notwithstanding the evaluation carried out to date, and whilst mitigation measures to ensure that any features within the Order Limits are appropriately recorded, the development would nevertheless have an impact on heritage assets and therefore consistent with the Applicant's own conclusions within the ES, the Council agrees that the proposed development would have a negative impact on heritage assets.	The Applicant acknowledges the response of LCC and has no further comments at this time.
11. Agriculture and Soils			
5.79	11.1	<p>Local Policy:</p> <ul style="list-style-type: none"> • CLLP Policy S67: Best and Most Versatile Agricultural Land • ELLP Policy SP10: Design 	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		<ul style="list-style-type: none"> LMWLP Policy DM12: Best and Most Versatile Agricultural Land. 	
5.80	11.2	<p>CLLP Policy S67 (Best and Most Versatile Agricultural Land) states that proposals should protect BMV agricultural land so as to protect opportunities for food production and the continuance of the agricultural economy. Significant development resulting in the loss of BMV agricultural land will only be supported if:</p> <ul style="list-style-type: none"> The need for the proposed development has been clearly established and there is insufficient lower grade land available; The benefits and/or sustainability considerations outweigh the need to protect such land, when taking into account the economic and other benefits of the BMV agricultural land; The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and Where feasible, once any development which is supported has ceased its useful life, the land will be restored to its former use. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.81	11.3	<p>ELLP Policy SP10 (Design) states that <i>“the Council will support well-designed sustainable development, which maintains and enhances the character of the District’s towns, villages and countryside by:- 1. Where possible supporting the use of brownfield land for development, unless it is of high environmental value, seeking to use areas of poorer quality agricultural land in preference to that of a higher quality.”</i></p>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.82	11.4	<p>The preceding text to ELLP Policy SP10 (Design) at paragraph 4.9 explains why this approach has been taken and states <i>“The use of suitable brownfield sites within existing settlements should always be given priority over more distant greenfield sites. Agriculture continues to play a significant role in the economy of the District. Protecting the best and most versatile agricultural land (that of grade 1, 2 and 3a) is an important part of supporting this industry. In selecting sites for development, the preference should be to seek to utilise lower grade land to that of a higher grade.”</i></p>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.83	11.5	<p>EN-1 (2023) at paragraph 5.11.12 provides similar advice that applicants should seek to minimise impacts on the BMV agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification (ALC)) and preferably use land in areas of poorer quality (grades 3b, 4 and 5). Paragraph 5.11.34 of EN-1 (2023) states that the SoS ‘should ensure that applicants do not site their scheme on the BMV agricultural land without justification’. Where it is sited on BMV, it should ‘take into account the economic and other</p>	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		benefits of that land' and where it is demonstrated necessary, areas of poorer quality should be preferred to higher quality land.	
5.84	11.6	The potential impacts on BMV agricultural land in respect of this scheme and cumulatively with other projects that are emerging/known about in Lincolnshire are of concern to the Council.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.85	11.7	The Applicant has undertaken a desk-based study to assess the impact of the development on agriculture and soil. The study area covered the whole of the DCO application boundary, as a worst-case scenario, which comprises of approximately 567 ha of agricultural land. However, being a linear scheme, the actual likely disturbance based on a typical 30m corridor would be significantly smaller. Of the area assessed approximately 548ha is considered to be BMV land comprising 76.55ha of Grade 2 and 471.17ha of Subgrade 3a. The Council notes that the calculations of BMV agricultural land is based on existing published data and no new site survey data has been obtained to inform the assessment.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.86	11.8	During the construction phase, the temporary and reversible (through reinstatement) loss of BMV land is stated to be 21.29ha of Grade 2 land and 135.45ha of Subgrade 3a land. The Applicant expects the permanent loss of BMV Land to be less than 3ha and this would be attributed to the development of Theddlethorpe Facility (Option 2) and the creation of its new access road, as well as the three Block Valve Stations. The permanent loss of agricultural land would be approximately 0.2ha of Grade 2 agricultural land and 2ha of Subgrade 3a agricultural land. Should the Theddlethorpe Option 1 site be developed the Applicant considers there would be no loss of BMV land on this site. The Applicant also considers that there would be no permanent loss of BMV Land along the pipeline route.	The Applicant acknowledges the response of LCC and has no further comments at this time. It is worthy of note that the assessment of the Proposed Development's impact on Best and Most Versatile Agricultural land has been carried out on a precautionary basis where land classed as grade 3 has been considered as grade 3a in the assessment.
5.87	11.9	The development would result in the loss of use and disturbance to large areas of BMV agricultural land during the construction phase, albeit for the most part short term. There is also potential for disturbance during the decommissioning phase. It is therefore imperative that good practice and mitigation measures are put in place to protect the soil resources during these periods and to ensure that the land is restored to agricultural use without any degrading of land quality. The Applicant's Outline Soil Management Plan ES Volume II Appendix 10-1 [APP-096], is therefore welcomed.	The Applicant acknowledges the response of LCC. An updated version (Revision A) of the OSMP [APP-096] will be submitted to the ExA at Deadline 2.
