

Viking CCS Pipeline

9.73 HRA and LWNL - Key to Latest Updates

Document Reference: EN070008/EXAM/9.73

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

Issue raised	NE Comment at D4/D5	AECOM Response at D5	AECOM Updated Information/Comments Post D5	NE Response
<p>NE16 – Acoustic and visual mitigation</p>	<p>We welcome the further information on noise fencing provided in Appendix I and paragraphs 7.3.29 - 7.3.35 of the updated HRA. However, we advise clarity is still required on the suite of mitigation measures proposed, and triggers for implementation.</p>	<p>HRA report was updated to reflect the revised text issued to NE on 21/08/24, but with the references to not needing mitigation within the wintering season removed following Emma’s email of 30/08/24.</p>	<p>An updated version of the HRA is being provided which further clarifies the proposed approach to mitigation in relation to acoustic fencing. We believe this revised wording to be in line with the proposed approach set out by Emma Brading.</p>	<p>Natural England welcome the amendment to the HRA (paras 7.3.29 – 7.3.34), which clarifies that acoustic mitigation will be implemented in all areas located within 500m of FLL identified in pre-application surveys, regardless of the time of year.</p> <p>Natural England also note the inclusion of additional site checks by the ECoW immediately prior to construction, to enable additional acoustic fencing to be implemented where significant changes in field use by relevant SPA species is noted.</p> <p>As such, Natural England now consider that an Adverse Effect on the Integrity of the Humber Estuary SPA/Ramsar bird populations can be ruled out.</p> <p>Natural England consider Issue NE16 resolved (green).</p>
<p>NE29b - Ensuring the Hedgerow plan is secured & includes monitoring/remediation post-5year establishment period - Securing Road Verge restoration - Double checking any assessment to be carried out where HDD to be used across chalk streams</p>	<p>NE advise that the Hedgerow establishment and management plan should also include details of the monitoring and remedial action to be taken where reinstatement is unsuccessful, including beyond the initial 5 year period.</p>	<p>An additional commitment has been added to section 3.2 of the oLEMP [EN070008/APP/6.8] to confirm that the detailed plan for the establishment and management of new hedgerows will also include details of the monitoring and remedial action to be taken where reinstatement is unsuccessful, including beyond the initial 5 year period. Reference has also been included to the text from ES Chapter 7 Landscape and Visual [APP-049]. A copy of the updated oLEMP [EN070008/APP/6.8] has been provided at Deadline 5.</p> <p>The Applicant has added the following measure to the CEMP [EN070008/APP/6.4.3.1]:</p> <ul style="list-style-type: none"> • C10 - All road verges within the Lincolnshire Wolds National 	<p>Discussed and agreed at meeting of 16 September.</p>	<p>Natural England welcome the additional commitment of the oLEMP regarding the reinstatement & monitoring of hedgerows, including beyond the initial 5-year period.</p> <p>Natural England welcome the additional measure included in the CEMP (C10), to ensure road verges impacted during construction are returned to their previous condition.</p> <p>Natural England welcome the clarity provided in CEMP measure E28 regarding ground investigation around chalk streams prior to HDD.</p> <p>Natural England consider Issue 29b Resolved (green).</p>

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		<p>Landscape that are temporarily impacted by the works, such as to create access points, will be sensitively restored to ensure they return to their original condition post construction. In order to ensure this, pre-construction habitat/condition surveys will be undertaken to provide a reference for reinstatement.</p> <p>Measure E28 in the CEMP [EN070008/APP/6.4.3.1] has been updated to confirm that ground investigation will be undertaken at all HDD chalk stream crossings.</p> <ul style="list-style-type: none"> E28 - Based on local geological features previously identified in the Immingham area and close to the coastline, such as blow wells, there is a possibility that groundwater will be artesian in the chalk. The drilling depth of HDD will be minimised wherever possible to avoid the possibility of entering the chalk Principal aquifer. However, if drilling into the chalk Principal Aquifer is required due to engineering or technical reasons, the EA would be consulted to ensure appropriate mitigation measures (e.g., clean drilling as described above) are in place prior to the works commencing and to ensure no delays. Ground investigation data, including geological, hydrogeological and contamination data, will be obtained prior to commencement of construction, including at all chalk stream HDD crossings, and appropriate measures required as a result of the findings of the ground investigation and associated risk assessments will be incorporated into the final CEMP. 		

