

Viking CCS Pipeline

8.2 Statement of Common Ground – North Lincolnshire Council – Revision A (Clean)

Document Reference: EN070008/EXAM/8.2

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 North Lincolnshire Council on the day specified below

Signed:



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Job Title: Development Management Specialist

Date: 19th September 2024

Duly Authorised for and on behalf North Lincolnshire Council

Signed: **Paul Davis**

Print Name: **Paul Davis**

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Date: **18th September 2024**

Duly Authorised for and on behalf of Chrysaor Production (UK) Limited

Revision History

Revision	Revision date	Details
Rev A	July 2024	Updated by applicant
Rev B	September 2024	Updated by applicant

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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 North Lincolnshire 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 North Lincolnshire 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 North Lincolnshire Council

1.2.1 North Lincolnshire Council is one of the five local planning authorities within the Order limits. North Lincolnshire 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, North Lincolnshire 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 final 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 North Lincolnshire Council. Table 2-1 below.

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

Date of meeting/ correspondence	Description of meeting/correspondence
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. Planned stakeholder engagement and consenting programme was highlighted.</p> <p>Feedback from the meeting noted that:</p> <ul style="list-style-type: none"> • Clarity was sought on the need for the pipeline alongside other projects e.g., National Grid scheme. This should be reflected in assessment of need within the EIA. • Timings of the DCO submission were questioned, in comparison to the National Grid Scheme. • Council confirmed they were content with two phased consultation and requested input into the SoCC. • Construction phasing questioned, as well as how long construction will be in one area. There were also queries about the length of time to restore agricultural land. • It was noted a new Local Plan would be published prior to submission. • The presence of great crested newts near TGT was noted, and biodiversity net gain position was questioned. Engagement with the IDB was queried. • Impacts on residential amenity, including noise and dust was questioned, as well as the impact on historic landfills or areas of contamination. • The council welcomed proposals to mitigate impacts on the highway, due to it being a constrained area.
17 October 2022	<p>Scheme update, including rebranding, corridor realignment and above ground installation update. Update includes an update on consultation, role of feedback, the SoCC process and statutory consultation timescales.</p> <p>Feedback from the meeting noted that:</p>

Date of meeting/ correspondence	Description of meeting/correspondence
	<ul style="list-style-type: none"> • Block valve placement was discussed, including parking for maintenance and construction compounds that were being considered. • Plan was requested outlining changes within North Lincolnshire. • Initial concerns raised around the lack of consultation events in North Lincolnshire, however it was noted it was easier for individuals to get to Immingham, therefore it was no longer considered an issue. • Regular updates requested to stay updated on the scheme as it develops, including a timeline to aid workload planning.
22 March 2023	<p>Scheme update meeting, including recap of the project, purpose and rate of carbon dioxide capture. Distance within NLC confirmed and timescales for project outlined. Stakeholder and consultation update provided, alongside environment update.</p> <p>Feedback from the meeting noted that:</p> <ul style="list-style-type: none"> • Requested any significant findings from archaeology surveys and bird surveys be shared with the council, with any issues flagged as soon as possible. • Questioned how the 10% biodiversity net gain would be achieved and who would provide this as application boundaries overlapped. • Council requested to be kept informed once biodiversity net gain opportunities start to be identified. • The council noted the key environmental topics of interest to NLC are ecology, wintering birds, biodiversity net gain and archaeology. • Request duly consultation, despite the limited length of the pipeline in the NLC area. • Noted previous documentation had limited reference to North Lincolnshire Council as a unitary authority and this should be noted moving forward. • Reference was made to engagement with NLC Highways and ongoing engagement with ecologists regarding surveys.
31 March 2023	<p>Meeting to introduce the highways officer to the project. The meeting was held with representatives of all local highways authorities, which means it included representatives from NELC, NLC an LCC.</p> <p>A presentation was given explaining the purpose and location of the Proposed Development. 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	Meeting with highways officer

Date of meeting/ correspondence	Description of meeting/correspondence
28 June 2023	<p>Scheme update meeting with a planning officer 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>Points of discussion included:</p> <ul style="list-style-type: none"> • The NLC planning officer that will be the point of contact once the DCO application has been submitted.
8 March 2024	<p>Project update meeting with a planning officer. The Applicant provided an overview of the activities that had taken place following the submission of the application to PINS.</p> <p>The Applicant also discussed with the planning officer arrangements for the Preliminary meeting including venue and timings, relevant representations received and summary of key themes, progress towards Statements of Common Ground and future work.</p>
10 April 2024	<p>Meeting with planning officers of all the host authorities to discuss matters arising during the Issue Specific Hearings on the 27th March 2023.</p> <p>Discussions included the process for discharging DCO such as the authority responsible for discharging obligations, the time limit for approvals of requirements and highways works, payment of fees to the discharging authority.</p>