5.88	11.10	The application states that five site options have been considered for the Theddlethorpe facility site (ES Volume 2 Chapter 2: Design Evolution and Alternatives [APP-044]). The Council notes that a site in close proximity to the LOGGS pipeline is required and that the Option 1 site remains the Applicant's preferred option. However, an alternative site (Option 2) is being taken forward and this appears to be due to uncertainty around future plans for the option 1 site following discussions with the landowner. The Council are of the opinion that insufficient information is currently provided on the assessment of alternative sites for the Theddlethorpe facility and	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		therefore insufficient justification for the Option 2 site should it be developed, to justify the loss of BMV land, as required by EN-1.	
5.89	11.11	The application as presented potentially involves the loss of a modest amount of BMV land (around 2ha, should the Theddlethorpe Option 2 be developed) the Council consider that there is a negative impact on BMV land which is consequently contrary to the requirements of EN-1 and policies S67 and SP10. The Council would prefer to see the Option 1 developed so as to avoid the loss of BMV land on the Option 2 site, notwithstanding the fact that the Option 1 site is currently unrestored land associated with the former TGT and the requirements on the extant mineral planning permissions to restore it to agricultural land which is discussed in section 17 below.	The Applicant acknowledges the response of LCC and has no further comments at this time.
12. Water Environment			
5.90	12.1	Local Policy: <ul style="list-style-type: none"> • CLLP Policy S12: Water Efficiency and Sustainable Water Management • CLLP Policy S21: Flood Risk and Water Resources • CLLP Policy S59: Green and Blue Infrastructure • ELLP Policy SP16: Inland Flood Ris • ELLP Policy SP17: Coastal East Lindsey. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.91	12.2	CLLP Policy S12 (Water Efficiency and Sustainable Water Management) states that in addition to the wider flood and water related policy requirements of Policy S21, all residential or other development comprising new buildings with outside hard surfacing, must ensure such surfacing is permeable (unless there are technical and unavoidable reasons for not doing so).	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.92	12.3	CLLP Policy S21 (Flood Risk and Water Resources) states that all development proposals will be considered against the NPPF, including application of the sequential and, if necessary, the exception test. Proposals should demonstrate that they are informed by and take account of the best available information from all sources of flood risk and by site specific flood risk assessment where appropriate; that the development will be safe during its lifetime taking into account the impacts of climate change; how the wider scope for flood risk reduction has been positively considered; and that they have incorporated Sustainable Drainage Systems (SuDS)/Integrated Water Management into the proposals, unless they can be shown to be inappropriate.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.93	12.4	CLLP Policy S59 (Green and Blue Infrastructure Network) states that proposals that cause loss or harm to the green and blue infrastructure network will not be supported unless the need for and	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		benefits of the development demonstrably outweigh any adverse impacts.	
5.94	12.5	The general theme of ELLP Policy SP16 (Inland flood Risk) is to support development proposals in areas of inland flood risk where it can be demonstrated that accommodating the development on a sequentially safer site would undermine the overall commercial integrity of the existing area and such development must incorporate flood mitigation measures in their design. Development in flood storage areas will not be supported.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.95	12.6	The coastal area of East Lindsey, as defined by the area shown on the Coastal Flood Hazard Maps (Chapter 10 of the ELLP), is considered so important in terms of its size, economic impact, make up of population, and its issues around coastal flood risk that it warrants a policy in its own right. Of relevance to this development ELLP Policy SP17 (Coastal East Lindsey) applies to the settlements of Mablethorpe, Theddlethorpe All Saints, Theddlethorpe St Helen and Trusthorpe and requires development to satisfy the Sequential and Exception Test as set out in Annex 2 of the plan and to provide adequate flood mitigation.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.96	12.7	A Flood Risk Assessment (FRA) has been prepared for this development as it is partly located within flood zones 2 and 3. The FRA assesses the development against the risk of flooding, whether that be from groundwater, river (fluvial), surface water (pluvial), estuary/coastal (tidal), or from sewer sources. The FRA has concluded that it will be possible to manage flood risk to and from the development and that the development conforms to the NPPF	The Applicant acknowledges the response of LCC. An updated version (Revision A) of the FRA will be submitted to the ExA at Deadline 2.
5.97	12.8	The Council in its capacity as Lead Local Flood Authority (LLFA) has reviewed the application documents for this proposal. The surface water flood risk from a pipeline development is very low and section 5.7 to 5.10 of the FRA, ES Volume IV – Appendix 11-5 [APP -101], adequately addresses them. The main risk for increased surface water flood risk would be during the construction phase when temporary impermeable site compounds would be created and potentially drainage channels would be affected by construction works. The CEMP will therefore need to ensure that surface water flood risk are considered during the construction phase and no increased risk to nearby properties results from the site works. The Council are satisfied that the draft DCO includes an appropriate requirement to ensure such details are provided.	The Applicant acknowledges the response of LCC. An updated version (Revision A) of the FRA will be submitted to the ExA at Deadline 2.
