The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION:

Proposed Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant

Case Reference: EN010161

Adopted by the Planning Inspectorate (on behalf of the Secretary of State) pursuant to Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017

21 March 2024

TABLE OF CONTENTS

1. INTRODUCTION

1.0.1 On 09 February 2024 the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from RWE Generation UK Plc (the Applicant), under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations), for the proposed Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.

1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report (the Report), available from:

http://infrastructure.planninginspectorate.gov.uk/document/EN010161-000010

1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.

1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.

1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including Advice Note 7: *Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping* (AN7). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.

1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

Nationally Significant Infrastructure Projects: Advice notes - GOV.UK (www.gov.uk)

1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg, on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or associated development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.1 Description of the Proposed Development

(Scoping Report Sections 1, 2 and 3)

ID	Ref	Description	Inspectorate's comments
2.1.1	1.1.5 and 1.1.6	Carbon dioxide (CO_2) transportation and storage - cumulative effects – all phases	It is anticipated in the Report that that the preferred option for transport of the captured CO_2 is a new CO_2 pipeline (to be the subject of a separate consent) connecting into the proposed Viking Carbon Capture & Storage (CCS) Pipeline, and that both of these will be considered in the cumulative assessment. The ES for the Proposed Development should contain sufficient detail about these schemes at the point of submission of the DCO application that the timelines and potential effects, particularly during construction, can be fully understood. The Inspectorate understands that the CCS element of the Proposed Development could not be brought into operation in the absence of the new CO_2 pipeline and its connection to a CO_2 transportation and storage pipeline. The ES should identify any LSE arising from these projects and demonstrate that there is no reason why they could not be consented.
2.1.2	Para 1.5.10, Section 3.5, Section 4.2 and para 5.2.4	Associated development (AD)	Paras 1.5.10 and 5.2.4 anticipate that the proposed cooling water infrastructure pipelines, gas pipeline, underground electricity cable and carbon capture plant (CCP) are likely to be classed as AD; Section 3.5 refers only to the gas and water pipelines but additionally to the laydown area; and Section 4.2 refers to the gas and water pipelines, the electricity cable and the laydown area. Notwithstanding that it is the SoS who will determine if any part of the development is AD, the elements of the Proposed Development anticipated by the

ID	Ref	Description	Inspectorate's comments
			Applicant to be classed as AD should be consistently identified and described throughout the ES.
2.1.3	1.5.18	Marine licence	It is stated that a marine licence may be required for the Proposed Development. It is recommended that this is discussed with the Marine Management Organisation (MMO) and other relevant stakeholders at the earliest opportunity.
2.1.4	2.3.2	Sea wall reinforcement	The Report states that the sea wall that forms part of the eastern boundary of the Main Site is subject to a programme of sea defence improvements. The ES should clarify whether there is likely to be any overlap between the construction of the Proposed Development and the sea wall improvements and if so, potential impacts should be considered within the ES as part of the cumulative effects assessment. The Applicant is referred to the comments of the Environment Agency (EA) (contained in Appendix 2 of this Report) in this regard.
2.1.5	2.4.6	Public Rights of Way (PRoW) – all phases	It is stated that all PRoW that cross the wider Site (described as 'the Site' within the Report) will be assessed within the ES once the connection corridors have been narrowed. Consideration should also be given to PRoW that are beyond the wider Site boundary that could be affected by the Proposed Development and the ES should include an assessment of significant effects where they are likely to occur, such as arising from, for example, disturbance or visual impacts for recreational users of the PRoW.
2.1.6	Para 2.4.9 and Figure 2C	Identification of receptors	New Cut Drain is identified in para 2.2.9 of the Report as a water receptor, along with Oldfleet Drain and North Beck Drain. However, no subsequent reference is made to New Cut Drain and it is not depicted on Figure 2C ('Water Receptors within 5km of the Site'). The figure identifies Mawmbridge Drain in addition to the above receptors, which is subsequently considered in the Report, so the Inspectorate

ID	Ref	Description	Inspectorate's comments
			assumes that the reference to New Cut Drain is an error. A number of other water receptors that cross or are near to the wider Site are identified in Section 6.8 and Table 6.45 ('Watercourses Potentially Impacted by the Proposed Development') but are not included on Figure 2C. The New Beck Drain (Main River) is mentioned in paras 6.8.54 and 6.9.28 but omitted from Table 6.45. Care should be taken to ensure that potentially affected features are identified correctly and consistently in the ES and on accompanying figures. The Applicant's attention is drawn to the EA's comments (contained in Appendix 2 of this Opinion) in relation to other waterbodies that warrant consideration.
2.1.7	3.1.4	Description of development	The location of National Grid's (NG's) Gas Feeder 9 Pipeline, where it is proposed that the Proposed Development's gas pipeline will tie in (regardless of which route option is selected), is not depicted on any of the figures. This should be identified on relevant figures within the ES.
2.1.8	3.1.9	Worst case scenarios	It is anticipated in the Report that the Proposed Development will require a number of local service provisions for water, local electricity distribution and telecommunications, and that the exact connection locations, connection routes and details of the services are yet to be defined. If the preferred options for these elements have not been selected prior to the submission of the DCO application the ES should define the worst-case scenarios and include an assessment of significant effects where they are likely to occur.
2.1.9	3.1.10	Parameters	The Report provides a list of elements that are subject to change, in accordance with the Rochdale Envelope approach. For the avoidance of doubt, the ES should provide the proposed minimum and maximum parameters of all built elements of the Proposed Development.

ID	Ref	Description	Inspectorate's comments
			Where preferred options have been selected prior to the submission of the DCO application, the ES should describe the main reasons for the option chosen and explain how the predicted environmental effects have influenced the choice of option. The Inspectorate advises the use of a table to set out the key changes in parameters/options of the Proposed Development presented in the Report to that presented in the ES.
2.1.10	Plate 3.1, page 19	Process schematic	Plate 3.1 provides a helpful overview process diagram of the Combined Cycle Gas Turbine (CCGT) plant and the CCP. The Inspectorate suggests that enhanced process diagrams are included in the ES to provide further clarity.
2.1.11	Section 3.3	Carbon capture	The timing of the operation of the CCP is not clear from the information provided in the Report. It is not stated whether all or only a proportion of the CO_2 produced by the CCGT would be captured by the CCP, and whether operation of the CCGT could only commence once the CCP was in place or whether it is anticipated that the CCGT would be in operation prior to any adoption of the carbon capture infrastructure. This should be set out in the ES and reflected in the DCO. The ES should set out any assumptions made about the reliance upon and timing of the adoption of the carbon capture infrastructure and the relevant assessments, including in particular the GHG assessment, should define and assess a reasonable worst case scenario.
2.1.12	3.5.2	Cooling water supply - operation	The Report states that cooling water is required for the operation of the Proposed Development, to be abstracted from the Humber Estuary. The volumes required for that function and other processes are not stated and are said to be dependent on the technology selected. The ES should provide a worst-case estimation of the

ID	Ref	Description	Inspectorate's comments
			volumes, temperature and effect on flow rates of water required to operate the Proposed Development. Although the Report generally assumes that the Humber Estuary would provide the cooling water para 6.8.79 suggests that the cooling water supply could alternatively be sourced from groundwater abstraction, or from Anglian Water (to which no subsequent reference is made). If a preferred option has not been selected prior to the submission of the DCO application the ES should provide an assessment based on the option considered to represent the worst-case. The Applicant is referred to the comments of the EA (contained in Appendix 2 of this Opinion) in respect of the design of the outfall structures and the need to consider erosion, sedimentation and blockage.
2.1.13	3.5.5 and 3.5.6	Laydown areas - construction	The Report identifies that two potential locations for a laydown area are under consideration. In the event that a preferred option has been selected prior to the submission of the DCO application, the ES should describe the main reasons for the option chosen and explain how the predicted environmental effects have influenced the choice of option.
2.1.14	3.5.5	'Strategic Mitigation Site' (SMS) - construction	Evidence should be provided in the ES of consultation and any agreement with North East Lincolnshire Council (NELC) (and other relevant bodies) about use of the Humber Estuary SMS situated within the Main Site as a laydown area during construction. Potential longer-term impacts arising from the construction activities should also be considered. Details of how it would be developed for the operational phase as strategic mitigation, in relation to the strategic mitigation strategy set out in NELC's Local Plan, should be set out in the ES. The Applicant's attention is drawn to the comments of Natural

