

## Viking CCS Pipeline

# 8.3 Statement of Common Ground – Lincolnshire County Council – Revision B (Tracked)

Document Reference: EN070008/EXAM/8.3

Applicant: Chrysaor Production (U.K.) Limited,  
a Harbour Energy Company  
PINS Reference: EN070008  
Planning Act 2008 (as amended)  
The Infrastructure Planning (Applications: Prescribed Forms  
and Procedure) Regulations 2009 - Regulation 5(2)(q)  
Date: September 2024

This Draft Statement of Common Ground has been agreed between Chrysaor Production (UK) Limited and Lincolnshire County Council on the day specified below


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Date: 19 September 2024

Duly Authorised for and on behalf of Lincolnshire County Council

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## Revision History

Revision	Revision date	Details
Revision A	August 2024	Updated for submission at examination deadline 5
<u>Revision B</u>	<u>September 2024</u>	<u>Updated for submission at deadline 6</u>

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# 1 Introduction

## 1.1 Overview

- 1.1.1 This Statement of Common Ground (SoCG) has been prepared by Chrysaor Production (UK) Ltd (the ‘Applicant’) in conjunction with Lincolnshire County Council in respect of the Viking CCS Pipeline project (the ‘Proposed Development’).
- 1.1.2 The SoCG sets out the matters of agreement between the Applicant and Lincolnshire County Council and also explains those matters which, at the time of writing, remain unresolved between the parties. The agreements to date have been reached through consultation and continuing discussions between the parties through online meetings.

## 1.2 The Role of Lincolnshire County Council

- 1.2.1 Lincolnshire County Council is one of the five local planning authorities within the Order limits. Lincolnshire County Council determines planning applications for the majority of development types in the district and has a statutory duty to prepare a local development plan.
- 1.2.2 As a host local authority, Lincolnshire County Council has specific responsibilities, including:
- Responding to consultations by the applicant:
  - Discussing DCO requirements and legal agreements with the applicant:
  - Providing ‘adequacy of consultation’ responses to PINS:
  - Preparing statements of common grounds and local impact reports: and
  - Submitting written representations to PINS and participating in the examination process.

## 1.3 Purpose of this Statement of Common Ground

- 1.3.1 The purpose of this document is to summarise the agreements reached between the parties on matters relevant to the examination of the application and to assist the Examining Authority (‘ExA’). It also sets out the matters that remain unresolved at the time of writing, but which both parties are working positively toward resolving. As such, it is expected that further iterations of the SoCG will be submitted to the ExA throughout the Examination and prior to the making of any Development Consent Order (‘DCO’) for the Proposed Development.
- 1.3.2 The SoCG has been prepared with regard to the guidance in ‘Planning Act 2008: examination of applications for development consent’ (Department for Communities and Local Government, March 2015).
- 1.3.3 The remainder of this SoCG is structured as follows:
- Section 2 - Summary of consultation and discussions; and
  - Section 3 - Position of the parties

## 1.4 Status of this Statement of Common Ground

- 1.4.1 This SoCG is currently in **finaldraft** form.

## 2 Summary of Consultation and Discussions

### Introduction

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

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

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

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

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



Date of meeting/ correspondence	Description of meeting/correspondence
23 April 2024	<p>Email correspondence from LCC outlining that LCC: <i>have not provided any comments on Geology and Hydrogeology, Air quality and Noise and vibration, you may therefore wish to remove these from the SoCG or add a different indicator to reflect that LCC has no comments on these topic areas.</i></p> <p>Geology and Hydrogeology, Air quality and Noise and vibration have therefore been removed from table 3-1 of this Statement.</p>
12 July 2024	Meeting with planning officer and highways officer to discuss the dDCO
<u>28 August 2024</u>	<u>Meeting held with Lincolnshire County Council to provide an update on the examination process and discuss remaining items in the Statement of Common Ground.</u>