5.98	12.9	With regard to meeting the requirements of Policy SP17, whilst CCS storage pipelines are not specifically mentioned they may be viewed as essential infrastructure in which case the development would meet the Sequential and Exception (part 1) in Annex 2 of the ELLP. The Applicant has provided a site specific FRA to satisfy Part 2 of the exception test.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.99	12.10	In summary, subject to the development being carried out as proposed within the DCO application documents and further details	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		being agreed as part of subsequent DCO Requirements, the Council as LLFA for Lincolnshire, is of the view that impacts of this proposal would be neutral .	
13. Highways and Transportation			
5.100	13.1	Local Policy: <ul style="list-style-type: none"> • CLLP Policy S47: Accessibility and Transport • ELLP Policy SP22: Transport and Accessibility. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.101	13.2	CLLP Policy S47 (Accessibility and Transport) states that development proposals are required to contribute towards an efficient and safe transport network. All developments should demonstrate, where appropriate, that they have regard to the need to minimise additional travel demand through the use of travel planning, safe and convenient public transport, walking and cycling links, and integration with existing infrastructure. This policy also states that any development that has severe transport implications will not be granted planning permission unless deliverable mitigation measures have been identified, and arrangements secured for their implementation, which will make the development acceptable in transport terms.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.102	13.3	ELLP Policy S47 (Transport and Accessibility) supports development in or adjoining towns, large and medium villages where it is accessible to key facilities and where it is shown to link with the existing road and public transport systems operating within the District.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.103	13.4	The Applicant's traffic and transport assessment considers how the development could cause changes in traffic numbers and vehicle types on local and the strategic road network as well as the impact on road users including pedestrians. Significant effects are predicted relating to five highway links from a total of 79 that have been assessed, during the construction phase. Of these, four are within LCC's administrative boundary at Humberston Road; Thoresby Road; Main Road; and Warren Road on the A1031 (ES Volume II - Chapter 12, Transport and Accessibility table, 12-73 [APP-054]). Impacts on other routes were assessed as either minor or negligible. Mitigation measures have been committed for these links such as restrictions on HGV journeys at peak times and a booking system for deliveries. Further mitigations would be set out in the detailed Construction Traffic Management Plan (CTMP). Impacts during the decommissioning phase are anticipated to be no greater than during the construction phase. The operational phase is not considered to result in any severe impact.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.104	13.5	The County Council in its capacity as Local Highway Authority has reviewed the application documents and has been involved in a number of meetings with the Applicant pre-submission.	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
5.105	13.6	The Council considers that the assessment within ES Volume II - Chapter 12, Transport and Accessibility [APP-054] is appropriate and provides a reasonable estimate of HGV and car traffic associated with the development during construction and shows that the impact would be within acceptable levels on the highway network.	The Applicant acknowledges the response of LCC and has no further comments at this time, other than to highlight that Revision B of ES Chapter 6.12 Traffic and Transport [EN070008/APP/6.2.12] will be submitted at deadline 2.
5.106	13.7	The trip generation and distribution for construction traffic and workers seems a reasonable assessment and the development vehicle numbers are compared with baseline flows on the network links showing percentage change. It is agreed that there is no need for further capacity assessment of the highway network as the impact is usually within daily variation, or will be outside of peak hours (due to worker shift patterns 7am-7pm). However, there are impacts on local single track roads which will likely require mitigation: <ul style="list-style-type: none"> • Link 35 Thacker Bank: 3.5m wide road - Increase of 154% in HGVs. The additional HGVs and other vehicles will probably need mitigation in the form of passing places. Further assessment needed; • Link 10 Thoroughfare: 3-3.5m wide road - Increase of 63% in HGVs. The additional HGVs and other vehicles will probably need mitigation in the form of passing places. Further assessment needed; • Link 59 Little Grimsby Lane: 3.5m wide road - Increase in other vehicles of 26% - passing places to be considered; • Link 66 Red Leas Lane: 3.0 m wide road - Increase in other vehicles of 34% - passing places to be considered; and • Link 67 Pick Hill Lane: 3.0 m wide road - Increase in other vehicles of 31% - passing places to be considered. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.107	13.8	The draft CTMP (ES Volume IV – Appendix 12.5 [APP-107]) is also considered to be generally acceptable. The workers hours specified at Section 6.4 of the draft CTMP informed the Transport Assessment and should be conditioned such that the construction worker traffic does not occur during the day but outside of 7am-7pm hours. A Travel Plan will also need to be developed to encourage car sharing, minibus and lessen the use of car traffic for workers.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.108	13.9	There is no detail provided as yet of the site compound layouts or access points to the highway and site parking is not addressed. These details will need to be provided and the compounds will need to show that HGVs can access and egress in forward gear with suitable geometry at the access points. Sufficient parking and storage will be required within the compounds such that there is no overspill parking on the highway and that there would be no waiting	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		of HGVs on the highway to access the compounds. The draft DCO has requirements for the submission of a CTMP and details of design approval of accesses prior to commencement. Therefore, if the DCO is granted then there would be an opportunity for the Highway Authority to review and ensure those details are acceptable before the development can commence.	