ID	Ref	Description	Inspectorate's comments
			England (NE) (contained in Appendix 2 of this Opinion) in respect of potential impacts on the SMS.
2.1.15	3.6.2	Delivery of plant via the Humber Estuary - construction	It is anticipated that Immingham Docks would be used for the shipborne delivery of large plant and equipment (abnormal indivisible loads – (AIL)) during construction. Para 3.9.8 identifies shipping and navigation as a receptor, however this appears to be only in relation to construction of the abstraction and discharge infrastructure. The ES should include information on the expected daily number and type of vessels that would be used to deliver plant and equipment, identify any potential impacts on existing shipping and marine navigation in the Humber Estuary and provide an assessment of significant effects where they are likely to occur. The Applicant is referred to the comments of the Maritime and Coastguard Agency (contained in Appendix 2 of this Opinion) in respect of a Navigation Risk Assessment.
2.1.16	3.6.3	AIL routes	The Inspectorate notes that the Applicant will consult relevant organisations in respect of AIL routes. The Applicant is referred to the comments of the EA (contained in Appendix 2 of this Opinion) about the need for the proposed AIL routes to avoid damage to EA assets, such as the flood defences; and those of National Highways (NH) in relation to the requirement to agree the route with NH if it is proposed to use the strategic road network.
2.1.17	3.7.2	Environmental permit (EP) - operation	The Report states that an EP will be required for the operation of the Proposed Development. Information on the timeline for and progress with the EP application should be provided in the ES.
2.1.18	3.11.3	Decommissioning Plan	The Report explains that a Decommissioning Plan, that would include a Decommissioning Environmental Management Plan (DEMP), would be produced and agreed with the EA as part of the environmental

ID	Ref	Description	Inspectorate's comments
			permitting and site surrender process. The Inspectorate strongly recommends that an outline Decommissioning Plan is submitted with the DCO application.
2.1.19	4.2.5	Cooling water system	The Report states that either a once through or hybrid cooling system will be selected depending on the results of a feasibility study. For the avoidance of doubt, the ES should consider the implications of thermal water pollution on the chosen discharge location.
2.1.20	N/A	Assessment – use of professional judgement	The Report states that professional judgement will be used to assess aspects throughout the ES. Where professional judgment has been used it should be clearly stated and justification for such an approach should be provided within the ES.

2.2 EIA Methodology and Scope of Assessment

(Scoping Report Sections 1, 7 and 8 and technical sections)

ID	Ref	Description	Inspectorate's comments
2.2.1	3.11.1	Decommissioning	The Report states that the potential for operational effects to continue beyond the anticipated design life of the Proposed Development will be assessed in the ES but does not mention potential decommissioning effects. For the avoidance of doubt, the ES should consider the effects within the technical chapters of the decommissioning phase of the Proposed Development.
2.2.2	Table 6.45	Assessment	Reference is made in the Water Environment section of the Report to the potential for overbridging of the North Beck and Middle Drains. This is not mentioned elsewhere in the Report. Should this option be taken forward the ES should consider any potential impacts arising from the construction/decommissioning works or during operation of the Proposed Development and include an assessment within relevant aspect chapters, eg ecology, landscape and visual, cultural heritage, of significant effects where they are likely to occur.
2.2.3	Section 8.1	Study area	Study areas are described in the technical sections of the Report in relation to both the Main Site and the wider Site. It should be clear within the aspect chapters of the ES to which of those the identified study area relates and the rationale for the use of different study areas should be explained.
2.2.4	Section 8.1 and Figure 8A	Cumulative effects – study area	The study area proposed to be used for the cumulative effects assessment, and the plans and projects to be included in it, are unclear. The extent of the study area is not specified in Section 8. Para 8.1.9 states that Table 8.1 lists projects within the wider Site boundary however that identifies other developments within 9km of the Main Site (so beyond the wider Site boundary). Figure 8A depicts

ID	Ref	Description	Inspectorate's comments
			other developments within 2km of the wider Site, however that is not consistent with Table 2.1. For example, ABLE Marine Energy Park is shown as within the 2km area but is not listed in the table; and Hornsea Project Four Offshore Wind Farm Generation Stations are described in the table as 4.6km from the Main Site but appear on the figure to be much further away than that. The study area for the cumulative effects assessment and its extent should be made explicit in the ES. Justification for the extent of the selected study area should be provided and should be based on the Zones of Influence (ZoIs) and impact pathways relevant to the aspects considered in the ES. Information depicted on accompanying figures should be consistent with the main text.
2.2.5	Section 8.3	Avoidance, mitigation and enhancement measures	The ES should clearly differentiate between measures integrated into the design of the Proposed Development (eg, 'primary' or 'embedded'), those intended to mitigate LSE (eg, 'secondary' or 'additional') and those intended to result in beneficial effects.
2.2.6	Section 8.4	Consultation	Reference is made to the Consultation Report that will be submitted with the DCO application. Where cross-reference is made from the ES to relevant information contained in the Consultation Report the specific location therein should be identified. It is recommended that the ES contains a table demonstrating how the matters raised in the Scoping Opinion, including from consultees, have been addressed in the EIA.
2.2.7	Section 7.1	Transboundary effects	The Inspectorate on behalf of the SoS has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of

ID	Ref	Description	Inspectorate's comments
			potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts. The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision. Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process. The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, available on the Gov.UK website at: Nationally Significant Infrastructure Projects - Advice Note Twelve: transboundary impacts and process - GOV.UK (www.gov.uk)

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Air Quality

(Scoping Report Section 6.1)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.1.1	6.1.34 and Table 9.1	Operational traffic vehicle emissions on human and ecological receptors	The Report considers that it is unlikely that operational vehicle movements will be above the screening criteria (of Annual Average Daily Traffic (AADT) movements of 500 Light Duty Vehicles (LDV) or 100 Heavy Duty Vehicles (HDV)) that could give rise to LSE at sensitive receptors, and it is proposed that operational vehicle emissions should be scoped out of the assessment. The Inspectorate agrees that this matter may be scoped out as long as evidence of traffic volume and movements is provided in the ES to substantiate the assumption that there will be fewer than 500 LDV/100 HDV per day. Should it be predicted that the number would be high enough to exceed the screening criteria and potentially result in significant effects this matter should be scoped in and an assessment provided in the ES.

ID	Ref	Description	Inspectorate's comments
3.1.2	6.1.5	Baseline conditions - surveys	The Inspectorate notes that no project-specific air quality surveys are proposed at this stage and that surveys on baseline conditions will be determined from data obtained from representative automatic monitoring stations, supplemented with published local authority air monitoring data, Department for the Environment, Food and Rural Affairs (Defra) air quality monitoring and background air quality maps, and where appropriate, data published by the UK Air Pollution

ID	Ref	Description	Inspectorate's comments
			Information System (APIS) for ecological sites. This approach should be discussed and agreed with relevant consultation bodies. The ES should explain how the air quality monitoring data is representative of the baseline. The effects of CCS on baseline emissions should also be clearly detailed in the assessment.
3.1.3	6.1.13 to 6.1.15	Impact assessment – diesel powered back up and associated pollutants	The assessment of air quality impacts should include consideration of any proposed diesel-powered back-up generators and associated pollutants linked to their use and reflect a likely worst case scenario in terms of the duration of use. It should be made clear within the ES on what the worst case scenario is based.
3.1.4	6.1.15 to 6.1.16	Methodology – amines	Details of the models used to assess atmospheric dispersion and chemical reactions associated with amines should be provided in the ES. Where Environmental Assessment Levels (EALs) for amine stripping involves novel amines for which EALs are not available, the ES should clearly set out an appropriate methodology for the assessment of these amines. This should be agreed with relevant consultees, such as the EA and the UK Health Security Agency (UKHSA).
3.1.5	6.1.22	Road transport assessment – all phases	The Report states that it is not anticipated that vehicles will pass through the Grimsby Air Quality Monitoring Area (AQMA) during either the construction or operation of the Proposed Development, and the AQMA will not be included in the road traffic assessment. The assessment methodology and study area should be discussed and agreed if possible with relevant consultation bodies. The ES should explain why the AQMA has been omitted from the assessment when determining the worst case scenario with respect to establishing air quality LSE from road traffic emissions during all phases of the Proposed Development.

ID	Ref	Description	Inspectorate's comments
3.1.6	6.1.33	Operation - emissions from stacks	The Report states that there is potential for emissions from the stacks to give rise to significant effects at sensitive receptor locations. The Report also states that operational sources included within the assessment will be detailed in the ES, including appropriate emission parameters for each source. The emission parameters (such as the minimum and maximum height of the stacks) and assessment criteria for the significance of operational emissions on air quality at reported receptor locations should be clarified, consulted on and agreed with relevant consultation bodies and fully justified based on evidence within the ES.
3.1.7	6.1.35 to 6.1.38	Mitigation	Limited information is provided on potential mitigation measures. The Report states that appropriate control measures for fugitive dust emissions during the construction phase will be considered and mitigation would follow good practice guidelines. The ES should provide details of proposed measures, specify which predicted effects they are intended to address and identify where and how these would be secured through the DCO and its supporting documents such as, for example, the Construction Environmental Management Plan (CEMP) and operational and decommissioning environmental management plans (EMPs), where appropriate.