3 Position of the Parties

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

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

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

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

Table 3-1 Position of the Parties

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
Consultation					
NLC1	Consultation process	The pre-application engagement undertaken by the applicant has been proactive and professional and accords with the Statement of Community Consultation (SoCC).	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses.	Applicant: Agreed North Lincolnshire: Agreed	Agreed
Socio-Economics					
NLC2	Social Value	The approach used for the Assessment of potential socio-economic impacts reported in chapter 11 of the Environmental Statement [APP-058] follows standard best practice for projects of this nature. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. ES Chapter 16: Socio Economics [APP-058]	Applicant: The methodology for the Assessment is considered appropriate and includes the necessary receptors and baseline data. North Lincolnshire: Impacts range from beneficial to negative, with respect to loss of agricultural land and the risk of fire. No objections were noted regarding the approach.	Agreed
Landscape and Visual					
NLC3	Assessment methodology	The scope of the assessment and assessment methodology in chapter 7 – Landscape and Visual [APP-049] of the Environmental Statement are suitable and acceptable.	Chapter 7 Landscape and Visual [APP-049] and appendices	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC4	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for the Landscape and Visual Impact is appropriate for the purposes of assessment. 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.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 7 Landscape and Visual [APP-049] and appendices	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. North Lincolnshire: Agreed, the methodology and viewpoints were discussed and agreed during the pre-application period.	Agreed
NLC5	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	Chapter 7 Landscape and Visual [APP-049]	Applicant: Agreed North Lincolnshire: Agreed	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		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.			
NLC6	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]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC7	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 Management Plan submitted in support of the DCO application.”	Chapter 7 Landscape and Visual [APP-049] Outline Landscape and Ecological Management Plan [APP-127] Draft DCO [AS-008]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
Ecology and Biodiversity					
NLC8	Assessment methodology	The scope of the assessment and assessment methodology in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement are suitable and acceptable.	Chapter 6 Ecology and Biodiversity [APP-048] and appendices	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC9	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Ecology and Biodiversity in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Ecology and Biodiversity assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 6 Ecology and Biodiversity [APP-048] and appendices	Applicant: Agreed North Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.	Agreed
NLC10	Assessment findings	The conclusions of the Assessment of Effects in chapter 6 – Ecology and Biodiversity [APP-048] of the Environmental Statement during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 6 Ecology and Biodiversity [APP-048]	Applicant: Agreed An updated Habitat Regulations Assessment report was submitted at Deadline 2 [REP2-024]. Would NLC confirm that this document has been reviewed and there are no further queries.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>North Lincolnshire: Agreed, subject to detailed checking of the shadow Habitats Regulations Assessment</p> <p>NLC agree with the overall conclusions of the SHRA. This matter is now agreed.</p>	
NLC11	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 6 - Ecology and Biodiversity [APP-048], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 6 Ecology and Biodiversity [APP-048]	<p>Applicant: Agreed</p> <p>Discussions are ongoing with Natural England regarding the potential for in combination effects and mitigation to be provided by the Applicant. As outlined in the Applicants response to Local Impact Reports [REP2-031] consideration is being given to the use of close board fencing to attenuate noise.</p> <p>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.</p> <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>North Lincolnshire: Cumulative effects and HRA in-combination effects are still being considered-particularly in relation to noise and visual disturbance of birds using Rosper Road Pools. VPI, Phillips 66 and Viking CCS biodiversity net gain assessments overlap and are being considered together</p> <p>In relation to the in-combination section of the shadow Habitats Regulations Assessment we do not agree that all of the impacts relating to ABP Planning application PA/2022/1223 or Able UK</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>PA/2023/502 have been resolved. However, NLC do agree with the overall conclusions of the sHRA.</p>	
NLC12	Securing mitigation	<p>All relevant mitigation measures specified in Chapter 6 - Ecology and Biodiversity [APP-048] of the Environmental Statement are adequately secured through the draft Construction Environmental Management Plan [APP-068]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.</p> <p>The Outline Landscape Environmental Management Plan [APP-127] 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 [AS-008] which requires that the LEMP must be prepared and approved before commencement of development.</p>	<p>Chapter 6 Ecology and Biodiversity [APP-048]</p> <p>Construction Environmental Management Plan [APP-068]</p> <p>Outline Landscape and Ecological Management Plan [APP-127]</p> <p>Draft DCO [AS-008]</p>	<p>Applicant: Agreed</p> <p>The grass seed mixes are shown in Table 5: Indicative mix for low maintenance grassland and Table 6: Indicative mix for species rich grassland of the Outline LEMP [REP2-027], the tables show that the seed mixes differ.</p> <p>Update 18.09.24 – paragraph 3.4.4 of the Outline Landscape and Ecological Management Plan (OLEMP) provides that grass seed mixes outlined in Table 6 can may be changed based on the needs of the sites biodiversity and soil type.</p> <p><i>Paragraph 3.4.4: A specification for species rich grassland will be developed based on the indicative species, percentages presented in Table 6. This may be subject to change based on the needs of the site’s biodiversity and prevailing soil types.</i></p> <p>North Lincolnshire: Agreed, the draft CEMP is broadly acceptable and the provision of mitigation is secured by requirement 5.</p> <p><i>The outline LEMP is largely acceptable, though as mentioned in the document, seed mixes are liable to change at short notice. The proposed “low maintenance grassland mix” is still very similar to the “species rich grassland mix” Where species-rich grasslands or hedgerows are proposed, the mixes and management proposals must be adequate to ensure that a species-rich habitat can realistically be created and managed, as defined in BNG habitat condition tables.</i></p> <p>To avoid the problems encountered in table 6, it would be better to propose species-rich grassland mixes on a site by site basis, based on soil survey results. The Mix proposed in Table 6 would not create a species-rich grassland, in the view of NLC’s ecological advisor.</p> <p>Update (19/09/2024) – NLC agree that the drafting of the OLEMP allows for flexibility in seed mixes based on site requirements. The detailed LEMP is secured by Requirement and will require approval by NLC at</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				the post consent stage. On this basis NLC has no further concerns and this matter is resolved.	