5.109	13.10	There is still a need to ensure that the DCO provides a mechanism for the Highway Authority to review and provide the necessary specification for works in the Highway that would normally be captured via a Section 278 Agreement and comply with our Permitting scheme to avoid conflict with other works on the network. The mechanism as how this will be achieved is still under discussion in the drafting of the DCO. At this stage however, the Council concludes that traffic and transport impacts during the construction, operation, and decommissioning (subject to agreement of a CTMP) would be neutral.	The Applicant acknowledges the response of LCC and has no further comments at this time.
14. Socio-Economics			
5.110	14.1	Local Policy: <ul style="list-style-type: none"> • CLLP Policy S48: Walking and Cycling Infrastructure • CLLP Policy S54: Health and Wellbeing • CLLP Policy S59: Green and Blue Infrastructure Network • ELLP Policy SP17: Coastal East Lindsey. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.111	14.2	ELLP Policy SP17 (Coastal East Lindsey) states that <i>"the Council will give a high priority to development that extends and diversifies all-year round employment opportunities, contributes directly to the local economy, infrastructure or extends and diversifies the tourism market."</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.112	14.3	In relation to Public Rights of Way (PROW) the theme of the CLLP policies relates to the protection, maintenance, and availability of public rights of way, specifically on the grounds that they provide public access to green/natural spaces as well as provide places for exercise, health, and wellbeing.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.113	14.4	The Applicant's Socio-Economic assessment (ES Volume II Chapter 16: Socio-Economics [APP-058]) considers the impact of the development on local communities and the economy. Potential effects are identified during the construction and decommissioning phases relating to Employment (including training and apprenticeship opportunities) and local economy (Gross Value Added); Users of recreational routes and Public Rights of Way (PRoW); Community severance; and Private assets (including residential properties, development land, local businesses, community facilities, open space and visitor attractions relevant for tourism).	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
5.114	14.5	During the construction phase, the development is expected to create temporary employment opportunities, both directly at work sites and indirectly in the supply chain and gross value would be added to businesses in the development area. There would also be training opportunities and apprenticeships, including opportunities to upskill local residents during construction resulting in a minor beneficial effect. It is also anticipated there would be some minor severance/disruption of access to users of community facilities/residents of nearby settlements due to impacts from construction activities on the road network and/or PROW and as a result there would be a minor adverse effect.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.115	14.6	The application states that the development has been designed to avoid sensitive receptors such as PROW, residential properties, business premises, visitor attractions, community facilities, open spaces and development land allocations as far as possible. Mitigation measures have been identified which includes a draft Public Rights of Way Mitigation Plan (PRWMP), a CTMP and it is noted that the contractor would develop a skills, employment and supply chain plan with the North Lincolnshire Council, North East Lincolnshire Council, East Lindsey and West Lindsey District Council's. However, LCC would also welcome the opportunity to be involved in the development of the plan.	The Applicant acknowledges the response of LCC and has no further comments at this time. The Applicant would be happy to engage with LCC on the development of the skills, employment and supply chain plan.
5.116	14.7	The Council has reviewed Chapter 16: Socio Economics of the ES, the assessment methodology appears reasonable. As stated in the Council's representation [RR-050] the ES acknowledges a realistic leakage and displacement figure and the multiplier that has been used for GVA impact may be a little high and the labour market catchment assumption (90% of national employees commute under 60 mins) does not apply so well to rural locations. It is also felt that some businesses could lose some trade due to the impacts of the line being installed, which appears not to be captured accurately within the documentation. Although what is included in the ES looks reasonable, the Council would also be keen to see benefits to the local communities and economy in the vicinity of the pipeline explored further	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.117	14.8	The Council at this stage is of the opinion that the potential socio-economic benefits resulting from employment opportunities and on the local economy would be positive, however, this could be enhanced through the consideration of further community benefits and LCC would welcome the opportunity to engage with the Applicant regarding this.	The Applicant acknowledges the response of LCC and has no further comments at this time. The Applicant would be happy to engage with LCC on enhancing any potential community benefits which may occur as a result of the Proposed Development.
5.118	14.9	Public Rights of Way (PRoW) - the impact of the development on PRoW is considered in the socio-economic assessment. There are numerous PRoW within the DCO boundary and it is also within the proposed Protected Landscape Impact Risk Zone of the English Coastal Path - Mablethorpe to Humber Bridge. However, no recreational routes would be permanently redirected during the	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		construction phase and any temporary diversions would be reinstated to their original route on completion of the works. An outline PRWMP has been included in the application documents.	