3.2 Climate Change

(Scoping Report Section 6.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.2.1	Table 9.1	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.2.2	6.2.3 to 6.2.13	Baseline	The baseline applicable to the assessment should be consulted on and where possible agreed with relevant consultation bodies, such as the EA.
3.2.3	6.2.8 to 6.2.17 and Table 6.8	Lifecycle greenhouse gas (GHG) impact assessment – operational phase	The Report states that where data is available for operational activities it will be used to quantify emissions for current and future baselines, but where data is unavailable benchmarks, estimates, or approximations will be used based on professional judgement. Where assessments of the likely significance of effects are based on professional judgement this should be fully justified in the ES.
3.2.4	6.2.17	Future baseline - Climate Change Resilience Assessment (CCRA) and In-Combination Climate Change Impact (ICCI) Assessment	In respect of the CCR and ICCI assessments the Applicant's attention is drawn to the comments from the EA (contained in Appendix 2 of this Opinion) about clarification over the use of UKCP18 climate change projection data for the 25km grid square in which the Proposed Development is located, and how this aligns with the climate change projections for sea level rise presented in 2022 Government Flood Risk Assessment guidance. The ES should clarify this and explain why the particular climate change estimates for sea level rise have been used to establish the future baseline. This should be agreed with the EA if possible.

ID	Ref	Description	Inspectorate's comments
3.2.5	6.2.8 and 6.2.58 to 6.2.59	Assumptions and limitations	The Report states that where quantitative data is not available, reasonable assumptions will be made, and that where this is not possible a qualitative statement will be made on the environmental impacts based on professional experience and expertise. Where LSE assessments are made based on professional judgement this should be fully justified in the ES with a clear explanation of how any conclusions have been reached.
3.2.6	6.2.22	Lifecycle GHG Impact Assessment - indirect GHG emissions – all phases	The Report refers to indirect GHG emissions occurring off-site that are 'significantly' related to the Site. The ES should identify the off-site emissions and define 'significantly' in this context.
3.2.7	6.2.24 to 6.2.57	Approach to assessment – all phases	Changes in fluvial flow resulting from climate change should be considered in relation to the Proposed Development in line with UK Government guidance on climate change allowances for FRAs.
3.2.8	6.2.47 – 6.2.57 6.2.63 – 6.2.64	Mitigation – all phases	High level information is provided on proposed embedded and additional mitigation for the construction, operational and decommissioning phases of the Proposed Development. The Inspectorate expects that mitigation measures will be developed further and that full details on these measures and how these are secured through the DCO will be provided in the ES.
3.2.9	Table 6.5	Policy relevant to climate change	Reference should also be made in the ES to the National Policy Statement (NPS) for natural gas electricity generating infrastructure (EN-2) and NPS for natural gas supply infrastructure and gas and oil pipelines (EN-4).
3.2.10	N/A	Land use change - construction	An assessment of emissions from land use change during construction should be included where significant effects are likely to occur through the reduction in carbon storage and / or sequestration.

3.3 Cultural Heritage

(Scoping Report Section 6.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.3.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.3.2	6.3.6	Heritage Receptors	The Report mentions seeking agreement from Historic England (HE) on the marine archaeology study area. For the avoidance of doubt, the Applicant should also seek to agree the list of identified heritage receptors with the relevant consultation bodies including HE and local planning authorities.
3.3.3	6.3.24	Study area	The Report states that a general study area of 500m will be used for non-designated assets and a 2km study area for designated assets and the Zone of Theoretical Visibility (ZTV) will inform a 'wider' study area, where effects are identified outside of the established study areas. Whilst the Inspectorate welcomes the use of the ZTV for the wider study area, little justification or evidence has been provided to suggest that the established study areas are sufficient. The ES should provide a justification for these study areas, including reference to the Zone of Visual Influence (ZVI) of the Proposed Development, and agree them with the relevant authorities.
3.3.4	6.3.29	Further surveys	The Report states that discussions held with relevant bodies will inform the scope of any additional surveys that may be required. It is noted that the archaeological work carried out in respect of the previously consented biomass plant only extends to the main site. The Inspectorate is of the opinion that further staged archaeological

ID	Ref	Description	Inspectorate's comments
			investigations should be carried out in liaison with the local authority archaeologist. The Applicant's attention is drawn to the consultation response from HE for further details on the scope of these additional works.

3.4 Human Health

(Scoping Report Section 6.4)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.4.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.4.2	6.4.18	Future baseline	In the absence of the Proposed Development, the impact on human health is not anticipated to be materially different. The ES should justify how this conclusion has been reached, supported by robust evidence.
3.4.3	6.4.28 and Tables 6.29 and 6.30	Health determinants - potential exposure to radiation from electromagnetic fields (EMF)	The Report states that the health determinants of relevance to the assessment are as listed in para 6.4.28, however Tables 6.29 and 6.30 show health determinants that are not listed in para 6.4.28 but which are scoped into the assessment. This includes potential temporary or permanent changes in exposure levels to radiation from EMF as the Proposed Development will include an electrical transmission connecting to the NG Grimsby West Substation or other available connection in the vicinity. The ES should provide an assessment of the impact of EMF on local residents and workers where there is potential for LSE to occur. The Proposed Development should show that it will comply with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines and Department for Energy and Climate Change (DECC) (now Department for Business, Energy and Industrial Strategy) Codes of Practice, where applicable.

ID	Ref	Description	Inspectorate's comments
3.4.4	6.4.42	Mitigation – all phases	The Report states that mitigation for the construction and operational phases of the Proposed Development will be considered and key indicators for monitoring human health impacts will be established wherever applicable. Any mitigation and monitoring requirements relied on for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should address how any mitigation proposed would be secured, with reference to specific dDCO requirements or other legally binding agreements. Mitigation measures should be proposed for decommissioning effects where necessary or details with evidence as to why mitigation and further monitoring are not required should be provided.
3.4.5	N/A	Construction workers and demand on local healthcare services	The additional construction workers required for the Proposed Development will have a potential demand on local healthcare services. The ES should include an assessment of effects on healthcare where LSE could arise from this additional demand.
3.4.6	N/A	Cross-referencing to other aspect chapters	The human health section of the Report does not cross-refer to any other relevant aspect chapters where impacts could result in significant effects on human health receptors, although health matters are referred to in other aspect chapters. The ES should include appropriate cross-references to relevant assessments presented in other technical chapters of the ES such as, for example, noise and vibration, air quality, flood risk, water quality, and residual soil contamination.

3.5 Socio Economics and Tourism

(Scoping Report Section 6.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.5.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.5.2	6.5.57	Increased demand for accommodation and community facilities from workers - construction and decommissioning	It is anticipated that there would be a maximum of 2,000 workers at the peak of construction in para 3.8.1 of the Report. The impact on available temporary rented accommodation and on community facilities from the anticipated increase of workers during the construction and decommissioning phases should be included in the assessment. The ES should set out how this would affect tourism and other socio-economic activity in the study area, and assess the impact on local rented accommodation demand and affordability. The ES should include an assessment of these matters where significant effects are likely to occur, particularly in respect of cumulative effects associated with other committed developments.
3.5.3	N/A	Construction impacts – disruption and changes in amenity value	Para 6.1.31 of the air quality section of the Report states that during the construction phase there is the potential for significant effects on amenity. The socio-economic chapter of the ES should include an assessment of impacts on amenity with appropriate cross-references to assessments presented elsewhere in the ES where these are relevant.

3.6 Landscape and Visual

(Scoping Report Section 6.6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.6.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment

ID	Ref	Description	Inspectorate's comments
3.6.2	6.6.11	Study Area	A study area of 5km from the main site boundary and 1km from the wider site boundary has been proposed, to be refined following the production of a ZTV. In the absence of a ZTV, it is unclear how this initial study area has been produced. The ES should provide a statement justifying the selection of this study area with reference to the Landscape Institute's 'Guidelines for Landscape and Visual Impact Assessment' (GLVIA3). If the overhead line option is selected for the electrical connection, then the study area should also account for this. For the avoidance of doubt, the study area should be based on the maximum extent of LSE and should therefore be established with reference to the ZTV and ZVI of the Proposed Development.
3.6.3	6.6.20	ZTV - grid connection route corridor	The Report states that the ZTV will include the grid connection route corridor but does not specify the option. For the avoidance of doubt, in the event that more than one route option is presented in the DCO application the ZTV should take account of the worst case scenario.
3.6.4	6.6.20	Viewpoints	The Report proposes up to ten viewpoint locations. The number and location of viewpoints and visualisations should be justified in the ES and effort should be made to agree these details with the local planning authorities.

ID	Ref	Description	Inspectorate's comments
3.6.5	6.6.21	Visual receptors	The Report provides a list of visual receptors which are to be included as viewpoints. The ES should also consider whether views from recreational users of the Humber Estuary such as fishing and sailing boats could be affected by the Proposed Development and provide an assessment where significant effects could occur.
3.6.6	6.6.28	Lighting	The Report states that lighting required during the construction and operation of the Proposed Development would be designed to reduce unnecessary light spill outside of the wider Site. This is the only mention of lighting within the LVIA chapter of the Report. For the avoidance of doubt, impacts from the introduction of lighting which are likely to result in significant effects should be assessed in the ES and, where necessary, mitigation should be described and secured.