Geology and hydrogeology					
NLC13	Assessment methodology	The scope of the assessment and assessment methodology in chapter 9 – Geology and Hydrogeology of the Environmental Statement [APP-051] are suitable and acceptable.	Chapter 9 Geology and Hydrogeology [APP-051] and appendices	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC14	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Geology and Hydrogeology is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Geology and Hydrogeology assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 9 Geology and Hydrogeology [APP-049] and appendices	Applicant: Agreed North Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.	Agreed
NLC15	Assessment findings	The conclusions of the Assessment of Effects in chapter 9 – Geology and Hydrogeology [APP-051] of the Environmental Statement during construction and operation are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 9 Geology and Hydrogeology [APP-051]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC16	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in the ES 9 Geology and Hydrogeology [APP-051] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 9 Geology and Hydrogeology [APP-051]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC17	Securing mitigation	All relevant mitigation measures specified in ES Chapter 9 Geology and Hydrogeology [APP-051] are adequately secured through the draft Construction Environmental Management Plan [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.	Chapter 9 Geology and Hydrogeology [APP-051] Construction Environmental Management Plan [APP-068] Draft DCO [AS-008]	Applicant: Agreed North Lincolnshire: <i>NLC is satisfied with the content of the draft CEMP and that the relevant mitigation will be secured via requirement 5 of the dDCO.</i>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
NLC18	Assessment findings	The Residual Effects and Cumulative Effects set out in chapter 9 – Geology and Hydrogeology [APP-051] of the Environmental Statement are suitable and acceptable.	Chapter 9 Geology and Hydrogeology [APP-051]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
Traffic and transport					
NLC19	Assessment methodology	The scope of the assessment and assessment methodology in chapter 12 – Traffic and Transport [APP-054] of the Environmental Statement are suitable and acceptable.	Chapter 12 Traffic and Transport [APP-054] and appendices	Applicant: Agreed North Lincolnshire: Agreed, the scope of the assessment and the methodology used is acceptable.	Agreed
NLC20	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Traffic and Transport [APP-054] in the Environmental Statement is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Traffic and Transport assessment are appropriate, and the relevant receptors have been identified within the study area.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 12 Traffic and Transport [APP-054] and appendices	Applicant: Agreed, the methodology used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period. North Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period. The baseline information is acceptable and the sensitivity and types of receptors are appropriate.	Agreed
NLC21	Assessment findings	The conclusions of the Assessment of Effects in chapter 12 – Traffic and Transport [APP-054], are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on receptors. In accordance with the impact assessment’s methodology, effects which have been assessed to be ‘moderate’ or ‘major’ during the construction phases and are considered significant in EIA terms.	Chapter 12 Traffic and Transport [APP-054]	Applicant: Agreed North Lincolnshire: Agreed, from the information provided in the Assessment of Effects in Chapter 12 Traffic and Transport [APP-054], there will only be a modest increase in vehicle movements on the local highway network within North Lincolnshire during the construction period. NLC agree with the assessments in Tables 12-39 and 12-40.	Agreed
NLC22	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 12 – Traffic and Transport [APP-054], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 12 Traffic and Transport [APP-054]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC23	Securing mitigation	All relevant mitigation measures specified in ES Chapter 12 Traffic and Transport [APP-054] is adequately secured through the draft Construction Environmental Management Plan [APP-068]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. The provision of mitigation is secured by	Chapter 12 Traffic and Transport [APP-054] draft Construction Environmental	Applicant: Agreed The Environmental Statement, Chapter 12: Traffic and Transport [REP2-006] includes the recommendation for a HGV booking system to be included in the Construction Traffic Management Plan (CTMP). This	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.</p> <p>Further mitigation is provided in the Construction Traffic Management Plan (CTMP) which includes measures to be adopted during the construction phase. The proposed mitigation is appropriate for managing construction traffic impacts. The provision of mitigation is secured by requirement 6 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>Management Plan [APP-068]</p> <p>Draft Construction Traffic Management Plan [APP-107]</p> <p>Draft DCO [AS-008]</p>	<p>recommendation will be included in the CTMP when it is prepared as part of the CEMP.</p> <p>North Lincolnshire: The majority of measures identified in para 12.11.2 H1 of the ES Chapter 12 Traffic and Transport [APP-054] are included in the draft Construction Environmental Management Plan [APP-068], with the exception of ‘Implementation of an HGV Booking system that would enable a daily profile of deliveries to be managed to ensure that the required deliveries are planned. This would assist in managing HGV volumes to reduce the level of predicted traffic-associated environmental effects.’ NLC would like to see this point included in the Draft CEMP for completeness.</p> <p>NLC is supportive of requirements 5 and 6 of the DCO [AS-008] that require both the CEMP and CTMP to be prepared and approved prior to the authorised development commencing on site.</p> <p>Section 12.11 (Additional Mitigation and Enhancement Measures) in Chapter 12 (Traffic and Transport), of the ES, refers to producing a Detailed Construction Traffic Management Plan (CTMP), which will be based on the outline CTMP and include a range of measures, including the implementation of an HGV booking system. The CTMP will be incorporated within the Construction Environmental Management Plan (CEMP). Requirements 5 and 6 of the DCO will require the CEMP and CTMP to be approved by NLC prior to the commencement of the authorised development. Taking this into consideration, NLC have no further concerns in this regard.</p>	