5.119	14.10	Whilst the Council do not disagree with the conclusions of the assessment of impact on PRow the Council are of the opinion that there are opportunities for positive impacts that could be delivered through potential enhancements to the existing footpath network and we would welcome the opportunity to explore these further with the Applicant and through the examination. At this stage, with the mitigation proposed and the requirement to submit a PRWMP with the CEMP in the draft DCO, the Council conclude that that the impact on Public Rights of Way is currently neutral.	The Applicant would be happy to engage with LCC further to discuss the assessment and impact on footpath network. As highlighted by LCC, a Public Rights of Way Management Plan would be prepared to form part of the Construction Environmental Management Plan (CEMP) for the approval of the discharging authority pursuant to the discharge of requirement 5 in the DCO.
15. Materials (Minerals) and Waste			
5.120	15.1	Local Policy: <ul style="list-style-type: none"> • LMWLP Policy M10: Underground Gas Storage • LMWLP Policy M11: Safeguarding of Mineral resources • LMWLP Policy M12: Safeguarding of Existing Mineral Sites • LMWLP Policy R1: Restoration and Aftercare. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.121	15.2	Minerals Safeguarding and Extant Planning Permissions - Policy M10 (Underground gas storage) states that " <i>Planning permission will be granted for the development of underground gas storage facilities provided that proposals accord with all relevant development management policies set out in the Plan.</i> " The proceeding text to this policy at paragraph 5.72 refers to carbon storage and associated infrastructure if local geological circumstances indicate its feasibility. Therefore, this policy is considered to be of some relevance to this proposal.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.122	15.3	Policy M11 (Safeguarding of Mineral Resources) requires proposals for development within a mineral safeguarding area (MSA) to be accompanied by a Minerals Assessment and will only be granted where it can be demonstrated that it would not sterilise a mineral resource. Where this is not the case then proposals will need to demonstrate compliance with a range of criteria.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.123	15.4	Policy R1 (Restoration and Aftercare) requires proposals for mineral development to demonstrate that the restoration of mineral workings will be high quality and carried out at the earliest opportunity and be accompanied by detailed proposals for restoration, including appropriate after-use.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.124	15.5	The DCO site boundary does not affect any safeguarded mineral resources or safeguarded mineral sites in the LCC administrative boundary and the Council therefore has no mineral safeguarding objections to the application.	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
5.125	15.6	The Theddlethorpe facility Option 1 site is located on land that has a number of extant mineral planning permissions associated with it, relating to the former TGT. There are conditions associated with these planning permissions requiring the restoration of the land back to agricultural use that have not to date been complied with. A description of the site history is provided in Section 4 of this LIR and further information on the mineral planning permissions is provided in appendix B.	<p>The Applicant submitted various historic planning permissions relating to the TGT site as an appendix to the Position Statement in relation to the Former Theddlethorpe Gas Terminal [REP1-051]. As set out in that Position Statement, the historic permissions were all granted subject to a decommissioning and restoration condition in materially the same terms. For example, see Condition 2 on the consent granted in May 1997 (E\0907\97):-</p> <p><i>"In the event of supplies of natural gas ceasing to be received all plant and equipment erected or constructed in pursuance of this permission shall be removed and the land fully reinstated for agricultural use within such period as may be agreed with the Director of Highways and Planning"</i></p> <p>Condition 3 of the prior approval decision dated 10 January 2020 (ref. PL/0180/19) stated:</p> <p><i>"Following the completion of the demolition and remediation works subject of this approval, the site shall be restored to agricultural land in accordance with the requirements of planning permissions LR\0536\69, E\402\86, E\774\86, E\2220\90, E\1012\91, E\2143\91, E\1353\93, E\0933\95; E\0907\97 and E\0563\96."</i></p> <p>In terms of those historic planning permissions, the requirement to restore to agricultural use does not take effect until a time period for restoration is agreed with the Local Planning Authority. At present, no timescale is agreed, and the Applicant therefore disagrees that the condition has not been complied with. The Applicant considers that it would not be appropriate to agree a restoration period whilst there are alternative development proposals for the TGT site, such as the Proposed Development.</p> <p>The Applicant notes Lincolnshire County Council's concern that the draft DCO should make express provision to extinguish or amend the conditions of the historic permissions. The Applicant will submit an amended version of the draft DCO at Deadline 3 to address this comment. The Applicant is discussing the proposed drafting with LCC.</p>
5.126	15.7	The outstanding restoration requirements associated with the mineral planning permissions do not appear to have been considered in the application and no proposals to extinguish or amend the outstanding restoration requirements are proposed. In the event that the Option 1 site is developed the conflict with the restoration requirements on the extant mineral planning permissions will need to be addressed, whether this be via the DCO being designed to 'takeover' from or disapply conditions or through a separate agreement or approvals. The ExA attention is drawn to the DCO for Hinkley Point C (2013 No. 648), Article 4, regarding the effect of the order on a previous planning permission. The Council would therefore welcome further discussion regarding this matter.	The Applicant refers to its response above.
5.127	15.8	In conclusion, subject to the conflict with existing restoration requirements being adequately resolved, the Council position is that the impact on minerals would be neutral .	The Applicant will continue to discuss this matter with LCC.