3.7 Major Accidents and Disasters

(Scoping Report Section 6.7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.7.1	N/A	N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.7.2	6.7.5	Study area	The Report states that the study area for the assessment is not defined within regulatory guidance or standardised methodology and potential major accidents and disasters (MA&D) have been identified through the use of professional judgement and previous assessments of similar, comparable projects. The ES should explain how potential risks have been identified and describe which similar comparable projects have been used to determine the assessment study area for potential MA&D as appropriate to the scale of the likely impacts of the Proposed Development, as set out in IEMA's 'Major Accidents and Disasters in EIA, An IEMA Primer'.
3.7.3	6.7.8	Scope and assessment methodology	The Report states that no technical stakeholder engagement has been undertaken to date with respect to the scope or assessment methodology, and no specific engagement will be undertaken as part of the MA&D assessment. The ES should provide evidence of any related consultation with relevant consultation bodies and set out how this consultation has influenced the scope and assessment methodology. See also the Inspectorate's comments within ID 3.7.7 below.

ID	Ref	Description	Inspectorate's comments
			The cumulative MA&D assessment should consider projects such as the Immingham Ro Ro Terminal and the Immingham Green Energy Terminal developments, and any other developments that local authorities consider should be included in the assessment. The Statutory Harbour Authority (SHA), Associated British Ports (ABP) and Humber Estuary Services, should be consulted on the assessment of risk associated with navigational matters and safety within the SHA waters during the construction and operational phases of the Proposed Development. The ES should consider potential impacts of the Proposed Development on railway infrastructure and operational railway safety relevant to MA&D.
3.7.4	6.7.20 to 6.7.22	Legislation, policy and guidance	The Applicant should make use of appropriate guidance (eg, that referenced in the Health and Safety Executive's (HSE's) Annex to the Inspectorate's Advice Note 11) to better understand the likelihood of an occurrence and the Proposed Development's susceptibility to potential MA&D.
3.7.5	6.7.37 6.7.39	Major accidents from hazardous substances	Major accidents arising from hazardous substances do not appear to have been considered in detail in the Report. Potential impacts from this which could give rise to LSE should be assessed in the ES.
3.7.6	6.7.40 and Table 6.44	Assessment of potential impacts - all phases	It is proposed that an assessment will be presented in the ES which will focus on high consequence, low probability events and will consider the activities and risk events identified in Table 6.44. The ES should explain and fully justify how the activities and events have been identified. The ES should demonstrate how potential impacts to the water environment have been considered for any MA&D which could result in damage to storage, control measures or pollution prevention for

ID	Ref	Description	Inspectorate's comments
			potentially polluting substances. Potential impacts on the water environment do not appear to have been listed in Table 6.44 for every relevant activity/risk event and receptor, such as the example provided in the EA's response to the Report contained in Appendix 2 of this Scoping Opinion. The ES should explain how this list has been compiled in consultation with relevant consultation bodies. The assessment should consider the potential interactions between existing vessels and the proposed works within the marine environment during the installation phase of the potential abstraction and discharge infrastructure. The ES should consider the potential for LSE on shipping and navigation, as well as identifying possible mitigation measures to minimise collision risks.
3.7.7	6.7.29 and 6.7.41	Mitigation – all phases	The proposed embedded or primary mitigation and additional mitigation measures used to prevent and control significant adverse effects from a potential accident or disaster and the Proposed Development's potential to cause an accident or disaster should be presented in the ES, with details of the preparedness for and proposed response to such emergencies. The Inspectorate notes reference is made to potential crossings over existing railway lines in the Report. The Inspectorate considers that the potential for the Proposed Development to be vulnerable to or cause major accidents at these crossings and transport infrastructure, and at any buried gas pipelines, should be considered in the relevant aspect chapters. The Inspectorate directs the Applicant to the responses from Network Rail, National Gas Transmission (NGT) and the EA with respect to this (contained in Appendix 2 of this Scoping Opinion). The ES should consider whether there is potential for major accidents to arise in all phases of the Proposed Development that would affect

ID	Ref	Description	Inspectorate's comments
			these receptors and their users, and what mitigation would need to be incorporated to avoid such outcomes.
3.7.8	6.7.12, 6.7.27, and 6.7.41	Control of Major Accident Hazards (COMAH) sites – mitigation of risk – all phases.	COMAH sites are located within the boundary of the Main Site and the wider Site. According to HSE's comments, as contained in Appendix 2 of this Opinion, a number of Major Accident Hazard Sites (MAHS) and Major Accident Hazard Pipelines (MAHP) fall within the wider Site boundary. The Applicant should consult with the EA and the HSE acting jointly as the COMAH Competent Authority when assessing likely risks involving major accidents and hazardous substances and any mitigation measures.
3.7.9	N/A	Unexploded Ordnance (UXO)	The Report should consider Unexploded Ordnance (UXO) in the potential abstraction and discharge locations and other parts of the study area that may contain UXO. The Inspectorate advises that the ES should include a high-level assessment of offshore UXO clearance in relevant aspect chapters based on a likely worst-case scenario unless this risk can be clearly ruled out based on evidence. Any assumptions used in the definition of the worst-case scenario should be explained in the ES. The ES should address any cumulative effects from the construction of the Proposed Development with the likely effects from any UXO clearance.

3.8 Water Environment

(Scoping Report Section 6.8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.8.1	6.8.58 and 6.8.59	Flooding from artificial sources	Although it is not explicit it appears that the Applicant proposes to scope this matter out. This is on the basis that the EA's 'Risk of Flooding from Reservoirs' map shows that the study area is not located in an area within a 'reservoir modelled breach outline' and no canals are located in proximity to the study area (as confirmed in the Canal and River Trust's consultation response, contained in Appendix 2 of this Opinion). However, the Inspectorate notes that there is a pond, which may be a flood attenuation pond, in land neighbouring the Main Site which will be further investigated during a future site walkover survey and that there is another area of standing water on land that cascades into the Oldfleet Drain when water levels are high. The Inspectorate is content to scope this matter out as long as the survey results confirm that there would be no flooding impacts from standing water that could result in a LSE.

ID	Ref	Description	Inspectorate's comments
3.8.2	6.8.46 and Figure 2C	Flood risk	Para 6.8.46 states that the Main Site is located entirely in Flood Zone 3a, however this does not appear to be reflected on Figure 2C, although the coloured hatching therein does not match the Legend and therefore the zoning is unclear. Figures contained in the ES must clearly depict features and must be consistent with the main text.
3.8.3	6.8.6 to 6.8.8	Study area	Para 6.8.6 states that the scoping assessment study area used was up to 1km from the wider Site but subsequently that a 1.5 km study area was used for works in the Humber Estuary. Para 6.8.8 identifies

ID	Ref	Description	Inspectorate's comments
			that a 3km study area was used for terrestrial watercourses up to 3km downstream of the Proposed Development; the Inspectorate assumes that this refers to the wider Site boundary. Cross-reference is made to the depiction of the 1km study area on Figure 2E, which delineates a 'Hydrogeology 1km Study Area'. The extent of and rationale for selecting the study area(s) should be clearly and consistently set out in the ES and associated figures.
3.8.4	6.8.8 and 6.8.72 to 6.8.74	Methodology	It is stated that the proposed approach to assessment is consistent with the guidance within the Design Manual for Roads and Bridges (DMRB) Volume 11 Section 3 Part 10 (LA 113). As the methodology set out therein is aimed at road schemes the ES should include the justification for its suitability for the assessment of the Proposed Development. The Applicant should seek to agree the selected methodology with relevant consultees.
3.8.5	6.8.10	Scope	It is stated that as the route of the electrical grid connection is yet to be finalised, but anticipated to be within the wider Site, it was not possible to consider it within this section of the Report. It is explained in other chapters of the Report, such as Chapters 2 and 3, that feasibility studies to determine the route are ongoing, however they describe a proposed wide route corridor and it is depicted on Figure 1C. There are subsequent references to the electrical connection within this section and it is considered in other aspect sections so it is unclear why it could not be considered in relation to the water environment. In the absence of information the Inspectorate is not in a position to comment on this matter in this Scoping Opinion. The scope of the assessment should be agreed with relevant consultees once the route of the grid connection has been finalised.
3.8.6	Table 6.45	Assessment - all phases	Reference is made to the potential for overbridging of the North Beck and Middle Drains. This is not mentioned elsewhere in the Report. Should this option be taken forward the ES should consider any

ID	Ref	Description	Inspectorate's comments
			potential impacts arising from the construction/decommissioning works or during operation of the Proposed Development and include an assessment of significant effects where they are likely to occur.
3.8.7	Table 6.47	Naming of features	The Humber Estuary is described as a 'Natura site'. In the interests of clarity the Inspectorate recommends that European sites identified in the ES are titled according to their designation, eg Special Area of Conservation (SAC), Special Protection Area (SPA) etc.
3.8.8	6.8.57	Data – sewer flooding	The Inspectorate notes that potential sewer flooding to and from the Proposed Development has not yet been assessed as sewer records from Anglian Water were not available at the time of writing the Report. The Inspectorate assumes that relevant data will be obtained prior to preparation of the ES and an assessment of significant effects undertaken where they are likely to occur.
3.8.9	6.8.68 to 6.8.71	Assessment	The Inspectorate notes and welcomes that a Flood Risk Assessment and a Water Framework Directive Assessment will be submitted with the DCO application. Cross-references from the ES to these documents should explicitly identify the location therein of information relevant to the assessment of impacts on the water environment. The Applicant is referred to Anglian Water's comments (contained in Appendix 2 of this Opinion) on the need to set out significant new non-domestic water demands, for both the construction and operational stage, in a Water Resources Assessment (WRA). It is recommended that the Applicant engages with Anglian Water at the earliest opportunity. The outcomes of the WRA should be reported in the ES where there is potential for LSE.
3.8.10	6.6.81	Mitigation	It is proposed in the Report that construction impacts are likely to be mitigated through the implementation of standard construction