## 3 Position of the Parties

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

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

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

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

**Table 3-1 Position of the Parties**

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

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		[APP-049] of the Environmental Statement are suitable and acceptable.	Visual [APP-049] and appendices	Lincolnshire: Agreed	
LCC5	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline information used in the assessment for the Landscape and Visual Impact is appropriate for the purposes of assessment.</p> <p>The sensitivity and types of receptors used in the landscape and visual impact assessment are appropriate, and the relevant receptors have been identified within the study area.</p>	<p>Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses.</p> <p>Chapter 7 Landscape and Visual [APP-049] and appendices</p>	<p>Applicant: Agreed, the methodology and viewpoints used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period.</p> <p>Lincolnshire: Agreed, the methodology and viewpoints were discussed and agreed during the pre-application period.</p>	Agreed
LCC6	Assessment findings	The conclusions of the Assessment of Effects in chapter 7 - Landscape and Visual [APP-049], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on landscape and visual receptors. In accordance with the impact assessment's methodology, effects which have been assessed to be 'moderate' or 'major' are considered significant in EIA terms.	Chapter 7 Landscape and Visual [APP-049]	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed.</p>	Agreed
LCC7	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 7- Landscape and Visual Impact [APP-049], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 7 Landscape and Visual [APP-049]	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed, in so far as the projects that have been considered for the purposes of cumulative assessment to date.</p>	Agreed
LCC8	Securing mitigation	All relevant mitigation measures specified in ES Chapter 7 Landscape and Visual [APP-049] is adequately secured through the Outline Landscape and Ecological Management Plan [APP-127]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project on landscape and visual receptors. Requirement 11 of the DCO [AS-008] states that the final Landscape Management Plan will accord with the Outline Landscape and Ecology Management Plan submitted in support of the DCO application."	<p>Chapter 7 Landscape and Visual [APP-049]</p> <p>Outline Landscape and Ecological Management Plan [APP-127]</p> <p>Draft DCO [AS-008]</p>	<p>Applicant: The applicant considers that the necessary mitigation measures will be provided by the Construction Environmental Management Plan which is secured by Requirement 5 of the draft DCO. Requirement 5 of the draft DCO was updated for deadline 3 to include that the following management plans will also be prepared and included in the CEMP:</p> <ul style="list-style-type: none"> <li>the construction ecological management plan,</li> <li>species protection plans,</li> <li>invasive non-native species method statement.</li> </ul>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				Lincolnshire: Agreed, insofar as they relate to Landscape and Visual matters.	
Ecology and Biodiversity					
LCC9	Assessment methodology	The scope of the assessment and assessment methodology in chapter 6 – Ecology and Biodiversity <b>[APP-048]</b> of the Environmental Statement are suitable and acceptable.	Chapter 6 Ecology and Biodiversity <b>[APP-048]</b> and appendices	Applicant: Agreed  Lincolnshire: Agreed	Agreed
LCC10	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Ecology and Biodiversity in chapter 6 – Ecology and Biodiversity <b>[APP-048]</b> of the Environmental Statement is appropriate for the purposes of assessment.  The sensitivity and types of receptors used in the Ecology and Biodiversity assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report <b>[APP-039]</b> providing the Statutory Consultation Responses.  Chapter 6 Ecology and Biodiversity <b>[APP-048]</b> and appendices	Applicant: Agreed  Lincolnshire: Agreed	Agreed
LCC11	Assessment findings	The conclusions of the Assessment of Effects in chapter 6 – Ecology and Biodiversity <b>[APP-048]</b> of the Environmental Statement during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 6 Ecology and Biodiversity <b>[APP-048]</b>	Applicant: Agreed  Lincolnshire: Agreed, subject to the results of ongoing ecological surveys e.g. bats and riparian mammals.	Agreed
LCC12	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 6 – Ecology and Biodiversity <b>[APP-048]</b> , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 6 Ecology and Biodiversity <b>[APP-048]</b>	Applicant:  The Applicant considers the conclusions are appropriate. In response to LCC’s comment, discussions are ongoing with Natural England to ensure that they are satisfied in respect of the assessment of in-combination effects and mitigation to be provided by the Applicant.  The draft Construction Environmental Management Plan (CEMP) [REP2-012] was updated and submitted at deadline 2 and 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.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>An updated version of the Report to Inform the Habitats Regulation Assessment [REP2-024] was submitted at Deadline 2.</p> <p>Discussions are continuing between Natural England and the Applicant. Natural England submitted a letter and summary of advice [REP4-093] outlining that most issues associated with the HRA have now been resolved.</p> <p>Lincolnshire: LCC notes that discussions between the Applicant and Natural England relating the Habitats Regulations Assessment are still ongoing in relation to a small number of issues. LCC is happy to defer to Natural England on these matters and update the position to "Agreed".</p>	
LCC13	Securing mitigation	<p>All relevant mitigation measures specified in Chapter 6 - Ecology and Biodiversity <b>[APP-048]</b> of the Environmental Statement are adequately secured through the draft Construction Environmental Management Plan <b>[APP-068]</b>. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO <b>[AS-008]</b> which requires that the CEMP must be prepared and approved before commencement of development.</p> <p>The Outline Landscape Environmental Management Plan <b>[APP-127]</b> outlines a number of other measures as part of an ecology strategy to provide additional safeguards. The provision of these measures is secured by requirement 11 of the DCO <b>[AS-008]</b> which requires that the LEMP must be prepared and approved before commencement of development.</p>	<p>Chapter 6 Ecology and Biodiversity <b>[APP-048]</b></p> <p>Outline Landscape and Ecological Management Plan <b>[APP-127]</b></p> <p>Draft DCO <b>[AS-008]</b></p>	<p>Applicant: The applicant considers that the necessary mitigation measures will be provided by the Construction Environmental Management Plan which is secured by Requirement 5 of the draft DCO. However, requirement 5 was updated for deadline 3 to include that the following management plans will also be prepared and included in the CEMP:</p> <ul style="list-style-type: none"> <li>• the construction ecological management plan,</li> <li>• species protection plans,</li> <li>• invasive non native species method statement.</li> </ul> <p>Lincolnshire: LCC notes the addition of 3 additional management plans to be prepared in Requirement 5 of the DCO and is happy to update the position to "Agreed".</p>	Agreed
Traffic and transport					
LCC19	Assessment methodology	The scope of the assessment and assessment methodology in chapter 12 – Traffic and Transport <b>[APP-054]</b> of the Environmental Statement are suitable and acceptable.	Chapter 12 Traffic and Transport <b>[APP-054]</b> and appendices	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
LCC20	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline information used in the assessment for Traffic and Transport is appropriate for the purposes of assessment.</p> <p>The sensitivity and types of receptors used in the Traffic and Transport assessment are appropriate, and the relevant receptors have been identified within the study area.</p>	<p>Appendix E to the Consultation Report <b>[APP-039]</b> providing the Statutory Consultation Responses.</p> <p>Chapter 12 Traffic and Transport <b>[APP-054]</b> and appendices</p>	<p>Applicant: Agreed, the methodology used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period.</p> <p>Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.</p>	Agreed
LCC21	Assessment findings	The conclusions of the Assessment of Effects in chapter 12 – Traffic and Transport <b>[APP-054]</b> , are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on receptors. In accordance with the impact assessment's methodology, effects which have been assessed to be 'moderate' or 'major' during the construction phases and are considered significant in EIA terms.	Chapter 12 Traffic and Transport <b>[APP-054]</b>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed</p>	Agreed
LCC22		It is agreed that the trip generation and distribution numbers presented in chapter 12 – Traffic and Transport <b>[APP-054]</b> are appropriate for this type of development and results in increases of generally less than 10% on most links is within the daily variation and would not be a concern in terms of highway capacity or safety.	<p>LCC relevant representation dated 12<sup>th</sup> January 2024.</p> <p>Chapter 12 Traffic and Transport <b>[APP-054]</b></p>	<p>Applicant: Agreed.</p> <p>The Applicant has noted LCC Highways concerns regarding traffic using single track roads and the potential need for passing places.</p> <p>Neither Red Leas Lane nor Pick Hill Lane will be used by HGVs are now proposed to be used for HGV traffic with both being limited to small numbers of Light Goods Vehicles only.</p> <p>The potential need for passing places on Thoroughfare and Thacker Bank was discussed and Technical Notes for each were issued to LCC. These confirmed the need for passing places and provided indicative locations.</p> <p>The Applicant proposes to include an additional section into the CEMP, to be submitted at deadline 5, to confirm that:</p> <p>a) passing places will be required on both of these roads, and</p>	<del>In-Discussion-Agreed</del>