5.128	15.9	Waste - NPS EN-1 (2023) states at paragraph 5.15.4 that <i>"All large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA's Environmental Permitting regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the application to</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		<i>demonstrate that processes are in place to meet all relevant Environmental Permitting requirements."</i>	
5.129	15.10	Paragraphs 5.15.14 and 5.15.15 of NPS EN-1 (2023) outline that during decision making consideration should be given to the extent the Applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction operation and decommissioning of the proposed development. Waste should be properly managed, both on-site and off-site and can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Waste arisings should not have an adverse effect on the capacity of existing waste management facilities and steps should be taken to minimise the volume of waste arisings.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.130	15.11	The Council has reviewed ES Vol II Chapter 18: Materials and Waste [APP-060] and ES Vol IV, Appendix 3-5: Decommissioning Strategy [APP-072]. These suggest that the majority of the waste would be generated during the construction phase of the proposed development. The Applicant has assessed the impact of the development based on a worst-case scenario of the likely types of materials that will be used and wastes that are likely to be generated during the construction of the Proposed Development in order to predict the likelihood of significant environmental effects. As a worst-case scenario, all construction material waste and excavation waste would be disposed of to landfill. The Applicant's conclusions are that the effect of the development on available landfill capacity would not be significant.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.131	15.12	<p>The Council has concerns about some aspects of the Applicant's assessment and consider that further work is needed in order to adequately demonstrate that the impact of the development in terms of waste would not be significant. The Council wish to raise the following points:</p> <ul style="list-style-type: none"> Baseline Conditions and Study Area - the Applicant's study area for non-hazardous and inert waste (paragraph 18.5.6) covers the East Midlands and Yorkshire and the Humber. For Hazardous waste (paragraph 18.5.8) the study area is the whole of England. The Council are of the opinion that the search area for hazardous waste should be at a regional level and for non-hazardous and inert waste it should be within Lincolnshire and if it cannot be accommodated at this scale the Applicant should demonstrate why this is the case. The Council at this stage do not consider the proposed development would meet the proximity principle requirements contained in the National Planning Policy for Waste. Landfill Capacity - the Council notes that the assessment has relied on 2021 data (table 18-19) for 	<p>Baseline Conditions and Study Area</p> <p>The study areas used in the materials and waste assessment were outlined in paragraphs 17.2.6-17.2.9 of the scoping report (Environmental Statement Volume IV – Appendix 5-1: Scoping Report, EN070008/APP/6.4.5.1). There were no comments on the study areas in the scoping opinion (Environmental Statement Volume IV – Appendix 5-2: Scoping Opinion, EN070008/APP/6.4.5.2) from the Planning Inspectorate or Lincolnshire County Council.</p> <p>The study areas are defined in accordance with the IEMA guide to: Materials and Waste in Environmental Impact Assessment published in 2020 (IEMA Guidance) including the assessment criteria set out in the inert and non-hazardous waste (regional) and hazardous waste (national) tables on page 35 of the IEMA Guidance. There is no requirement to assess at a county level.</p> <p>Total estimated non-hazardous and inert construction waste for the Proposed Development is 2,571 m³ (371m³ construction waste and 2,200 m³ of excavated material). In a worst-case scenario, where all waste is disposed of to landfill and considered at the Lincolnshire County level this would be 0.03% of the 8.5 million m³ of the 2022 non-hazardous and inert landfill capacity in Lincolnshire. Therefore, considering landfill capacity at the county level does not impact the outcome of the assessment (i.e below 1% and the point of significance).</p> <p>If hazardous waste is considered at the regional level this would not impact the outcome of the assessment. Anticipated hazardous waste quantities would still be below 0.1% of the Yorkshire and Humber and East Midlands 2022 hazardous landfill capacity (which is 1,133 m³).</p>

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		<p>landfill capacity; 2022 data is available and the development should be assessed using the more up to date data. This could be significant as the 2022 capacity totals are lower for the East Midlands. There also appears to be an incorrect total in table 18-19 for non-hazardous landfill capacity for Yorkshire and Humber which has been carried through to the overall total, so the calculations using the 2022 data should be double checked for accuracy.</p> <ul style="list-style-type: none"> Quantities of Construction Waste - paragraph 18.7.14 states that the quantities of construction waste is unknown and a worst case 5% scenario wastage for all material identified in the Proposed Development bill of quantities has been applied for construction waste. This seems a very broad assumption and the Council are of the opinion that a material by material assessment would provide an more accurate figure, particularly in light of later statements about recovery rates by material (Table 18-24). 	<p>Landfill Capacity</p> <p>The material and waste assessment was undertaken on the basis of information available at the time of the assessment including landfill capacity. 2022 data was published after the finalisation of the assessment.