Air Quality					
NLC24	Assessment methodology	The scope of the assessment and assessment methodology in chapter 14 – Air Quality [APP-056] of the Environmental Statement are suitable and acceptable.	Chapter 14 Air Quality [APP-056] and appendices	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC25	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	<p>The baseline information used in the assessment for the Air Quality is appropriate for the purposes of assessment.</p> <p>The sensitivity and types of receptors used in the Air Quality assessment are appropriate, and the relevant receptors have been identified within the study area.</p>	Appendix E to the Consultation Report [APP-03] providing the Statutory Consultation Responses.	Applicant: Agreed, the methodology was 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.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
			Chapter 14 Air Quality [APP-056] and appendices	North Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.	
NLC26	Assessment findings	The conclusions of the Assessment of Effects in Chapter 14 Air Quality [APP-056] of the Environmental Statement during construction are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 14 Air Quality [APP-056]	<p>Applicant: Agreed</p> <p>The Applicant has prepared an additional technical note on air quality associated with construction traffic emissions {REP3-026} which has been submitted to the ExA at Deadline 3.</p> <p>North Lincolnshire: Construction phase traffic data has been reviewed and compared against the screening criteria set out in IAQM and DMRB guidance. Data has been provided as two-way 24-hour AADT for road links affected by additional traffic movements generated by the pipe delivery to the compound at Immingham, and construction traffic movements on other roads links associated with other construction activities.</p> <p>The report states:</p> <p><i>“Exceedances of the IAQM screening criteria (for HDVs and/or LDVs) are predicted in the construction phase on seventeen roads. None of these locations are within an Air Quality Management Area. These roads are mostly in rural areas, where no monitoring is available, but air quality is likely to be good...”</i></p> <p><i>“Due to the temporary nature of works, the good baseline air quality, and the fact that the data represents a worst-case increase in traffic, no significant effects are anticipated.”</i></p> <p>NLC would expect to see this conclusion supported by quantification/modelling in accordance with relevant guidance. NLC has reviewed the submitted Technical Note, which provides the requested modelling and concludes that:</p> <p><i>“The modelling has determined that the impact of Project construction traffic emissions is negligible for all pollutants considered at all receptors considered. The effect of such an impact is not considered to be significant.”</i></p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				NLC agree with the conclusions of the Technical Note and have no further concerns or comments with regards to construction traffic emissions.	
NLC27	Assessment findings	is agreed that environmental health for air quality has been adequately assessed and the conclusions of the assessment are suitable in Chapter 14 – Air Quality [APP-056] and chapter 17 – Health and Wellbeing of the Environmental Statement [APP-059].	Chapter 14 Air Quality [APP-056]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC28	Securing mitigation	All relevant mitigation measures specified in ES Chapter 14 Air Quality [APP-056] is adequately secured through the draft Construction Environmental Management Plan [APP-068]. The proposed mitigation is appropriate for air quality impacts from the Project. The provision of mitigation is secured by requirement 5 of the DCO [AS-008] which requires that the CEMP must be prepared and approved before commencement of development.	Chapter 14 Air Quality [APP-056] Draft Construction Environmental Management Plan [APP-068] Draft DCO [AS-008]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
Noise and Vibration					
NLC29	Assessment methodology	The scope of the assessment and assessment methodology in chapter 13 – Noise and Vibration [APP-055] of the Environmental Statement are suitable and acceptable.	Chapter 13 Noise and vibration [APP-055] and appendices	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC30	Study Area	The general study area (zone of Influence) of 500 m from the Theddlethorpe Facility and Block Valve Stations, and 300 m from the Order Limits has been used to identify the sensitive receptors and is deemed to be appropriate.	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses. Chapter 13 Noise and Vibration of the Environmental Statement [APP-055].	Applicant: Agreed, the methodology and study area used in the assessment is considered appropriate and includes the necessary receptors and baseline data which was discussed and agreed during the pre-application period. North Lincolnshire: The general study area (zone of influence) is considered to be acceptable and all relevant sensitive receptors in North Lincolnshire have been identified.	Agreed
NLC31	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The baseline information used in the assessment for Noise and Vibration is appropriate for the purposes of assessment. The sensitivity and types of receptors used in the Noise and Vibration assessment are appropriate, and the relevant receptors have been identified within the study area	Appendix E to the Consultation Report [APP-039] providing the Statutory Consultation Responses.	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. North Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
			Chapter 13 Noise and vibration [APP-055] and appendices		
NLC32	Assessment findings	The conclusions of the Assessment of Effects in chapter 13 Noise and Vibration of the Environmental Statement [APP-055] during construction, operation and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.	Chapter 13 Noise and Vibration [APP-055]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC33	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 13 – Noise and Vibration [APP-055], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	Chapter 13 Noise and Vibration [APP-055]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC34	Securing mitigation	All relevant mitigation measures specified in ES chapter 13 – Noise and Vibration [APP-055] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068]. The proposed mitigation is appropriate for managing construction and post construction impacts from the Project on Noise and Vibration receptors Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	Chapter 13 Noise and [APP-055] Construction Environmental Management Plan. [APP-068] Draft DCO [AS-008]	Applicant: Agreed North Lincolnshire: Agreed, Section I of the Draft CEMP contains measures relating to noise which are detailed and extensive in nature. These measures will be adequately secured via Requirement 5 of the dDCO.	Agreed