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<p>NE29c - Clarifications on the timing of all works within the LWNL</p>	<p>A key embedded mitigation measure for the Lincolnshire Wolds National Landscape is a short construction timeframe. Clarity is needed on the expected timeframe for works in the Lincolnshire Wolds National Landscape.</p>	<p>In any one location the construction activity is likely to endure for seven months. However, for much of this time activities on site will be limited to earth moving using construction vehicles of a similar scale to agricultural machinery. The key activities that are more incongruous in an arable setting are the pipe deliveries, pipe stringing, and lowering of the pipeline into the trench. However, these activities are likely to progress at pace and will typically be present in any one location for no more than two months.</p>	<p>The Applicant can provide some additional indicative information for construction of section 3a of the route. This has to remain indicative as otherwise it would present too great a risk to delivery of the project. However, to provide some reassurance, it is in the interests of the contractor to progress at this pace for commercial reasons pressures.</p> <p>The tasks set out below are sequential with no down time between them. This means that from the point at which the first crew enters a field to begin preparatory works such as vegetation removal, through to the final crew leaving the field having reinstated topsoil and drainage and removed site fencing etc will be approximately 2 months. Within this two month period there will be approximately one month for preparation, to include vegetation removal and brush processing (unless removed in the previous winter to avoid nesting birds) and exposure of buried services. There will then be a period of approximately 6 days to set up the Right of Way, then 2 weeks to install the pipeline, and then approximately 12 days to reinstate the RoW back to its original condition. Within the 2.5km section of the route within the National Landscape, it is anticipated that the topsoil will be stripped for approximately 6 weeks.</p> <table border="1" data-bbox="1590 1247 2228 1881"> <thead> <tr> <th>Construction stage</th> <th>Task Name</th> <th>Duration</th> </tr> </thead> <tbody> <tr> <td>Access and Laydown area establishment</td> <td>Old Main Rd, Irby upon Humber (RDX017)</td> <td>10 days</td> </tr> <tr> <td>Preparation Works</td> <td>Section 3 A46 (RDX016) to Pear Tree Lane (RDX031) (18126m)</td> <td>30.5 days</td> </tr> <tr> <td rowspan="4">Pipeline Works</td> <td>Section 3a - A46 (RDX016) to A18 Barton St (RDX019) (2364m)</td> <td>26.75</td> </tr> <tr> <td>RoW (working width) Setup</td> <td>5.75 days</td> </tr> <tr> <td>Set out ROW fencing & PL centreline</td> <td></td> </tr> <tr> <td>Temporary safety measures - Road signage, goal posts, width</td> <td></td> </tr> </tbody> </table>	Construction stage	Task Name	Duration	Access and Laydown area establishment	Old Main Rd, Irby upon Humber (RDX017)	10 days	Preparation Works	Section 3 A46 (RDX016) to Pear Tree Lane (RDX031) (18126m)	30.5 days	Pipeline Works	Section 3a - A46 (RDX016) to A18 Barton St (RDX019) (2364m)	26.75	RoW (working width) Setup	5.75 days	Set out ROW fencing & PL centreline		Temporary safety measures - Road signage, goal posts, width		<p>Natural England welcome the further clarity provided regarding the short construction timeframe within the LWNL. It is noted that the overall construction period within the LWNL will be approximately 2 months, with more incongruous works limited to shorter periods.</p> <p>As a result, NE do not raise any further concern regarding the reliance on a short construction timeframe as a key embedded mitigation measure.</p> <p>Natural England consider Issue 29c Resolved (green).</p>
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			barriers/restrictions, PRow etc		
			Pipeline Route alignment		
			Topsoil stripping		
			Archaeological Watching Brief		
			Pre-construction Land drainage		
			Subsoil grading, benching and running track installation		
			Pipeline Installation	13.5 days	
			Stringing of pipe sections		
			Field cold bending		
			Welding		
			Pipeline Non-destructive testing		
			Field coating		
			Trench excavation.		
			Drainage marking/checking		
			Ditching/lowering & lay and complete tie-ins		
			Backfill & compact trench		
			Reconnection of existing drainage		
			Weld CP plates to pipe		
			Reinstatement	11.75 days	
			Reinstatement of ditches, streams and hedgerows		
			Subsoil Reinstatement		
			Topsoil reinstatement		
			Removal of temporary safety measures - Road signage, Goal posts, width		
			/barriers/restrictions, PRow etc		
			Remove ROW fencing		
			Reinstate field boundaries/hedge replanting		
			Permanent fencing/marker posts		