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>b) that applications will be made to LCC prior to construction to seek permission to install the temporary passing places. These applications will include the necessary details for each passing place.</p> <p>Lincolnshire: LCC in its capacity as Highway Authority has identified that some single track roads would have significantly higher than a 10% increase. LCC will make further comments on this in the Local Impact Report (LIR). LCC notes the submission of additional information in the form of technical notes and the proposals are acceptable in principle subject to the construction details being approved by LCC prior to implementation.</p>	
LCC23	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 12 – Traffic and Transport <b>[APP-054]</b> , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 12 Traffic and Transport <b>[APP-054]</b>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed, in so far as the projects that have been considered for the purposes of cumulative assessment to date.</p>	Agreed
LCC24	Securing mitigation	<p>All relevant mitigation measures specified in ES Chapter 12 Traffic and Transport <b>[APP-054]</b> is adequately secured through the draft Construction Environmental Management Plan <b>[APP-068]</b>. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO <b>[AS-008]</b> which requires that the CEMP must be prepared and approved before commencement of development.</p> <p>Further mitigation is provided in the Construction Traffic Management Plan (CTMP) which includes measures to be adopted during the construction phase. The proposed mitigation is appropriate for managing construction traffic impacts. The provision of mitigation is secured by requirement 6 of the DCO <b>[AS-008]</b> which requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>Chapter 12 Traffic and Transport <b>[APP-054]</b></p> <p>draft Construction Environmental Management Plan <b>[APP-068]</b></p> <p>Draft Construction Traffic Management Plan <b>[APP-107]</b></p> <p>Draft DCO <b>[AS-008]</b></p>	<p>Lincolnshire: LCC notes the submission of additional information in the form of technical notes and the proposals are acceptable in principle subject to the construction details being approved by LCC prior to implementation.</p> <p>LCC notes the submission of additional information in the form of technical notes and the proposals are acceptable in principle subject to the construction details being approved by LCC prior to implementation.</p> <p>Applicant: The Applicant has noted LCC Highways concerns regarding traffic using single track roads and the potential need for passing places.</p> <p>Neither Red Leas Lane nor Pick Hill Lane will be used by HGVs are now proposed to be used for HGV traffic with both being limited to small numbers of Light Goods Vehicles only.</p>	<del>In-Discussion</del> Agreed



ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>The potential need for passing places on Thoroughfare and Thacker Bank was discussed and Technical Notes for each were issued to LCC. These confirmed the need for passing places and provided indicative locations.</p> <p>The Applicant proposes to include an additional section into the CEMP, to be submitted at deadline 5, to confirm that:</p> <ul style="list-style-type: none"> <li>a) passing places will be required on both of these roads, and</li> <li>b) that applications will be made to LCC prior to construction to seek permission to install the temporary passing places. These applications will include the necessary details for each passing place.</li> </ul> <p>An outline Construction Worker Travel Plan was submitted at Deadline 2. The purpose of the plan is to ensure more sustainable modes of travel are used, e.g. the use of mini buses to provide shared transport to the construction site.</p>	
Water Environment					
LCC36	Assessment methodology	The scope of the assessment methodology in chapter 11 – Water Environment of the Environmental Statement <b>[APP-053]</b> are suitable and acceptable.	Chapter 11 Water Environment <b>[APP-049]</b> and appendices	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC37	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The approach used for the Flood Risk Assessment reported in chapter 11 of the Environmental Statement <b>[APP-053]</b> follows standard best practice for projects of this nature. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines. The findings of the sequential and exceptions test are considered to be suitable.	PDAS Section 7.21 <b>[APP-129]</b>  ES Chapter 11: Water Environment <b>[APP-053]</b>	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC38	Assessment findings	The conclusions of the Assessment of Effects in chapter 11 – Water Environment of the Environmental Statement <b>[APP-053]</b> during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms	ES Chapter 11 Water Environment <b>[APP-053]</b>	Applicant: Agreed Lincolnshire: Agreed	Agreed
LCC39	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 11 – Water Environment of the Environmental Statement <b>[APP-</b>	chapter 11 – Water Environment of the Environmental	Applicant: Agreed	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<b>053</b> , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Statement <b>[APP-053]</b>	Lincolnshire: Agreed, insofar as the projects that are currently being considered for the assessment of cumulative effects	
LCC40	Securing mitigation	<p>All relevant mitigation measures specified in chapter 11 – Water Environment of the Environmental Statement <b>[APP-053]</b> and Appendix 11-5 – Flood Risk Assessment <b>[APP-101]</b> are adequate and will be secured through the draft Construction Environmental Management Plan CEMP <b>[APP-068]</b>.</p> <p>The proposed mitigation is appropriate for managing construction and post construction impacts from the Project.</p> <p>Requirement 5 of the DCO <b>[AS-008]</b> requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>chapter 11 – Water Environment of the Environmental Statement <b>[APP-053]</b></p> <p>chapter 11 – Water Environment of the Environmental Statement <b>[APP-053]</b></p> <p>Construction Environmental Management Plan. <b>[APP-068]</b></p> <p>LCC Relevant representation dated 12<sup>th</sup> January 2024.</p> <p>Draft DCO <b>[AS-008]</b></p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed. The Flood Risk Assessment (ES Vol 4, App. 11.5) considers surface water flood risk in Section 5.7 to 5.9 and outlines some mitigation measures that may be necessary during the construction phase, these seem appropriate. The CEMP will need to ensure that surface water flood risk is considered during construction and no increased risk to nearby properties results from site works.</p>	Agreed
Historic Environment					
LCC41	Assessment methodology	The scope of the assessment methodology including the baseline data used in the assessment of the Historic Environment chapter 8 of the Environmental Statement <b>[APP-050]</b> are suitable and acceptable.	<p>Chapter 8 Historic Environment <b>[APP-050]</b></p> <p>LCC Relevant Representation 12<sup>th</sup> January 2024.</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed</p>	Agreed
LCC42	Assessment Methodology	The search area for the desk based assessment (DBA) for the Historic Environment chapter 8 of the Environmental Statement <b>[APP-050]</b> are suitable and acceptable.	<p>Chapter 8 Historic Environment <b>[APP-050]</b></p> <p>LCC Relevant Representation 12<sup>th</sup> January 2024.</p>	Applicant: In the assessment a study area of 2km from the Order Limits was adopted to provide historical and archaeological context and to identify designated heritage assets with the potential to be affected. Due to the nature of the Proposed Development and its likely visibility within the landscape, the 2km study area was considered to be sufficient.	Not Agreed but not material

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>Designated heritage assets up to 5km from the Order Limits have been considered where the settings of designated heritage assets of the highest significance (being scheduled monuments, Grade I and Grade II* listed buildings) may be impacted.</p> <p>The study area for non-designated heritage assets was refined to 500m from the Order Limits to capture detail about known heritage assets and allow proportionate and sufficient archaeological context to be gathered to understand the potential for previously unknown heritage assets to be present.</p> <p>Non-designated heritage assets outside of the 500m study area and up to 1km have been considered where these provide context and inform the potential for unknown archaeology within the Order Limits. Inclusion of assets outside of the defined study areas is based on research and professional judgment. This approach is in accordance with Historic England guidance.</p> <p>A Geophysical Survey has been completed and the findings presented in a report submitted to the Examining Authority at Deadline 1 in March 2024. Trial Trenching commenced in April 2024 in accordance with the Written Scheme of Investigation. The results of the Trial Trenching will be shared with each Local Planning Authority when the investigative work has been completed. The WSI for the trial trenching outlines how any archaeological finds will be recorded and preserved</p> <p>Lincolnshire: The issue of the DBA being limited to a 500m search of the HER rather than the 1km which was promised in the scoping documents has been discussed and is less than ideal however we are very pleased to see a robust programme of trenching which will shortly commence. The trenching programme is informed by the DBA so widening the search area at this point would be of limited value.</p> <p>The DBA was not previously agreed but the project has now moved on to field evaluation and we await</p>	