Water Environment					
NLC35	Assessment methodology	The scope of the assessment methodology in chapter 11 – Water Environment of the Environmental Statement [APP-053] are suitable and acceptable.	Chapter 11 Water Environment [APP-049] and appendices	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC36	Data collection, methods, baseline data and the identification and sensitivity of relevant features and receptors	The approach used for the Flood Risk Assessment reported in chapter 11 of the Environmental Statement [APP-053] follows standard best practice for projects of this nature. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines. The findings of the sequential and exceptions test are considered to be suitable.	PDAS Section 7.21 [APP-129] ES Chapter 11: Water Environment [APP-053]	Applicant: Agreed North Lincolnshire: Agreed, the methodology was discussed and agreed during the pre-application period.	Agreed
NLC37	Assessment findings	The conclusions of the Assessment of Effects in chapter 11 – Water Environment of the Environmental Statement [APP-053] during construction, operation	ES Chapter 11 Water Environment [APP-053]	Applicant: Agreed North Lincolnshire: Agreed	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		and decommissioning are appropriate, and assuming the inclusion of proposed mitigation, are considered not significant in EIA terms.			
NLC38	Assessment findings	The conclusions of the Cumulative Effects Assessment as detailed in ES Chapter 11 – Water Environment of the Environmental Statement [APP-053] , are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.	chapter 11 – Water Environment of the Environmental Statement [APP-053]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC39	Securing mitigation	All relevant mitigation measures specified in chapter 11 – Water Environment of the Environmental Statement [APP-053] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project. Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	chapter 11 – Water Environment of the Environmental Statement [APP-053] chapter 11 – Water Environment of the Environmental Statement [APP-053] Construction Environmental Management Plan. [APP-068] Draft DCO [AS-008]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
Historic Environment					
NLC40	Assessment Methodology	The approach used for the assessment for the Historic Environment (chapter 8) reported in the Environmental Statement [APP-050] follows standard best practice. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.	PDAS Section 7.22 [APP-129] ES Chapter 8: Historic Environment [APP-050]	Applicant: The methodology for the assessment of Historic Environment is considered appropriate and includes the necessary receptors and baseline data. Applicant: The HER data obtained was sourced at the time the assessment was undertaken and was considered suitable and adequate at that time. The data was also used to inform the scope of additional survey work which comprised, aerial photographic analysis and LiDAR assessment, a geophysical survey and then trial trenching (which commenced in April 2024). An updated archaeological Written Scheme of Investigation [REP2-016] was submitted at Deadline 2. As the additional survey work has now progressed to the on-site investigation stage (archaeological evaluation including trial trenching) it	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>is not considered necessary to undertake a new search of the HER records, as the overall results of the archaeological evaluation (including the previous phases of work – aerial photographic analysis and LiDAR assessment and geophysical survey) will form a definitive baseline for assessment purposes.</p> <p>North Lincolnshire: Baseline data was obtained from the North Lincolnshire HER in August 2022 under licence which expired August 2023. HER records for sites within or adjacent to the DCO boundary were added or amended in August/Sept 2023. The Applicant obtained some but not all the new information from other sources and this is incorporated in the baseline data descriptions but not reflected on the figures; ES Chapter 8 Figure 8-2 Location of Non-Designated Heritage Assets within 500m and DBA (ES Vol IV App 8-1) Figure 3 (2 of 20) Location of Non-Designated Heritage Assets within 500m is not fully representative of the HER data baseline within Section 1 at October 2023. This affects the extent of sites 009 & 013, 010, 087, 098 shown on the figures and sites MLS26984 and MLS26988 (Ring Ditch and undated gullies) not shown on the figures.</p> <p>A fresh search of the HER records should be undertaken to ensure that the baseline data is refreshed for inclusion in current and future documentation for the Examination.</p> <p>It is agreed that the approach to the assessment that will be updated during the Examination period with the results of the ongoing archaeological evaluation including trial trenching in North Lincolnshire (Section 1) and includes the agreement of an archaeological mitigation strategy for post-consent works is acceptable.</p> <p>It should be noted that at the time of writing, the WSI for evaluation (ES Vol IV App 8-3) is yet to be finalised and agreed with North Lincolnshire HER ahead of trial trenching commencing from the end of March 2024.</p>	
NLC41	Assessment findings	The conclusions of the Assessment of Effects in Chapter 8 Historic Environment [APP-050] , are appropriate in identifying and assessing the	PDAS Section 7.22 [APP-129]	Applicant: the Applicant considers that a robust assessment has been carried out of the potential impacts of the Proposed Development and that the	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		<p>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 less than substantial harm caused to the grade II listed Ashleigh Farm.</p>	<p>ES Chapter 8: Historic Environment [APP-050]</p>	<p>public benefits of the development outweigh any harm to heritage assets.</p> <p>The Applicant confirms that the results of the trial trenching will be made available to NLC once the site investigation is complete. The findings of the trial trenching will inform the final route selection of the pipeline within the Order Limits.</p> <p>North Lincolnshire: Until the archaeological evaluation is complete and the significance of known, and currently unknown archaeological remains can be adequately assessed, the Assessment of Effects should remain live.</p> <p>Permanent construction impacts on known and unknown (pre and post evaluation) archaeological remains includes direct physical impact that has the potential to destroy all archaeological evidence; destruction of archaeological evidence has a high magnitude of impact.</p>	