</p> <p>Total non-hazardous (inert and non-hazardous) landfill capacity in the East Midlands and Yorkshire and the Humber for 2022 is 117 million m³ (Environment Agency 2022 Waste Data Interrogator, last updated 14 May 2024).</p> <p>The assessment (Environmental Statement Volume II - Chapter 18: Materials and Waste, EN070008/APP/6.2.18) states for construction waste “a worst-case scenario, where all waste is disposed of to landfill has been applied. This equates to between 0.0003% of the 127 million m³ of inert and non-hazardous landfill capacity within the waste management study area (East Midlands and Yorkshire and the Humber).” If the baseline is updated to 117 million m³ this still equates to 0.0003%. The outcome of the assessment is unchanged.</p> <p>The assessment states for excavated material “a worst-case scenario where all waste is disposed of to landfill has been applied. This equates to between 0.002% of the 127 million m³ of inert and non-hazardous landfill capacity within the waste management study area (East Midlands and Yorkshire and the Humber).” If the baseline is updated to 117 million m³ this still equates to 0.002%. The outcome of the assessment is unchanged.</p> <p>National hazardous landfill capacity reduced from 12.1 million m³ in 2021 to 9.9 million m³ in 2022 (Environment Agency 2022 Waste Data Interrogator, last updated 14 May 2024). The hazardous waste quantities are still anticipated to be less than 0.1% of the 2022 hazardous landfill capacity.</p> <p>In summary using 2022 landfill capacity data instead of 2021 landfill capacity data does not impact the outcome of the assessment.</p> <p>There is a typographical error in Table 18-19 of the assessment (Environmental Statement Volume II - Chapter 18: Materials and Waste, EN070008/APP/6.2.18), the 2021 total non-hazardous landfill capacity in Yorkshire and the Humber should be 71,722,000 m³. The total non-hazardous landfill capacity in the East Midlands and Yorkshire and the Humber should be 126,751,000 m³. The total non-hazardous landfill capacity used in the assessment is correct (127 million m³), therefore the change in the total in Table 18-19 does not impact the outcome of the assessment. Table 18-19 has been corrected. An updated version (Revision A) of the ES Materials and Waste chapter will be submitted to the ExA at Deadline 2.</p> <p>Quantities of Construction Waste</p> <p>The material and waste assessment was undertaken on the basis of information available at the time of the assessment and was sufficiently detailed enough to undertake the Environmental Impact Assessment and to assess the significance of impacts.</p> <p>Additional details on the estimated volumes of waste as a result of construction activities as well as the split of waste types into inert, non-hazardous or hazardous, how specific materials will be recycled and diverted from landfill will be provided in the contractor's Site Waste Management Plan (SWMP) as part of their Construction Environmental Management Plan (CEMP).</p>
5.132	15.13	The Council encourages the prevention of waste and re-use of materials and waste in accordance with the principles of the waste hierarchy rather than sending waste to landfill. The Applicant's draft CEMP [APP-068] sets out mitigation measures such as: segregating waste, using surplus inert excavated materials in land reclamation	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		projects and providing suitable areas and storage for waste to prevent wastes from deteriorating before they are reused or recycled. The Council also notes and welcomes the targets for landfill diversion set out in the Draft CEMP including a target (Commitment M18) for at least 90% (by weight) recovery of non-hazardous construction and demolition waste and also (Commitment K5) 90% total waste diverted from landfill, although every endeavour should be made to restrict landfill even further where possible.	
5.133	15.14	The production of Site Waste Management Plans (SWMP), to be submitted and approved under requirements 5 (CEMP) and 16 (DEMP) of the draft DCO are welcomed. Whilst it is noted that at this stage final details of the materials and waste associated with the development are not yet fully established, the SWMP's should include details of the types of waste expected to be generated during each stage and proposals for managing the waste by each waste stream, following the principles of the waste hierarchy. The Outline SWMP [APP-113] expands on how these principles will be enacted on site and the Council in Table 5 and elsewhere, and these should be further refined as the SWMP develops.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.134	15.15	However, until such time that the Applicant can provide further information on how the proposals would align with the proximity principle and the waste hierarchy the Council cannot definitively agree that the development would have a slight adverse impact in line with the Applicant's conclusions. On that basis the Council consider the development would have a negative impact. The Council would be happy to engage further with the Applicant regarding these matters, including through the SoCG.	As outlined in LPA Reference 15.2 the study areas used in the materials and waste assessment were outlined in paragraphs 17.2.6-17.2.9 of the scoping report (Environmental Statement Volume IV – Appendix 5-1: Scoping Report, EN070008/APP/6.4.5.1). There were no comments on the study areas in the scoping opinion (Environmental Statement Volume IV – Appendix 5-2: Scoping Opinion, EN070008/APP/6.4.5.2) from the Planning Inspectorate or Lincolnshire County Council. The study areas are defined in accordance with the IEMA guide to: Materials and Waste in Environmental Impact Assessment published in 2020 (IEMA Guidance) including the assessment criteria set out in the inert and non-hazardous waste (regional) and hazardous waste (national) tables on page 35 of the IEMA Guidance. There is no requirement to assess at a county level.