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				the trenching results in order to discuss site specific mitigation.	
LCC43	Assessment Methodology	<p>The approach used for the assessment for the Historic Environment (chapter 8) reported in the Environmental Statement [APP-050] follows standard practice. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.</p>	<p>PDAS Section 7.22 [APP-129]</p> <p>ES Chapter 8: Historic Environment [APP-050]</p>	<p>Applicant: The methodology for the assessment of Historic Environment is considered appropriate and includes the necessary receptors and baseline data.</p> <p>A Geophysical Survey has been completed and the findings presented in a report submitted to the Examining Authority at Deadline 1 in March 2024. Trial Trenching commenced in April 2024 in accordance with the Written Scheme of Investigation. The results of the Trial Trenching will be shared with each Local Planning Authority when the investigative work has been completed.</p> <p>Lincolnshire: Agreed.</p>	Agreed
LCC44	Assessment findings	<p>The conclusions of the Assessment of Effects in Chapter 8 Historic Environment [APP-050], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on receptors. In accordance with the impact assessment’s methodology, effects which have been assessed to be ‘moderate’ or ‘major’ are considered significant in EIA terms.</p> <p>The impact assessment concluded that potential significant effects (in EIA terms) may occur during the construction phase on buried archaeological remains at Roxton and Greenlands Farm, the views of Grade II* listed Church of St Edmund, the setting of the Grade II Listed Manor House at Barnoldby le beck, and temporary changes to the setting of the Grade II Listed Ashleigh Farm and Dicote House during construction in respect of Theddlethorpe Option 2. During the operational phase, potential significant effects could occur on the setting of the Grade II Listed Ashleigh Farm as a result of Theddlethorpe Facility Option 2.</p> <p>The assessment of compliance with planning policy in section 7.22 of the PDAS [APP-129] concludes that in accordance with national policy, the benefits of the Proposed Development to the public outweigh the</p>	<p>PDAS Section 7.22 [APP-129]</p> <p>ES Chapter 8: Historic Environment [APP-050]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		less than substantial harm caused to the grade II listed Ashleigh Farm.			
LCC45	Securing mitigation	The Additional Mitigation and Enhancement Measures set out in chapter 8 – Historic Environment [APP-050] of the Environmental Statement are suitable and acceptable.	Chapter 8 – Historic Environment [APP-050]	<p>Applicant: Agreed.</p> <p>This matter is the subject of discussion between the Applicant and LCC. The Applicant has prepared a Detailed Archaeological Mitigation Strategy (DAMS) which was shared with the Local Planning Authorities for review and comment during August 2024.</p> <p>Lincolnshire:</p> <p>A draft DAMS has been submitted to LCC for comment but is not currently agreed.</p>	In-Discussion/Not Agreed
HE03	<u>Intrusive Archaeological Evaluations and Mitigation</u>	<u>Trial Trenching Report.</u> <u>Detailed Archaeological Mitigation Strategy (DAMS)</u> <u>Site Specific Written Scheme of Investigation (SSWSI)</u>	<u>Interim DAMS [REP5-061]</u>	<p><u>Applicant:</u> The Applicant confirms that at the time of writing work is ongoing with regards to the intrusive archaeological evaluations along the pipeline route. The Applicant provides weekly reports to the Council Archaeologist and will do so until the trial trenching work is complete.</p> <p><u>An Interim version of the DAMS, based upon the trial trenching information available to date, was provided to the Council archaeologist on 15<sup>th</sup> August. A meeting was held on 12 September to discuss the interim DAMS. The interim DAMS has been updated in response to points raised via email and in the meeting.</u></p> <p><u>It was agreed that the updated interim DAMS would be submitted to the ExA at deadline 6 as a 'snapshot' to assist the ExA to understand the structure and initial content, but that this was by no means the final DAMS.</u></p> <p><u>The trial trenching campaign is due to be completed by the end of November, weather permitting, and the Trial Trenching Report will be available approximately 6-8 weeks after this. The DAMS will be updated based upon the final trial trenching report and this, along with the report, will be provided to the Council Archaeologists for consideration, with at least one month being made available for comments to be provided. If timescales</u></p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p><u>allow, the updated DAMS may be submitted to the Secretary of State via PINS.</u></p> <p><u>Should the DCO be granted, construction would not be able to commence until a Written Scheme of Investigation had been agreed, which will have been informed by the final DAMS, which in turn would be informed by the Intrusive report.</u></p> <p><u>The Applicant welcomes the opportunity of continuing the constructive dialogue with the Local Planning Authority and the opportunity to seek further advice from them as the archaeological evaluation work, and further development of the DAMS and WSI progresses.</u></p> <p><u>It is considered that the process set out above will ensure that appropriate mitigation will be secured and delivered during construction.</u></p> <p><u>Lincolnshire County Council: LCC agree that this is a way forward given where we are in process, however our comments/issues we raised in response to the ExQ2 [REP5-078] still stand.</u></p>	
LCC46	Securing mitigation	<p>All relevant mitigation measures are specified in chapter 8 – Historic Environment <b>[APP-050]</b>. This includes the preparation and implementation of a Written Scheme of Investigation (WSI) for an archaeological ground investigation to confirm the presence or absence of buried archaeology. The approach to the WSI has been agreed with LCC.</p> <p>The proposed mitigation is considered to be appropriate and is secured by requirement 10 of the DCO <b>[AS-008]</b> which requires a written scheme of investigation to be prepared and implemented for areas of archaeological interest.</p> <p>The additional mitigation outlined in chapter 8 – Historic Environment <b>[APP-050]</b> will be secured through the draft Construction Environmental Management Plan CEMP <b>[APP-068]</b>. The need to prepare the CEMP is secured by Requirement 5 of the DCO <b>[AS-</b></p>	<p>Chapter 8 – Historic Environment <b>[APP-050]</b></p> <p>Construction Environmental Management Plan. <b>[APP-068]</b></p> <p>Draft DCO <b>[AS-008]</b></p>	<p>Applicant: Agreed.</p> <p>The WSI that was updated by Wessex Archaeology was submitted into the examination process at Deadline 2 during April 2024 document titled: <i>Environmental Statement Volume IV – Appendix 8-3: Written Scheme of Investigation for Archaeological Evaluation - Revision A (Clean)</i>. [REP2-016].</p> <p>Lincolnshire: We have been informed that Wessex Archaeology have produced their own trenching evaluation WSI but we have yet to see it. We hope that the WSI can be agreed before the trenching programme commences. We agree with the proposed wording of the Draft DCO.</p> <p>LCC previously agreed Wessex WSI is for trenching evaluation and should not be in this section which deals with mitigation. <u>There is currently no mitigation WSI.</u> Mitigation is <u>therefore</u> not currently agreed.</p>	In-Discussion Not Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<b>008]</b> requires that the CEMP must be prepared and approved before commencement of development.			
LCC47	Assessment findings	The conclusions the Assessment detailed in ES Chapter 8 – Historic Environment <b>[APP-050]</b> , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 8 – Historic Environment <b>[APP-050]</b>	Applicant: Agreed  Lincolnshire: LCC defer to Historic England on this point.	Not Agreed but not material
<b>Agriculture and Soils</b>					
LCC48	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for the Agriculture and Soils assessment in Chapter 10 of the ES <b>[APP-052]</b> is appropriate for the purposes of assessment.	Chapter 10 Agriculture and Soils <b>[APP-052]</b> and appendices	Applicant: Agreed  Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.	Agreed
LCC49	Assessment Methodology	The approach used for the assessment of Agriculture and Soils (chapter 10) of the Environmental Statement <b>[APP-052]</b> follows standard best practice. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.	Chapter 10 Agriculture and Soils <b>[APP-052]</b> and appendices	Applicant: Agreed  Lincolnshire: Agreed	Agreed
LCC50	Assessment findings	The conclusions of the Assessment of Effects in chapter 10 – Agriculture and Soils <b>[APP-052]</b> , are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on agricultural land. In accordance with the impact assessment’s methodology, effects which have been assessed to be ‘moderate’ or ‘major’ adverse are considered significant in EIA terms.  No significant effects were identified for agricultural receptors within the LLC local authority area.	Chapter 10 Agriculture and Soils <b>[APP-052]</b> and appendices	Lincolnshire: Agreed  Applicant: A change request was submitted into the examination on 20 <sup>th</sup> June 2024 which included the removal of option 2 for the Theddlethorpe Facility and a reduction in the draft Order Limits. This change removed the negative effects on best and most versatile land associated with the Theddlethorpe Facility option 2.	Not Agreed but not material <u>Agreed</u>
LCC51	Assessment findings	The development would result in the loss of use and disturbance of best and most versatile (BMV) agricultural land during the construction phase however this loss would be temporary and short term.	LCC Relevant Representation dated 12 <sup>th</sup> January 2024.	Applicant: Agreed  Lincolnshire: Agreed	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
LCC52	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 10 – Agriculture and Soils [APP-052], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 10 Agriculture and Soils [APP-052] and appendices  Soil Management Plan [APP-096].  LCC Relevant Representation dated 12 <sup>th</sup> January 2024.	Applicant: Agreed  Lincolnshire: Agreed, insofar as the projects that are currently being considered for the assessment of cumulative effects	Agreed
LCC53	Securing mitigation	All relevant mitigation measures specified in the Agriculture and Soils assessment in Chapter 10 of the ES [APP-052] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068]. An Outline Soil Management Plan outlining the mitigation and methods for preserving soil resources was also prepared as part of the application and was updated at examination deadline 2 [REP2-018]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	Chapter 10 Agriculture and Soils [APP-052] and appendices  Construction Environmental Management Plan. [APP-068]  Draft DCO [AS-008]	Applicant: Agreed. An Outline Soil Management Plan has been prepared and is now referenced in this section.. An update version of the oSMP is being provided at deadline 5  Lincolnshire: Agreed.	Agreed
Biodiversity Net Gain					
LCC54	Approach to assessment of BNG	The approach to Biodiversity Net Gain, as presented in the Draft Biodiversity Net Gain Strategy [APP-126], provides an appropriate approach to consideration of net gain within the Projects.	Draft Biodiversity Net Gain Strategy [APP-126]	Applicant: Agreed.  The BNG metric spreadsheet can be provided to LCC by email.  Lincolnshire: <u>Not Agreed but not material.</u> LCC: <u>remains of the opinion that BNG delivery should include the pipeline route as well as at the Theddlethorpe facility and Block Valve Stations. has not yet received a copy of the Biodiversity Metric spreadsheet to review. However, LCC remains of the opinion that BNG delivery should include the pipeline route as well as at the Theddlethorpe facility and Block Valve Stations. LCC will wait until this matter is resolved before reviewing the Biodiversity Metric spreadsheet</u>	<u>In Discussion Not agreed but not material</u>



ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
LCC55	Approach to assessment of BNG	The assessment methodologies used for the Biodiversity Net Gain Assessment, as presented in the Initial Biodiversity Net Gain Assessment [APP-125], provide an appropriate approach to assessing potential impacts of the Projects.	Initial Biodiversity Net Gain Assessment [APP-125]	<p>Applicant: Agreed.</p> <p>The BNG metric spreadsheet can be provided to LCC by email.</p> <p>Lincolnshire: <u>Not agreed but not material.</u>                      LCC: <u>remains of the opinion that BNG delivery should include the pipeline route as well as at the Theddlethorpe facility and Block Valve Stations. has not yet received a copy of the Biodiversity Metric spreadsheet to review. However, LCC remains of the opinion that BNG delivery should include the pipeline route as well as at the Theddlethorpe facility and Block Valve Stations. LCC will wait until this matter is resolved before reviewing the Biodiversity Metric spreadsheet.</u></p>	<del>In Discussion</del> <u>Not agreed but not material</u>
<b>Cumulative Impacts</b>					
LCC56	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The approach used for this assessment follows standard best practice for projects of this nature and includes development consented by the Town and Country Planning Act (1990) and Planning Act (2008). The baseline data survey methods used are appropriate and follow standard guidelines.</p> <p>The sensitivity of receptors presented in the assessment are appropriate and the relevant receptors have been identified within the study area.</p>	<p>LCC Relevant Representation 12<sup>th</sup> January 2024</p> <p>ES Chapter 20: Cumulative Effects Assessment [APP-062]</p>	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed</p>	Agreed
LCC57	Assessment Methodology	The list of developments included in the cumulative impact assessment in chapter 20 of the Environmental Statement [APP-062] is adequate and suitable for the purposes of the assessment.	ES Chapter 20: Cumulative Effects Assessment [APP-062]	<p>Applicant: Agreed</p> <p>Lincolnshire: Agreed.</p>	Agreed
<b>Planning policy matters</b>					
LCC58	Need	The Proposed Development will reduce CO2 emissions to atmosphere and will help the Government to meet the legally binding target for reduce greenhouse gas emissions and achieve Net Zero by 2050 as set out in the Climate Change Act 2008 Order 2019.	PDAS Section 5 [APP-129]	<p>Applicant: Agreed that there is a demonstrated need for the development to reduce CO2 emissions and assist the government in achieving Net Zero by 2050.</p> <p>Lincolnshire: Agreed.</p>	Agreed
LCC59	Good Design	The Planning Design and Access Statement [APP-129] and ES Chapter 2: Design Evolution and Alternatives [APP-044] set out clearly the overarching design principles/objectives considered by the Applicant and how their design has been refined pre-	ES Chapter 2: Design Evolution and Alternatives [APP-044]	<p>Applicant: Agreed that the Proposed Development accords with the principles of good design.</p> <p>Lincolnshire: Agreed</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		application. These demonstrate good practice (including safety) and demonstrate Good Design.	PDAS Section 5 [APP-129]		
Minerals and Waste					
LCC60		<p>LCC have raised that there are:</p> <p><i>a number of extant mineral planning permissions associated with the former Theddlethorpe gas terminal. There are conditions associated with these planning permissions requiring restoration of the land back to agricultural use that have not to date been complied with. The DCO, if granted, would conflict with these restoration requirements. The Council will therefore make further comments on the impact of the development on these requirements in the LIR.</i></p>	<p>LCC Relevant Representation 12<sup>th</sup> January 2024. [RR-050]</p> <p><a href="#">LCC Local Impact Report [REP1-058]</a></p> <p><a href="#">Deadline 4 Submission - Written summary of oral submissions made at Issue Specific Hearing 2 (ISH2) [REP-057]</a></p>	<p>Applicant: Email correspondence has been exchanged on this matter between the Applicant and LCC on the 14<sup>th</sup> and 31<sup>st</sup> May 2024.</p> <p>In LCCs LIR (paragraphs 15.6 and 15.7) it is noted that existing planning permissions that apply over the former Theddlethorpe Gas Terminal site include a condition requiring the land to be reinstated to agricultural use within such period as may be agreed with the planning authority, once the permitted use ceased and the infrastructure was decommissioned.</p> <p>The Applicant discussed this matter with Lincolnshire County Council during June 2024 and subsequently updated Article 43 of the draft DCO at deadline 3 to address this point.</p> <p><u><i>We understand that LCC is broadly in agreement over the wording of draft article 43 but has raised concern about 'land adjacent' to the Theddlethorpe Facilities Site which is owned by National Gas Transmission.</i></u></p> <p>Lincolnshire: LCC is broadly in agreement over the wording of draft article 43 (<u><i>now article 44 in dDCO Rev G [REP5-002]</i></u>) but has raised concern about it including 'land adjacent'. <u><i>LCC has discussed this further with the applicant but no agreement has been reached. LCC note the applicant's position on this matter in its response to LCC's oral submission at ISH2 [REP4-054] and to ISH2 action points [REP4-030]. and is still in discussion regarding this. LCC's position regarding this matter remains as per the representations made at ISH2. However, LCC have suggested to the applicant that the concerns could be overcome if 'land adjacent' was removed from the drafting of article 44 (3) or if it were to make specific reference to the restoration conditions. The desired effect of article 44 is to cease the effect of the conditions attached to the mineral permissions in so far as where they directly overlap with the Order limits but there should be no issue with the land outside of that still being covered by the permissions and therefore required to be restored to agricultural</i></u></p>	<p>In Discussion Not Agreed but not material Not Agreed</p>