NLC42	Securing mitigation	<p>The Additional Mitigation and Enhancement Measures set out in chapter 8 – Historic Environment [APP-050] of the Environmental Statement are suitable and acceptable.</p>	<p>Chapter 8 – Historic Environment [APP-050]</p>	<p>Applicant: Agreed</p> <p>An updated WSI [REP2-017] for the archaeological evaluation was submitted at deadline 2. Archaeological trial trenching commenced in April 2024. The development of the archaeological mitigation strategy will be further informed by the results of the current programme of trial trenching works and through ongoing discussions with all LPA’s including North Lincolnshire and Historic England, and detailed in the Detailed Archaeological Mitigation Strategy and Overarching WSI.</p> <p>North Lincolnshire: At this stage, the broad terms of the Mitigation and Enhancement Measures are acceptable. Following the results of the ongoing archaeological evaluation, including within North Lincolnshire, details of, and additional measures may be appropriate. These would be expected to be detailed in the Detailed Archaeological Mitigation</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				Strategy and Overarching WSI during the Examination period.	
NLC43	Securing mitigation	<p>All relevant mitigation measures specified in chapter 8 – Historic Environment [APP-050]. 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.</p> <p>The proposed mitigation is considered to be appropriate and is secured by requirement 10 of the DCO [AS-008] which requires a written scheme of investigation to be prepared and implemented for areas of archaeological interest.</p> <p>The additional mitigation outlined in chapter 8 – Historic Environment [APP-050] will be secured through the draft Construction Environmental Management Plan CEMP [APP-068]. The need to prepare the CEMP is secured by Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.</p>	<p>Chapter 8 – Historic Environment [APP-050]</p> <p>Construction Environmental Management Plan. [APP-068]</p> <p>Draft DCO [AS-008]</p>	<p>Applicant: Agreed</p> <p>An updated WSI [REP2-017] for archaeological evaluation was submitted at deadline 2. Archaeological trial trenching commenced in April 2024. The development of the archaeological mitigation strategy will be further informed by the results of the current programme of trial trenching works and through ongoing discussions with all LPA's including North Lincolnshire and Historic England, and detailed in the Detailed Archaeological Mitigation Strategy and Overarching WSI.</p> <p>North Lincolnshire: The objective of the WSI for archaeological evaluation submitted with the DCO (ES Vol IV App 8-3) is to confirm the presence or absence of buried archaeology and inform the Examination; this WSI does not provide for the programme of post-consent archaeological mitigation outlined in Chapter 8.</p> <p>Chapter 8 (para 8.8.2) provides for the preparation during the Examination period of a Detailed Archaeological Mitigation Strategy and Overarching WSI following completion of the archaeological evaluation and updated assessment of significance and impact.</p>	Agreed
NLC44	Assessment findings	<p>The conclusions the Assessment detailed in ES Chapter 8 – Historic Environment [APP-050], are appropriate in concluding that the cumulative effects of the Project and other projects are unlikely to be greater than the Project alone.</p>	<p>Chapter 8 – Historic Environment [APP-050]</p>	<p>Applicant: Agreed</p> <p>North Lincolnshire: Agreed</p>	Agreed
HE03	Intrusive Archaeological Evaluations and Mitigation	<p>Trial Trenching Report. Detailed Archaeological Mitigation Strategy (DAMS) Site Specific Written Scheme of Investigation (SSWSI)</p>	<p>Interim DAMS [REP5-061]</p>	<p>Applicant: 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>An Interim version of the DAMS, based upon the trial trenching information available to date, was provided to the Council archaeologist on 15th August. A meeting</p>	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>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.</p> <p>It was agreed that the 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.</p> <p>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 allow, the updated DAMS may be submitted to the Secretary of State via PINS. 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.</p> <p>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.</p> <p>It is considered that the process set out above will ensure that appropriate mitigation will be secured and delivered during construction.</p> <p>[Local Planning Authority]: Agreed</p>	
Agriculture and Soils					
NLC45	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 [APP-052] is appropriate for the purposes of assessment.	Chapter 10 Agriculture and Soils [APP-052] and appendices	<p>Applicant: Agreed</p> <p>North 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
NLC46	Assessment Methodology	The approach used for the assessment of Agriculture and Soils (chapter 10) of the Environmental Statement [APP-052] follows standard best practice. The baseline data, survey methods and assessment methodology used are appropriate and follow standard guidelines.	Chapter 10 Agriculture and Soils [APP-052] and appendices	Applicant: the methodology for the assessment of potential impacts on agricultural land is considered appropriate and includes the necessary receptors and baseline data. North Lincolnshire: Agreed	Agreed
NLC47	Assessment findings	The conclusions of the Assessment of Effects in chapter 10 – Agriculture and Soils [APP-052] , are appropriate in identifying and assessing the significance of (in EIA terms) and effects of change resulting from the construction, operation and decommissioning of the Project on agricultural land. In accordance with the impact 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 NLC local authority area.	Chapter 10 Agriculture and Soils [APP-052] and appendices	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC48	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	Applicant: Agreed North Lincolnshire: Agreed	Agreed
NLC49	Securing mitigation	All relevant mitigation measures specified in the Agriculture and Soils assessment in Chapter 10 of the ES [APP-052] are adequately secured through the draft Construction Environmental Management Plan CEMP [APP-068] . The proposed mitigation is appropriate for managing construction and post construction impacts from the Project on Noise and Vibration receptors Requirement 5 of the DCO [AS-008] requires that the CEMP must be prepared and approved before commencement of development.	Chapter 10 Agriculture and Soils [APP-052] and appendices Construction Environmental Management Plan. [APP-068] Draft DCO [AS-008]	Applicant: Agreed North Lincolnshire: Agreed	Agreed
Biodiversity Net Gain					
NLC50	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 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	Not Agreed but not material