ID	Ref	Description	Inspectorate's comments
			techniques and mitigation measures. Cross-reference should be made as appropriate to relevant mitigation measures contained in the Framework CEMP. The Applicant is referred to Anglian Water's comments (contained in Appendix 2 of this Opinion) about the inclusion within the CEMP of measures to remove the risk of damage to Anglian Water assets from plant and machinery; and the EA's comments about the need to include within the CEMP (or CoCP) consideration of measures related to addressing flood risk.
3.8.11	6.8.78	Impacts on surface water	It is stated that during operation and maintenance potential hydromorphological impacts on surface water could occur from, for example, the placement of permanent culverting. The Applicant is referred to the EA's comments (contained in Appendix 2 of this Opinion) in respect of its culverting policy and the circumstances in which it would grant a permit for a culvert.
3.8.12	Section 6.8	Decommissioning	No reference is made within this section to consideration of decommissioning impacts; neither is it proposed to be scoped out. The ES should provide a description of the activities and works (including the anticipated duration) which are likely to be required during decommissioning which could impact the water environment. Where significant effects are likely to occur these should be described and assessed in the ES to the extent possible at the time of application submission.

3.9 Geology, Soils and Agriculture

(Scoping Report Section 6.9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.9.1	6.9.55	Introduction of human health receptors (construction workers)	The Report states that these receptors will be protected by Health & Safety legislation and are therefore scoped out. The Inspectorate is content with this approach, on the basis that significant effects are not likely to occur with compliance to Health and Safety legislation.
3.9.2	6.9.57 and Table 9.1	Adverse effects due to the operation of the Proposed Development	Adverse effects on geology, soil and agriculture receptors arising from the operation of the Proposed Development are scoped out on the basis that its maintenance and operation will be in accordance with an environmental permit issued by the EA and environmental legislation and good practice. The Inspectorate agrees that this matter may be scoped out. However, the ES should provide evidence that there would be no activities undertaken during the operation of the Proposed Development that could lead to disturbance of geology, soil and agriculture receptors.

ID	Ref	Description	Inspectorate's comments
3.9.3	6.9.4	Cross-referencing	Potential impacts and effects relating to hydrogeology are addressed within Section 6.8: Water Environment. Any impacts and effects that are relevant to the water environment should be cross-referenced between this chapter and the water chapter within the ES.

ID	Ref	Description	Inspectorate's comments
3.9.4	6.9.17 6.9.46	Agricultural land – Best and Most Versatile (BMV) soils baseline	The Report states that a proportionate agricultural land classification (ALC) soil survey will be undertaken to inform the agricultural land assessment at the Main Site. The assessment should be supported with sufficiently detailed evidence on BMV land to justify the conclusions reached within the ES on LSE. An ALC and soil survey of the land should normally be at a detailed level, with one auger boring per hectare for example, supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource. The Inspectorate wishes to draw the Applicant's attention to Natural England's advice on this matter contained in Appendix 2 of this Opinion.
3.9.5	6.9.22 – 6.9.23	Aquifers and Source Protection Zones (SPZs)	It is stated that the Main Site is not located in a Source Protection Zone (SPZ) but several SPZs are located in the wider Site. However, the EA, in their response (contained in Appendix 2 of this Opinion), note that there are SPZs beneath both the Main Site and the wider Site. It should be ensured that the baseline information presented in the ES is accurate and allows for assessment of all potential receptors that may be impacted by the Proposed Development. The ES should demonstrate how the design of the Proposed Development has avoided the most sensitive locations for groundwater use and for SPZs, and/or set out any protective and emergency measures that would be required to avoid or minimise impacts on sensitive groundwater resources.
3.9.6	6.9.33, 6.9.43 – 6.9.44	Potential radiological soils and groundwater contamination	The Report states that the proposed off-site laydown area has potential radiological contamination. As a result of the previous industrial use of the proposed off-site laydown area and the presence of manufacturing and chemical companies in the vicinity the potential

ID	Ref	Description	Inspectorate's comments
	6.9.57 and 6.9.60		presence of contaminated soil/groundwater within the proposed off-site laydown area cannot be excluded. The Inspectorate advises that a detailed contaminated land survey should be carried out to ascertain the type of contamination, to inform the baseline data and how the Applicant will approach this risk to the environment, particularly during the construction and decommissioning phases. The ES should identify appropriate mitigation to address this risk to receptors, such as through the CEMP for instance. The contaminated land and ground investigation surveys should be consulted on with relevant consultation bodies, such as the EA and local planning authorities.
3.9.7	6.9.41 to 6.9.49	Impact assessment methodology – decommissioning	This section of the Report does not refer to the decommissioning phase. The ES should consider the potential for LSE during decommissioning of the Proposed Development and identify and consider any mitigation measures that may be required as part of the DEMP (Section 3.11 of the Report).
3.9.8	6.9.57	Remediation of contaminated land – all phases	The remediation of contaminated land should be clearly described in the ES for all relevant phases, including pre-construction and decommissioning, to give clarity over any proposed beneficial mitigation measures. It should be set out how these measures are secured through the DCO.
3.9.9	6.9.61	Proposed trenchless crossings – impact assessment – construction	The Report states that a more detailed hydrogeological assessment will be undertaken if trenchless techniques or dewatering is required in high sensitivity groundwater environments, or where dewatering is required to facilitate open cut installation. The scope of the assessment should include consideration of impacts associated with the proposed trenchless crossings, including loss of

ID	Ref	Description	Inspectorate's comments
			cable oil to watercourses via groundwater, and creation of preferential pathways that could result in impacts on habitats and flow volumes.
3.9.10	N/A	Horizontal Directional Drilling (HDD) breakouts - construction	The construction of the pipeline is expected to be undertaken using non-intrusive techniques (such as HDD) (para 6.8.61 of the Report). The EA has highlighted recent problems with breakouts from HDD works. The Applicant's attention is also drawn to the EA's scoping response (contained in Appendix 2) and recommendation that any watercourse crossing design should be informed by assessment of fluvial processes and geomorphology. The Inspectorate notes in paragraph 6.8.67 of the Report that a Watercourse Crossing Register will be created for each watercourse that may be affected. This states that the precise locations of each watercourse crossing are unlikely to be known when the DCO is submitted but will be within the Order Limits. The potential for LSE in respect of trenchless crossings should be assessed within the ES. As the exact locations and designs for watercourse crossings are yet to be determined, the assessment should be based on the potential worst case with respect to HDD and trenchless crossings. Where different options for crossing techniques are under consideration, and where one or other technique is selected as a preferred option, the ES should set out the reasons for selecting the preferred option. This should include how environmental matters have been taken into account in this decision.
3.9.11	N/A	Permanent disturbance to soils and loss of agricultural land during operation	The Report does not state whether there will be any permanent loss of soils and agricultural land as a result of the Proposed Development in the Main Site or the wider Site. The ES should confirm whether or not the operational activities of the Proposed Development would require disturbance or movement of soils or have any permanent effects such as the loss of BMV land.

3.10 Traffic, Transportation and Access

(Scoping Report Section 3.10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	6.10.31	Operational traffic	It is proposed that operational impacts are scoped out on the basis that a conservative assumption of approximately 100 additional 2-way traffic movements/day generated by the movement of permanent staff would not result in LSE on the road network. The Inspectorate agrees that LSE are unlikely to occur as a result of the anticipated operational traffic volumes generated by staff movements and that this matter can be scoped out. However, no reference is made to any other types of operational traffic movements such as, for example, those required for maintenance purposes. The ES should consider operational traffic movements arising from all elements of the operational phase, setting out the estimated vehicle types and traffic movement numbers for each, and provide an assessment where LSE are predicted to occur.
3.10.2	6.10.32	Decommissioning impacts	It is proposed to scope out decommissioning traffic impacts based on the lifecycle of the Proposed Development and the ability to predict the baseline conditions at that time. However, it is also stated that any impacts are likely to be similar to those of the construction phase. As the construction phase has been scoped in on the basis that LSE could occur this suggests that there is potential for LSE to occur during the decommissioning phase. Difficulty of assessment is not an adequate justification to scope matters out and as insufficient information has been provided to exclude the possibility of significant effects the Inspectorate does not agree at this time that this matter can be scoped out. Accordingly, the ES should include an assessment

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			of this matter or evidence demonstrating agreement with the relevant consultation bodies and the absence of a LSE. Where LSE are predicted to occur these should be described and assessed in the ES to the extent possible at the time of application submission.