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<p>NE26d - Clarity on Handling of Wet Soils & Exceptional Circumstances</p>	<p>It is unclear what the consented time framed works include (i.e. that may require wet handling of soils), what impact this could have on ALC and whether it will have an effect on the potential to restore. We also have concerns regarding the term 'extenuating circumstances' as there is currently no definition of what this may include. Natural England have discussed these concerns with the applicant, and await further clarifications on these points, including definition of 'extenuating circumstances' which may necessitate handling soils in a wet condition.</p> <p>Further clarification required regarding the need to handle soils in a wet condition</p>	<p>The Applicant has provided examples of 'extenuating circumstances' that may necessitate handling soils in wet conditions. These are included in the updated version of the oSMP [EN070008/APP/6.4.10.1] submitted at Deadline 5. Harbour Energy did not want to limit wet handling of soils further as the extenuating circumstances listed cannot be guaranteed to be the only extenuating circumstances under which wet handling of soils may be a necessity.</p>	<p>We would like to respond to the point highlighted below:</p> <p>"It is unclear what the consented time framed works include (i.e. that may require wet handling of soils), <i>what impact this could have on ALC and whether it will have an effect on the potential to restore.</i>" (our emphasis)</p> <p>Should extenuating circumstances arise where the wet working of soils is required, the additional wet working measures set out in paragraph 4.2.10 the oSMP [EN070008/APP/6.4.10.1] submitted at deadline 5 would ensure that the required standard of restoration is achieved and the land would be returned to its pre-development ALC grading. These additional measures include appropriate soil handling, drying, and cultivation methodologies which are discussed in the oSMP and will be set out in the Detailed SMP and in site-specific construction method statements, as required, in line with Defra guidance. Wet working of soils will be monitored by a suitably qualified individual; and toolbox talks will be given to site staff prior to any wet working commencing to ensure that the specific requirements are fully understood. Through these measures there would be no difference in the restoration outcome between soils handled when wet and those handled when dry.</p>	<p>NE note the provision of examples of 'extenuating circumstances' which would necessitate the handling of soils in wet conditions. It is clear that handling of soils in wet conditions would be limited to discrete areas and would be of a small scale compared to the normal dry working practices.</p> <p>NE also note the response set out in this document, which confirms that additional wet working measures will be set out within the detailed oSMP and implemented in line with DEFRA guidance (Code of practice for the sustainable use of soils on construction sites).</p> <p>Whilst Natural England's general standpoint must remain that soils should only be handled when dry and friable, where the measures described are successfully implemented, and soils are returned to their pre-development ALC grading as described, with no difference in the restoration outcome between soils handled when wet and those handled when dry, Natural England raise no further concern & consider issue NE26d as 'yellow', as per the RAG status used in our previous responses:</p> <p><i>'Natural England does not agree with the Applicant's position or approach. We would ideally like this to be addressed but are satisfied that for this particular project it is unlikely to make a material difference to our advice or the outcome of the decision-making process. However, we reserve the</i></p>

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				<p><i>right to revise our opinion should further evidence be presented. It should be noted by interested parties that whilst these issues/comments are not raised as significant concerns in this instance, it should not be understood or inferred that Natural England would be of the same view in other cases or circumstances.'</i></p>
<p>NE30 – Natterjack toad.</p>	<p>Natural England would advise that the installation of fencing may in itself cause harm to this species, and/or form a barrier to the movement of the species. As such, we would advise that the approach is amended to be based around a habitat manipulation approach. This would involve sensitively managing the habitat along the route of the cable installation prior to works (and prior to the Natterjack Toad Breeding Season) to reduce the likelihood of Natterjack Toad using the area, but where they are still able to commute across it. The fingertip search & presence of an ECoW would still be required.</p> <p>The habitat manipulation methods should reduce the likelihood of Natterjack Toads being present in the cable installation area. Where the fingertip search indicates no presence of Natterjack Toads, the construction work in this area (including Mole Ploughing) is unlikely to cause an adverse effect on the Natterjack Toad population associated with the Ramsar Designation, and removes the likelihood of committing an</p>	<p>Updated HRA provided.</p>	<p>The HRA has been updated again to reflect the proposed habitat manipulation mitigation advised by Natural England, using much of the wording provided. The new section states the following:</p> <p><i>“Prior to the installation of the electrical cable or works to the Dune Valve habitat manipulation would be undertaken. This would involve sensitively managing the habitat along the route of the cable installation prior to works (and prior to the Natterjack Toad Breeding Season) to reduce the likelihood of Natterjack Toad using the area, but ensuring they are still able to commute across it.</i></p> <p><i>Immediately prior to installation of the electrical cable or commencement of the works on the Dune Valve the ECoW would undertake a fingertip search for natterjack toad. The habitat manipulation methods should reduce the likelihood of Natterjack Toads being present in the cable installation area, and where the fingertip search indicates no presence of Natterjack Toads, the construction work in this area (including mole ploughing) is unlikely to cause an adverse effect on the Natterjack Toad population associated with the Ramsar Designation and would remove the likelihood of committing an offence under the Habitat Regulations.</i></p> <p><i>In the unlikely event that natterjack toad is found within the works area at any point the works will stop, and Natural England will be consulted for further advice and / or a licence sought, based on the most recent season of natterjack toad survey data available.”</i></p>	<p>Natural England welcome the amendment made to the mitigation approach for Natterjack Toad & consider that an Adverse Effect on the Integrity of the Humber Estuary Ramsar Natterjack Toad population can be ruled out.</p> <p>Natural England consider Issue NE30 resolved (green).</p>

Issue raised	NE Comment at D4/D5	AECOM Response at D5	AECOM Updated Information/Comments Post D5	NE Response
	offence under the Habitat Regulations.		Note that this revised wording is now included in the revised draft CEMP and Report to Inform HRA.	