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>double counting of any vegetation loss and allowed for a reasonable BNG assessment.</p> <p>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].</p> <p>Update 18.09.24 the applicant has provided a copy of the Biodiversity Net Gain metric spreadsheet and is open holding more detailed discussions with NLC in the future.</p> <p>North Lincolnshire: The general approach to biodiversity net gain appears to be broadly acceptable. However, comments on some of the detail are set out below.</p> <p>It appears that the approach to the Immingham site requires further explanation. The VPI baseline survey shows the area as scrub and grassland. However, the Viking CCS baseline shows bare ground. Does this reflect an assumption that the VPI development will have taken place in advance of Viking CCS and will have addressed habitat losses?</p> <p>Update (16/09/2024) - This point is now resolved/agreed based on the clarification provided.</p> <p>High strategic significance should only be assigned where there is an adopted document that gives guidance on a specific location. Blanked BAP proposals are not likely to be adequate. Similarly, ecological desirability (medium significance should reflect the position in the landscape, not just the potential for protected or priority species.</p> <p>Update (16/09/2024) – This is still a point of disagreement.</p> <p>Update (19/09/2024) – NLC has received a copy of the BNG metric spreadsheet from the applicant and welcomes the reassurance that further detailed discussion on this topic will be undertaken in the future.</p>	