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p><u>land. As such, there is no need for the 'land adjacent' wording to be included.</u></p>	
LCC61	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The approach used for the assessment in Chapter 18 - Materials and Waste [APP-060] follows standard best practice for projects of this nature. The baseline data survey methods used are appropriate and follow standard guidelines.</p> <p>The sensitivity of receptors presented in the assessment are appropriate and the relevant receptors have been identified within the study area.</p>	<p>Relevant Representation 2024</p> <p>ES Chapter 18 Materials and Waste [APP-060]</p>	<p>Applicant:- Clarification has been provided by the Applicant in the response to the LCC LIR [REP2-031] for consideration in respect of the materials and waste assessment.</p> <p><u>It is not considered necessary to provide detailed information in respect of the management of the quantity, type and destination for wastes arising during the operational and decommissioning stages of the project at this time. The information will be provided pursuant to Requirements in the DCO as follows:</u></p> <p><u>A Site Waste Management Plan will be prepared and approved by the planning authority prior to the commencement of development. This is requirement is secured in the Requirement 5 (2)(g) of the DCO.</u></p> <p><u>A decommissioning environment management plan that will include details of waste management will be prepared no later than six months prior to the planned permanent cessation of the development for the approval of the planning authority in accordance with DCO Requirement 16(2)(d).</u></p> <p><u>The current decommissioning strategy is to leave the pipe in situ. It is not the current intention to excavate any pipe sections which lie within a Mineral Safeguarding Area. Once the Project is decommissioned, the Applicant does not believe that leaving the pipeline in situ would result in sterilisation of land. This factor will ultimately be considered again as the Proposed Development approaches the end of its operational period, taking account of best practice and legislation at that time.</u></p> <p>Lincolnshire: outlined in their relevant representation 12<sup>th</sup> January 2024:  <i>The Council will have some points of detail in relation to</i></p> <ol style="list-style-type: none"> <li>1) the Study Area,</li> <li>2) Landfill Capacity (noting that 2021 data has been used rather than 2022 data which is available) and</li> </ol>	<p><u>In-Discussion-Agreed.</u></p>