ID	Ref	Description	Inspectorate's comments
3.10.3	Paras 3.5.6 and 3.5.7	Offsite laydown area - construction	In addition to the potential increase in traffic flows on the local road network as a result of construction vehicles accessing the Main Site and offsite laydown area, the ES should consider any implications of the movement of construction plant and materials between the laydown area and the Main Site and provide an assessment of significant effects where they are likely to occur.
3.10.4	6.10.33	Mitigation	The Inspectorate notes that proposed measures will be contained in a Framework Construction Traffic Management Plan (CTMP) and a Construction Workers' Travel Plan (CWTP) that will be submitted with the DCO application. Proposed mitigation should be set out in the ES and any cross-references from the ES to those documents should explicitly identify the location of the relevant information.
3.10.5	Section 6.10	Receptors	In relation to non-motorised users (NMU) only walkers and cyclists are considered in in this aspect section; no reference is made to potential traffic and transport impacts on horse-riders. In addition, only human receptors are addressed and no reference is made to ecological receptors. Neither is reference made to recreational river users. The ES should consider the potential for impacts on these receptors and provide an assessment where significant effects are likely to occur or evidence demonstrating agreement with the relevant consultation bodies and the absence of a LSE.

ID	Ref	Description	Inspectorate's comments
3.10.6			It is anticipated that Immingham Docks would be used for the shipborne delivery of large plant and equipment (abnormal indivisible loads (AIL)) during construction. Para 3.9.8 identifies shipping and navigation as a receptor, however this appears to be only in relation to construction of the abstraction and discharge infrastructure. The ES should include information on the expected daily number and type of vessels that would be used to deliver plant and equipment, identify any potential impacts on existing shipping and marine navigation in the Humber Estuary and provide an assessment of significant effects where they are likely to occur. The Applicant is referred to the comments of the EA (contained in Appendix 2 of this Opinion) about the need for the proposed AIL routes to avoid damage to EA assets, such as the flood defences; and to the comments of the Maritime and Coastguard Agency in respect of a Navigation Risk Assessment.

3.11 Materials and Waste

(Scoping Report Section 6.11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 6.76 and paras 6.11.77 to 6.11.78	Changes to allocated/safeguarded mineral sites and waste sites – construction and decommissioning	The Report proposes to scope this matter out on the basis that the Proposed Development does not intersect any waste sites and that impacts to Mineral Safeguarding Areas (MSAs) and waste sites is a planning matter and will be assessed within the Planning Statement. On the basis that there are no waste sites within the site boundary of the Proposed Development, the Inspectorate is content to scope this matter out. However, the Inspectorate does not agree with the assertion that the impact on mineral safeguarding sites is solely a planning matter; this is also not reflected in the referenced IEMA guidance. The Inspectorate is therefore not content to scope this matter out. Impacts during construction and decommissioning on safeguarded mineral sites within the application site boundary should be assessed within the ES. Furthermore, the Report states that the wider site intersects a MSA, however it is not clear where this area is. The ES should also contain figure(s) illustrating the proposed pipeline route corridors in relation to any MSA within the wider site.
3.11.2	Table 6.76 and para 6.11.78	Changes in availability of materials - operation	The Report proposes to scope this matter out on the basis that the forecasted effects, based on professional judgement, are considered to be negligible given the nature and scale of the Proposed Development. The Inspectorate agrees that changes in the availability of materials during the operation of the Proposed Development is unlikely to result in significant effects. This matter can be scoped out from the ES. However, the ES should include a statement providing the rationale behind this professional judgment and evidence to

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			support it, including approximations of the types and quantities of materials required as a proportion of the available market.
3.11.3	Table 6.76 and para 6.11.78	Decommissioning effects: • changes in demand for materials • changes in available landfill capacity	The Report proposes to scope these matters out on the basis that the Proposed Development has a long design life and it is not considered possible to reliably forecast decommissioning and infrastructure requirements this far in advance. Difficulty of assessment is not an adequate justification to scope matters out. The ES should provide estimates of the type and quantity of waste and materials at the point of decommissioning and address any LSE during decommissioning to the extent possible at this time.
3.11.4	Table 6.76 and para 6.11.78	Changes to allocated/safeguarded waste sites - decommissioning	Given the rationale that impacts to allocated/safeguarded waste sites have been scoped out for the construction phase, it is unlikely that decommissioning would result in LSE. Changes to allocated/safeguarded waste sites through the decommissioning of the Proposed Development can therefore be scoped out from the ES.
3.11.5	6.11.78	Impacts on water resources - operation	The Report proposes to scope out impacts on water resources as a result of the management of waste from the Proposed Development. It is noted at 6.8.65 of the Water Environment section of the Report that the surface and groundwater assessments will not include consideration of amine-contaminated water as it is proposed to be disposed of off-site. The Inspectorate is therefore unable to scope this matter out from the assessment. The materials and waste assessment should also include consideration of the impacts of amine-contaminated water on waste capacity.
3.11.6	6.11.78	Waste arising from extraction, processing and manufacture of	The Report proposes to scope this matter out on the basis that the associated construction materials and products are being developed

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		construction components and products - construction	in a manufacturing environment with their own waste management plans, facilities, and supply chain. On this basis the Inspectorate agrees that this matter can be scoped out from the ES.

ID	Ref	Description	Inspectorate's comments
3.11.7	6.11.28 to 6.11.34	Hazardous waste	The Report states that the operation of the Proposed Development will produce waste that will not be suitable for landfill disposal and instead must be sent to a hazardous waste management facility. The Report does not consider the implications of transporting this waste. The ES should provide an assessment of the risks associated with transporting hazardous wastes to the appropriate facility. Further information should also be provided on the expected number of hazardous waste movements, the location of the appropriate facilities and the transport routes that will be taken. This should also be considered in the traffic, transportation and access assessment.

3.12 Noise and Vibration

(Scoping Report Section 6.12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.1	6.12.42	Quantitative assessment of noise - construction	The Report proposes to scope these matters out on the basis that the predicted noise level at the closest residential receptor, resulting from construction work, is expected to be lower than the $Laeq_{,12hour}$. 45dB significance threshold. A qualitative assessment is proposed in lieu. On this basis the Inspectorate is content to scope out a quantitative noise assessment for the main site. However, the rationale provided only extends to the Main Site; limited information is provided on the construction activities and plant required for the construction of the pipeline corridor and cable route. The ES should provide further justification for scoping out these matters, including details on the activities and plant to be used in the construction of the pipeline and cable corridors. The Applicant should also seek to agree the overall approach with the LPA.
3.12.2	6.12.52	Quantitative assessment of traffic noise caused by additional HGV road traffic movements - construction	The Report proposes to scope this matter out on the basis that impacts of additional HGV movements will be mitigated through embedded controls such as agreed traffic routes and times, and traffic movements would be set out in the Framework CTMP, to be agreed with NELC. A qualitative assessment is proposed in lieu. However, little information has been provided on the proposed HGV routes. As such, the Inspectorate is not in a position to scope this matter out. The ES should either provide a quantitative assessment of traffic noise caused by additional HGV movements during construction, or evidence demonstrating agreement with the relevant consultation bodies of the Applicant's approach and the absence of a LSE.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.12.3	6.12.52	Quantitative assessment of noise and vibration affecting residential and ecologically sensitive areas - decommissioning	The Report proposes to scope this matter out on the basis that the decommissioning phase is expected to have a similar impact to the construction phase in terms of noise and vibration. Insufficient information has been provided on the methods and plant proposed for decommissioning. As such the Inspectorate is not in a position to scope this matter out. The ES should provide a quantitative assessment of noise and vibration impacts from the decommissioning phase to the extent possible at this time.
3.12.4	6.12.51 and 6.12.52	Quantitative assessment of vibration – all phases	The Report proposes to scope this matter out from all phases of the Proposed Development on the following basis: • Construction: The closest residential receptor to the main site is 1.2km away and examples given in BS 5228-2 indicate a drop off in vibration from construction activities at only 250m from the source. • Operation: There are no equipment items or components associated with the Proposed Development that would produce significant vibration during operation. • Decommissioning: would generate similar levels of vibration as the construction phase. It is noted that the application site boundary overlaps with part of the Stallingborough sea defence scheme. It is the Inspectorate's opinion that assets such as these should be considered receptors in their own right. As such, the proximity of the Proposed Development to these receptors means that the Inspectorate is unable to scope out a quantitative assessment of vibration. The ES should provide a quantitative assessment of vibration impacts for all phases of the Proposed Development.

ID	Ref	Description	Inspectorate's comments
3.12.5	6.12.53 and 6.12.59	Mitigation	A Construction Noise Management Plan (CNMP) is proposed to manage and control construction noise and vibration, to be implemented prior to commencement. The Report also states that the use of additional mitigation will be reviewed during the detailed design process through iterations of the predictive noise model. For the avoidance of doubt, any measures that are envisaged to mitigate LSE, embedded or otherwise, should be described within the ES.
3.12.6	N/A	Figures	For the avoidance of doubt, the ES should provide figure(s) displaying noise monitoring locations in relation to any noise sensitive receptors.