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
				<p>BNG proposals appear to differ from those in the LEMP.</p> <p>NLC has not seen the metric 4.0 spreadsheet and so it is difficult to confirm that the approach to BNG is acceptable at this point.</p>	
NLC51	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 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.</p> <p>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].</p> <p>Update 18.09.24 the applicant has provided a copy of the Biodiversity Net Gain metric spreadsheet and is open holding more detailed discussions with NLC in the future.</p> <p>North Lincolnshire: Not yet agreed (see comments under NLC50 above). The approach to strategic significance in BNG is still a point of disagreement.</p>	Not Agreed but not material
Cumulative Impact					
NLC52	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.	Chapter 20 - Cumulative impact assessment in the Environmental Statement [APP-062].	<p>Applicant: Agreed</p> <p>North Lincolnshire: Agreed</p>	Agreed
Planning policy matters					
NLC53	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	PDAS Section 5 [APP-129]	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.	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
		emissions and achieve Net Zero by 2050 as set out in the Climate Change Act 2008 Order 2019.		North Lincolnshire: Agreed	
NLC54	Good Design	The Planning Design and Access Statement [APP-129] and ES Chapter 2: Design Evolution and Alternatives [APP-044] set out clearly the overarching design principles/objectives considered by the Applicant and how their design has been refined pre-application. These demonstrate good practice (including safety) and demonstrate Good Design.	ES Chapter 2: Design Evolution and Alternatives [APP-044] PDAS Section 5 [APP-129]	Applicant: Agreed that the Proposed Development accords with the principles of good design. North Lincolnshire: Agreed	Agreed
General					
NLC55	Discharging obligations and requirements	NLC outlined during the Issue Specific Hearings on the 27 th March 2024 that as a unitary authority they would request to be one of the discharging authority for several requirements in Schedule 2 of the draft DCO.	Draft Development Consent Order [APP-006] Draft Development Consent Order [REP1-002]	Applicant: a meeting was held with the Local Planning Authorities on the 10 th April 2024 to discuss the discharging of obligations in the DCO. The draft DCO has been updated to include North Lincolnshire Council as a relevant planning authority for the discharge of DCO requirements as outlined in Schedule2, Part 1 of the draft DCO [REP4-001]. North Lincolnshire: Agreed	Agreed
NLC56	Discharging obligations and requirements	NLC outlined during the Issue Specific Hearing on the 27 th March 2024 that the time made available for the authorities to review submissions for the discharge of Requirements in the draft DCO [APP-006] was not sufficient.	Draft Development Consent Order [APP-006] Draft Development Consent Order [REP1-002]	Applicant: The Requirement discharge time has been increased in the updated draft DCO [REP4-001] as follows: <ul style="list-style-type: none"> Discharge of requirements (Part 2 of Schedule 2 of the draft DCO) – the timescale has been increased from 28 days to 56 days. Approvals of street works etc. (Part 3 of the draft DCO) – the timescale has been increased from 28 days to 42 days. Part 2 of Schedule 2 of the draft DCO also provides the opportunity to agree in writing to extend the period of time for the discharge of requirements. The Applicant considers the timescales in Part 2 of Schedule 2 of the draft DCO to be adequate and in keeping with the discharge of planning conditions for Town and Country Planning Act. The Applicant is not aware of any other made DCOs with longer timescales. North Lincolnshire: Agreed	Agreed

ID	Matter	Detail	Related documents and their references	Comments from the Parties	Position
NLC57	Discharging obligations and requirements	NLC outlined during the Issue Specific Hearing on the 27 th March 2024 that the fees payable to authorities to review submissions for the discharge of Requirements in Part 2 of Schedule 2 of the draft DCO draft DCO [APP-006] was not sufficient.	<p>Draft Development Consent Order [APP-006]</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 NLC discussed that they are willing to enter into a Planning Performance Agreement for the discharge of DCO Requirements.</p> <p>North Lincolnshire: Following discussions with the Applicant this matter is now agreed.</p>	Agreed