16. Cumulative Impact			
5.135	16.1	Local Policy: <ul style="list-style-type: none"> • ELLP Policy SP11: Historic Environment • ELLP Policy SP27: Renewable and Low Carbon Energy • ELLP Policy SP28: Infrastructure and S106 Obligations. 	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.136	16.2	Whilst the development plan for the area does not contain any specific stand-alone policies for the consideration of cumulative impacts, the above policies from the ELLP are of relevance for this proposal as they all require cumulative impacts to be taken into consideration when considering the acceptability of development proposals.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.137	16.3	NPS EN-1 (2011) requires NSIP's to consider the impact of cumulative effects and states at paragraph 4.25 " <i>When considering cumulative effects, the ES should provide information on how the effects of the applicant's proposal would combine and interact with</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
		<i>the effects of other development (including projects for which consent has been sought or granted, as well as those already in existence)."</i>	
5.138	16.4	NPS EN-1 (2023) in section 4 (Assessment Principles), paragraph 4.1.5 states <i>"In considering any proposed development, in particular when weighing its adverse impacts against its benefits, the Secretary of State should take into account: its potential adverse impacts, including on the environment, and including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce, mitigate or compensate for any adverse impacts, following the mitigation hierarchy."</i>	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.139	16.5	The Applicant's assessment of cumulative effects considers both in combination effects (intra-project) and inter-project effects with other development as a result of the development. This is set out in the ES Volume II, Chapter 20: Cumulative Effects Assessment [APP-062].	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.140	16.6	The potential intra-project effects have been identified during the construction phase of the development (Table 20-12). However, following the incorporation of the embedded and additional mitigation, no significant cumulative intra-project effects are expected to occur during construction or during the operational phase of the development. The Council does not dispute the conclusions of the assessment in terms of intra-project effects.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.141	16.7	For inter-project effects, the Applicant's assessment considers those projects that are existing or approved, in line with the Planning Inspectorate's Advice Note Seventeen: cumulative effects assessment within 15km of the DCO Site Boundary. However, the Council are aware of other NSIP proposals coming forward on the Lincolnshire coast in the East Lindsey District area. Whilst the timings of these proposals coming forward and precise locations are not yet fully understood there is potential for a cluster of NSIP developments in the area, the combined impacts of which could be significant, particularly in respect of amenity for the communities affected and on the sensitive coastal environment, over long periods of time. The assessment of inter-project cumulative effects therefore should be kept under review as these other projects progress.	The Applicant acknowledges the response of LCC. It is important to acknowledge that future schemes should consider the Viking CCS within their respective cumulative assessments.
5.142	16.8	Whilst the Council are particularly concerned about the potential for significant inter-projects effects to arise from this development in combination with other developments that are in the early stages of development, at this stage it is acknowledged that they are out of the scope of this assessment and as such the Council's position on cumulative impacts is neutral. The Council will make further comments on the potential cumulative impact of the development with other NSIP proposals as further information on the other projects comes forward.	The Applicant acknowledges the response of LCC and has no further comments at this time.

17. Other Topics

Reference	LPA Reference	Local Impact Report Statement	Applicant's response
5.143	17.1	The Council may wish to make further representations as appropriate during the examination and at issue specific hearings relating to matters that are not contained within this LIR particularly with regard to the draft DCO. Therefore, the comments contained above are provided without prejudice to the future views that may be expressed by the Council in its capacity as an Interested Party in the examination process.	The Applicant acknowledges the response of LCC and has no further comments at this time.
18. Summary			
5.144	18.1	This LIR has undertaken an assessment of the likely issues and impacts that the Council considers will arise from the construction, operation and decommissioning of the Viking CCS Pipeline, in so far as it effects Lincolnshire's administrative boundary. The LIR has identified positive, neutral and negative effects at this stage.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.145	18.2	The CCS Pipeline project by its nature offers significant positive impacts in terms of climate change mitigation and the movement towards Net Zero as well as the potential to deliver biodiversity net gain through the creation of mitigation and enhancements proposed as part of the development. There are some limited economic benefits arising from the potential creation of employment opportunities and increased spend on local services during the construction phase, however, these would be time-limited and therefore need to be balanced against the negative impacts identified. Whilst the Council recognises these potential benefits, there are also a number of negative impacts which have been identified by the Applicant in their assessment of the development and would need to be balanced against these positives. The negative impacts of most concern to the Council are in relation to loss of BMV agricultural land and potential impact on buried archaeology. There are also potential negative effects in respect of production of waste and whilst considered neutral at this stage the potential future cumulative impact of the development with other NSIP projects that are coming forward.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.146	18.3	The Council are of the opinion that the benefits to be delivered from the development, in terms of climate change mitigation are significant and as such the DCO should be supported, subject to the necessary mitigations being secured through the DCO to minimise the negative impacts that have been identified above and in the application documents.	The Applicant acknowledges the response of LCC and has no further comments at this time.
5.147	18.4	The Council requests that the ExA and SoS have regard to this Local Impact Report when making its decision in addition to any further written representations that LCC may wish to make during the Examination and at Issue Specific Hearings relating to matters that are not contained within this LIR.	The Applicant acknowledges the response of LCC and has no further comments at this time.