3.13 Terrestrial Ecology

(Scoping Report Section 6.13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	6.13.2	Surveys - fish	It is proposed to scope out fish surveys but no justification has been provided. It is stated that the assessment will be undertaken on the assumption that European eel could be present within Oldfleet Drain and that sea lamprey and river lamprey are present on the adjacent stretch of the Humber Estuary. Table 6.84 indicates that desk study data informed the assumptions about eel and sea and river lamprey. The Inspectorate notes the presence of several watercourses on the wider Site, a number of which discharge into the Humber Estuary. In the absence of justification for this approach the Inspectorate is not in a position at this stage to agree to scope out the need to undertake fish surveys. Accordingly such surveys should be undertaken and the results reported in the ES or evidence should be provided demonstrating agreement with the relevant consultation bodies of the Applicant's proposed approach. The Applicant's attention is drawn to the EA's comments (contained in Appendix 2 of this Opinion) in relation to the availability of EA fish data.
3.13.2	6.13.3	Surveys - beaver, dormouse, red squirrel, pine marten, natterjack toad, white-clawed crayfish	It is proposed to scope out surveys for these features on the basis either that the wider Site is located beyond their known current geographical distribution and/or due to a lack of suitable habitat availability. No further information is provided and the Inspectorate notes that natterjack toad is a qualifying feature of the Humber Estuary Ramsar Site. In the absence of information about distribution and preferred habitat the Inspectorate is not in a position at this stage to agree to scope out the need to undertake surveys of these species. This information should be set out in the ES. Relevant surveys should be undertaken

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			and reported in the ES and an assessment provided where significant effects are likely to occur, or evidence should be provided demonstrating agreement with the relevant consultation bodies of the Applicant's approach and the absence of a LSE.

ID	Ref	Description	Inspectorate's comments
3.13.3	Table 6.80	Receptors - great crested newts (GCN)	The Inspectorate notes that the Applicant may apply for a licence for GCN through the Natural England District Level Licensing (DLL) scheme. The Inspectorate understands that the DLL approach includes strategic area assessment and the identification of risk zones and strategic opportunity area maps. The ES should include information to demonstrate whether the Proposed Development is located within a risk zone for GCN. If the Applicant enters into the DLL scheme, NE will undertake an impact assessment and inform the Applicant whether the Proposed Development is within one of the amber risk zones and therefore whether is it likely to have a significant effect on GCN. The outcome of this assessment will be documented on an Impact Assessment and Conservation Payment Certificate (IACPC). The IACPC can be used to provide additional detail to inform the findings in the ES, including information on the Proposed Development's impact on GCN and the appropriate compensation required.
3.13.4	Table 6.80 and Table 6.82.	Receptors - invertebrates	It is not explained why an invertebrate survey was only carried out in the offsite laydown area, which is a small part of the wider site. Table 6.82 identifies invertebrates as a feature for which the Healing Cress Beds Local Wildlife Site (LWS) (location not specified), within the wider Site, was designated. Consideration should be given to whether areas of the wider site other than the laydown area may contain invertebrates that could be impacted by the Proposed Development,

ID	Ref	Description	Inspectorate's comments
			and surveys undertaken accordingly. The results should be reported in the ES and an assessment provided where significant effects are likely to occur.
3.13.5	Paras 6.13.4 to 6.13.6	Baseline and study area	The Inspectorate notes that the initial ecological surveys undertaken are in the process of being updated according to a wider geographical study area. The methodology used and the justification for the selection of the study area(s) should be provided in the ES. Consideration should be given to the potential need to extend the study area for mobile species. The Report explains that much of the baseline ecological survey work undertaken up to September 2023 was constrained in geographical scope due to land access restrictions. An initial assessment of the baseline has been made based on the perimeter of land parcels, 'remotely using the best available information' and survey data from the desk study. It is unclear whether this remains the position for later/ongoing surveys. All efforts should be made to gain access to baseline land. In the absence of comprehensive survey data the assessment must be based on the baseline that represents the worst case scenario. The approach should be agreed with the local planning authority and NE if possible.
3.13.6	6.13.11 and Table 6.83	Receptors	Table 6.83 lists six SMSs that are identified in the North East Lincolnshire Local Plan as suitable locations for mitigating the loss of land used by wintering waterbirds that has a functional linkage to the Humber Estuary SPA and Ramsar site. The Inspectorate notes that some of these SMSs appear to fall within the proposed gas pipeline and electrical connection route corridor options (ie the wider Site), however potential impacts on them resulting from the Proposed Development have not been identified. Consideration of such impacts, particularly during construction and decommissioning, should be included in the ES, an assessment provided where significant effects

ID	Ref	Description	Inspectorate's comments
			are likely to occur and appropriate mitigation proposed where necessary. The location of the (un-named) SMSs are depicted on Figure 2B. It is recommended that, for clarity, they are identified by name in an equivalent figure in the ES.
3.13.7	6.13.21	Mitigation	Embedded mitigation, additional mitigation and compensation measures should be clearly differentiated. LSE and the specific measures proposed to mitigate each of them should be clearly set out in the ES or cross-reference provided to relevant information contained in other application documents, as appropriate.
3.13.8	6.13.22	Biodiversity Net Gain (BNG)	The Inspectorate welcomes the Applicant's intention to provide BNG as part of the Proposed Development. However, it is stated that the conclusions of the assessment will include consideration of the extent to which the Proposed Development delivers a gain in biodiversity resources. For the avoidance of doubt, BNG cannot be considered as mitigation when determining LSE for the purposes of the EIA and should be separated out within the terrestrial ecology chapter from the assessment of effects.
3.13.9	6.13.25 and 6.13.25	Potential impacts	The list of potential impacts does not include reference to reptiles and invertebrates, although surveys for these species are shown as scoped in and the species are not identified as scoped out. Consideration of impacts on these species should be included in the ES and an assessment provided where significant effects are likely to occur.
3.13.10	N/A	Decommissioning	No reference is made within this section to consideration of decommissioning impacts; neither is it proposed to be scoped out. The ES should provide a description of the activities and works (including the anticipated duration) which are likely to be required

ID	Ref	Description	Inspectorate's comments
			during decommissioning which could impact ecological receptors. Where significant effects are likely to occur these should be described and assessed in the ES to the extent possible at the time of application submission.
3.13.11	N/A	Confidential Annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and location of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as usual, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

3.14 Ornithology

(Scoping Report Section 6.14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	6.1.48	The Greater Wash (marine) SPA	It is proposed that this European site is scoped out of the assessment on the basis that it is unlikely to be affected given its qualifying features, distance from the Main Site (17km) and the nature of the Proposed Development, together with the clear lack of any ecological link. The Inspectorate agrees that this matter may be scoped out. However, the Applicant's approach should be justified in the ES. information should be provided about the sensitivities and ranges of the qualifying bird species, also bearing in mind that they are mobile species; and the absence of functionally linked land that could be affected by the Proposed Development used by the qualifying species of the SPA should be demonstrated.

ID	Ref	Description	Inspectorate's comments
3.14.2	Paras 6.14.2 and 6.14.7 and Figure 2A	Study area	It is stated that a desk study search was made for all 'statutory protected nature conservation sites' within 5km and 'internationally important ornithological sites' within 20km of the wider Site. However, para 6.14.7 describes the North Killingholme Haven Pits SSSI/Lincolnshire Wildlife Trust (LWT) reserve/ Local Wildlife Site (LWS), which is identified as approximately 9km from the Main Site, and Figure 2A identifies the location of 'Statutory Designated Ecological Sites' within a 15km study area, although they are not named. Therefore, the study area proposed to be used for the assessment is unclear. Study areas should be clearly and consistently

ID	Ref	Description	Inspectorate's comments
			described and depicted within the ES, and features identified by name where possible. The rationale for the extent of the study areas is not explained. The study area should be based on the Proposed Development's ZoI and the potential for LSE rather than based on a fixed distance. The ES should consider the potential for effects to occur beyond a fixed distance, particularly for mobile species such as birds or where there is hydrological connectivity. Effort should be made to agree the study area(s) with relevant consultation bodies. It is assumed that 'statutory protected nature conservation sites' in this context refers to locally and nationally designated nature conservation sites, such as Local Nature Reserves (LNRs), National Nature Reserves (NNRs) and Sites of Special Scientific Importance (SSSIs), respectively. Terms used in the ES should be clearly defined.
3.14.3	Table 6.86	Baseline information	The information provided in Table 6.86 on the Humber Estuary SPA wintering population of both shelduck and knot appears to be duplicated. Care should be taken to ensure that information contained in the ES is clearly and concisely presented.
3.14.4	6.14.11	Surveys	It is stated that baseline bird surveys will be undertaken over two years for the Main Site and over at least one winter period for the wider Site. The Applicant should make efforts to agree the requirement for and scope of the surveys with relevant stakeholders such as NE. The Applicant's attention is drawn to NE's comments (contained in Appendix 2 of this Opinion) in this regard.
3.14.5	6.14.15	Assessment	It is stated that available survey data indicates that land on the wider Site is functionally-linked to the SPA and used by several SPA species. It is confirmed that it will require assessment and mitigation proposed. The Applicant is referred to NE's comments (contained in

ID	Ref	Description	Inspectorate's comments
			Appendix 2 of this Opinion) in respect of functionally linked land adjacent to the wider Site boundary.
3.14.6	Table 6.90	Methodology	Table 6.90, which combines magnitude of impact and value of receptor to determine the level of significance of effects, does not include 'negligible' as a value and lists a 'low' magnitude of impact. However, Tables 6.88 and 6.89, respectively, identify receptors of negligible value and refer to 'minor' rather than low magnitude. The methodology should be applied and described consistently throughout the ES.
3.14.7	6.14.25 and 6.14.26	Impacts	In relation to potential impacts reference is made to "bird collision associated with construction of any above ground installations (pylons) for the grid connection". This is repeated in para 6.14.26, which lists potential operational impacts. Although it is stated in the Report that an overhead line (OHL) may be proposed for part of the grid connection route corridor there is no other reference to the potential need for and assessment of impacts of pylons. Should pylons be required, potential impacts should be assessed for all phases of the Proposed Development within all relevant technical chapters.
3.14.8	6.14.28	Mitigation	Reference is made to the need for a Breeding Bird Protection Plan (BBPP). If such a plan is to be relied on as mitigation an outline version should be submitted with the application and implementation of a final version must be secured in the DCO. Key principles and proposed measures should be agreed with the relevant consultees.