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
<p>3) <i>Potential Impacts and Assessment effects, in particular the absence of material by material assessment.</i>  <i>These will be picked up in the LIR and through discussions with the Applicant.</i></p> <p>Lincolnshire (August 2025<del>4</del>): At this stage we are satisfied with the Applicant’s responses on this alongside the Draft CEMP [REP2-012] which covers the ‘pre-construction’ and ‘construction’ phases of the project. We will comment on future versions of this, and of the SWMP, when they become available. We remain concerned, however, at the lack of information regarding the operational and decommissioning phases of the project, and request further clarification of the quantity, type and proposed destination of any wastes arising during those phases – e.g. Although, for the bulk of the pipeline, the Applicant is intending to leave the pipes in situ after decommissioning, can they demonstrate that it doesn’t impact on the future use of the land (e.g. as farmland) or on safeguarding of any minerals.</p> <p><u>LCC notes the applicant’s commitment above to provide further information on waste arisings through the Site Waste Management Plan and Decommissioning Environmental Management Plan and this is considered to be acceptable.</u></p>					
<p><b>General</b></p>					
LCC62	Discharging obligations and requirements	The draft DCO includes the appropriate discharging authorities in respect of the requirements in Schedule 2 Part.	<p>Draft Development Consent Order [APP-006]</p> <p>Draft Development Consent Order [REP4-001]</p>	<p>Applicant: a meeting was held with the Local Planning Authorities on the 10<sup>th</sup> April 2024 to discuss the discharging of requirements in the DCO.</p> <p>The draft DCO has been updated to include Lincolnshire County Council as a relevant planning authority for the discharge of DCO requirements as outlined in Schedule2, Part 1 of the draft DCO [REP4-001].                      Lincolnshire County Council: Agreed</p>	Agreed
LCC63	Discharging obligations and requirements	The draft DCO includes a suitable period of time in Schedule 2, Part 2 part 2 for the discharging authority to approve submissions for the discharge of Requirements.	Draft Development Consent Order [APP-006]	Applicant: The time period for the approval of submissions has been increased in the updated draft DCO [REP4-001 as follows:	<del>In Discussion</del> Not Agreed but not material

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
			Draft Development Consent Order [REP4-001]	<ul style="list-style-type: none"> <li>Discharge of requirements (Part 2 of Schedule 2 of the draft DCO) – the timescale has been increased from 28 days to 56 days.</li> <li>Approvals of street works etc. (Part 3 of the draft DCO) – the timescale has been increased from 28 days to 42 days.</li> </ul> <p>Lincolnshire County Council: LCC welcome the increase in time period for the discharge of requirements and approvals of street works, although these time periods are still felt to be quite short given the likely complexity of the submission to be made. LCC are aware of other DCO being granted with longer time periods, which are felt to be more appropriate. LCC remain concerned about deemed discharge should these time periods not be met.</p>	
LCC64	Discharging obligations and requirements	The draft DCO includes appropriate fees in Schedule 2, Part 2 that will be payable to the discharging authority for the applications approval of a Requirement.	<p>Draft Development Consent Order [REP4-001]</p> <p>Draft Development Consent Order [REP1-002]</p>	<p>Applicant: the applicant has updated the draft DCO [REP4-001] in schedule 2 (23) where an application is made to the approving authority for agreement or approval in respect of a requirement, the fee to be paid by the applicant for the discharge of conditions will be as specified in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012 (or any regulations replacing the same)</p> <p>The Applicant and LCC have discussed that they are willing to enter into a Planning Performance Agreement for the discharge of DCO Requirements.</p> <p>Lincolnshire County Council: LCC notes the amendments that have been made to the draft DCO. However, LCC remain concerned that the application of fees for the discharge of conditions as specified in the Town and Country Planning (Fees for Applications, Deemed Applications, Requests for Site Visits) (England) Regulations 2012, as amended, remain woefully inadequate to cover the costs of discharge of requirements for this project. LCC has previously provided the applicant with examples of fees that it considered would be more appropriate for this project and made representation on this at ISH2, as summarised in REP4-057.</p>	Not Agreed



