



The Planning Inspectorate

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Your Ref:

To the Applicant, Affected Persons
and Interested Parties

Our Ref:

EN070008

Date:

3 July 2024

Dear Sir/ Madam

Planning Act 2008 (as amended) (PA2008) – and The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 9 and 17

Application by Chrysaor Production (UK) Limited for an Order Granting Development Consent for the Viking Carbon Capture and Storage (CCS) Pipeline

Procedural Decision and Request for information

A Procedural Decision has been taken by the Examining Authority (ExA) following the Applicant's request of a formal change request submitted on 19 June 2024 [[AS-063](#)].

The Applicant has proposed six changes to the application [[AS-063 to AS-084](#)] which are:

- Relocate Block Valve Station (BVS) 3 (Louth Road BVS) to the south of Louth Road near Alvingham within the existing Order Limits;
- Narrowing of the Order Limits near the Anglian Water Treatment Works near Louth, to the South of Louth Road BVS;
- Removal of Theddlethorpe Facility Option 2 from the application;
- Removal and modification of the Order Limits around the Theddlethorpe Facility Option 1 and 2;
- Removal of a construction access point in North East Lincolnshire that adjoins the A18 Barton Road south of Laceby; and



- Removal of a construction access point in North East Lincolnshire that adjoins the A46 west of Laceby.

The Applicant has provided updates to all necessary application documents along with a review of the Environmental Statement (ES) [[AS-063 to AS-084](#)]. The Applicant has provided its own assessment on the materiality of the proposed change, concluding that the proposed changes would not result in any changes to the overall assessment or conclusions presented in the ES, nor within the Habitats Regulation Assessment (HRA).

The ExA has concluded that the proposed changes would not constitute a project that would be materially different to the project for which development consent was originally sought. It follows, the ExA considers that the proposed changes are non-material in nature and as such, no formal acceptance, notice, consultation, or related processes are required before the ExA can examine the application as amended. This decision is made on the basis that:

- Five of the six proposed changes result in the reduction of the Order Limits or removal of construction options, the environmental effects from which had already been assessed in the ES and its accompanying reports.
- The remaining one of the six, whilst involving a change of land rights categorisation sought in respect of Compulsory Acquisition and Temporary Possession, would be made with the signed agreement of the landowner.
- The Applicant has confirmed that the change does not involve any 'additional land' (as defined in The Infrastructure Planning (Compulsory Acquisition) Regulations 2010).
- The ExA has considered the Applicant's Environmental Technical Notes as well as the HRA report and concludes that the proposed change would make no difference to the outcome of the HRA.

The ExA has decided to accept for Examination the Applicant's proposed changes. This decision by the ExA does not imply acceptance of the planning merits or evidence for the change, the effects of which will be examined with the same rigour as the original application.

The ExA recognises that in considering whether or not to accept both the proposed changes for Examination, it is required to act reasonably and in accordance with the principles of natural justice. Applying the advice in [Advice Note 16](#), the ExA is content that there will be sufficient opportunity during the remaining Examination process for all relevant Interested Parties to view the changes, for representations to be made in relation to the changes, and for any representations to be taken into account by the ExA.



Request for Further Information

Subsequent to the procedural decision above, we are writing under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) to invite Interested Parties and Affected Persons to comment, as necessary, upon any aspect of the Change Request accepted into the Examination.

The ExA advise that specific points may be drawn out in the issue of second written questions due to be published on 12 August 2024. Please therefore set out fully any matters that you wish the ExA to take into account regarding the change request in response to this Rule 17 letter, so that questions may either be reduced in number or become more targeted to explore specific issues.

Comments on the Applicant's change request should be submitted by Deadline 4 (Monday 29 July 2024).

Should you have any questions about the contents of this letter, please do not hesitate to contact the case team by emailing VikingCCSPipeline@planninginspectorate.gov.uk.

Yours sincerely

David Wallis

Lead Member of the Examining Authority