3.15 Marine Ecology

(Scoping Report Section 6.15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1	Table 6.97	Impacts on marine mammals from direct loss and physical disturbance to marine habitats and species within the footprint of the Proposed Development - construction	It is proposed to scope out these impacts on the basis that they are expected to be highly localised to the Proposed Development and there are no known seal haul-out sites in the direct vicinity of the Proposed Development, with the closest site located approximately 19km away. The Inspectorate agrees that significant effects on marine mammals resulting from direct loss and physical disturbance to marine habitats and species within the footprint of the Proposed Development during construction are unlikely and that this matter may be scoped out.
3.15.2		Impacts on marine mammals from temporary increase in suspended sediment concentrations (SSC) within the footprint of the Proposed Development - construction	It is proposed that these impacts are scoped out because it is anticipated that temporary disturbance due to increased SSC would be localised to the Proposed Development and surrounding areas and marine mammals are not considered sensitive to smothering and deposition of suspended sediment due to their highly mobile nature. In the event that sediment-bound contaminants were released, it is anticipated that they would be diluted before reaching the closest seal haul-out site located approximately 19km away. In addition, it is anticipated that cetaceans do not frequently enter the (Humber) Estuary. The Inspectorate agrees that this matter may be scoped out on the basis of the information provided.
3.15.3		Impacts on benthic, fish and shellfish receptors from temporary disturbance and displacement due	It is proposed to scope out these impacts on the basis that benthic, fish and shellfish receptors are not sensitive to airborne sound or

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		to airborne sound and changes in visual stimuli including artificial light - construction	visual disturbance. Therefore, this impact pathway is proposed to be scoped out. The Inspectorate agrees that a significant effect on these receptors arising from such impacts during construction is unlikely and that this matter may be scoped out.
3.15.4		Impacts on benthic, fish, shellfish and marine mammal receptors from alteration of water quality due to unplanned releases, accidental leaks and spills from vessels and plant - construction	It is explained that vessels may be required for the placement of the water intake and outfall structures. However, it is proposed that this matter is scoped out on the basis that use of vessels is likely to be minimal due to shallower water depths and therefore access limitations adjacent to the Proposed Development; the water intake point is likely to be located in depths of approximately 5m during the ebb tide. In addition, vessels would adhere to industry best practice to prevent accidental leaks and spills, in accordance with the International Regulations for Preventing Collisions at Sea (1972) and legislation relating to the International Convention for the Prevention of Pollution from Ships (MARPOL Convention 73/78), aimed at preventing and minimising pollution from ships. The Inspectorate agrees that this matter may be scoped out on the basis of the details provided in relation to pollution risk arising from vessels. In the event that vessels may be required to construct the Proposed Development, the ES should include information on the number and type of vessels and activities likely to be required, and set out the best practice measures that would be implemented and where they are secured. It should also explain how pollution incidents would be dealt with in the event that any occurred. However, the Inspectorate does not agree that pollution impacts on these receptors from construction plant may be scoped out. It is noted that potential impacts on water quality in the Humber Estuary during construction works are identified in the Water Environment

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			section of the Report (Section 6.8, para 6.8.75). Accordingly, an assessment should be provided where significant effects are likely to occur and mitigation proposed as necessary, or evidence should be provided demonstrating agreement with the relevant consultation bodies of the Applicant's approach and the absence of a LSE.
3.15.5		Impacts on benthic, fish, shellfish and marine mammal receptors from collision with project vessels - construction	It is proposed to scope out impacts from collision with the vessels that may be required for the placement of the water intake and discharge lines and structures. This is on the basis that the presence of any marine mammals is unlikely but if present (in low numbers) they would already be habituated to vessel movements as the Humber is a busy estuary. Para 6.15.37 of the Report states that although cetaceans are more likely to be observed in the open ocean than in the Estuary they are known to occasionally venture into estuaries and para 6.15.44 identifies that both grey and harbour seals are likely to be present in the study area. The Inspectorate notes that grey seal are a qualifying feature of the Humber Estuary SAC, Ramsar site and SSSI, which is adjacent to the Main Site. In the absence of more detailed information about the presence of marine mammals in the study area the Inspectorate is not in a position at this stage to agree to scope out impacts of collision risk on marine mammals. An assessment should be provided in the ES where significant effects are likely to occur, or evidence should be provided demonstrating agreement with the relevant consultation bodies of the Applicant's approach and the absence of a LSE. No justification is provided for the scoping out of benthic, fish and shellfish receptors, however the Inspectorate is content that they may be scoped out bearing in mind the nature of the species.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.6	Table 6.98	Impacts on benthic, fish and shellfish receptors from temporary disturbance and displacement due to airborne sound and changes in visual stimuli including artificial light – operation and decommissioning	It is proposed to scope out these impacts on the basis that these receptors are not sensitive to airborne sound or visual disturbance. The Inspectorate agrees that a significant effect on these receptors arising from such impacts during operation and decommissioning is unlikely and that this matter may be scoped out.
3.15.7		Impacts on marine mammals from abstraction of water - operation and decommissioning	It is considered that the intake of water would not impact marine mammals and they would not be at risk of entrapment due to their size, mobile nature and ability to escape early stages of the cooling water system prior to screening and therefore such impacts are proposed to be scoped out. The Inspectorate agrees that due to the nature of marine mammals a significant effect on them arising from such impacts during operation and decommissioning is unlikely and that this matter may be scoped out.
3.15.8		Impacts on benthic habitats and species from scour associated with the abstraction and discharge of water - operation and decommissioning	It is proposed to scope this matter out because the intake and outfall for the Proposed Development would be elevated from the seabed at a depth considered to avoid scour effects to benthic receptors. The Inspectorate does not agree that this matter may be scoped out. It is noted that potential operational impacts on surface water resulting from scour are identified in the Water Environment section of the Report (Section 6.8, para 6.8.78). Accordingly, an assessment should be provided where significant effects are likely to occur and mitigation proposed as necessary, or evidence should be provided demonstrating agreement with the relevant consultation bodies of the Applicant's approach and the absence of a LSE. The parameters for the intake and outfall structures should be clearly set out in the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.9		Impacts on marine mammals from thermal effects from treated water discharge - operation and decommissioning	It is proposed to scope this matter out on the basis that marine mammals are highly mobile and forage over a very wide area, and as the nearest seal haul-out location is approximately 19km away it is considered that they are not reliant on prey in the area of the Proposed Development. In the absence of more detailed information about the presence of marine mammals in the study area the Inspectorate is not in a position at this stage to agree to scope this matter out. An assessment should be provided in the ES where significant effects are likely to occur, or evidence should be provided demonstrating agreement with the relevant consultation bodies of the Applicant's approach and the absence of a LSE.

ID	Ref	Description	Inspectorate's comments
3.15.10	6.15.14	Receptors	In addition to smelt (which is identified in para 6.5.18), the EA highlight that EA data indicates that the study area encompasses key migratory routes for allis shad and twaite shad. They consider that these species should be scoped in for consideration of impacts from thermal plumes, risk of bentonite breakout, sediment disturbance, and underwater noise. The ES should consider the potential for impacts on these species and provide an assessment where significant effects are likely to occur.
3.15.11	6.15.33	Baseline	It is stated that in the absence of marine mammal Management Units (MUs) for grey seal or harbour seal the relevant seal MUs have been used, rather than the Oslo and Paris Conventions Regions (OSPAR), for the purposes of establishing the baseline. The Inspectorate notes that this is on the basis that SMUs are based on expert knowledge and opinion of seal ecology in the UK. The Inspectorate recommends

ID	Ref	Description	Inspectorate's comments
			that relevant stakeholders are consulted on the proposed approach and agreement sought where possible.
3.15.12	6.15.57	Mitigation	The Inspectorate notes that it is stated that no information on proposed mitigation measures can be provided at this time pending determination of the Proposed Development design. The ES should clearly identify the LSE requiring mitigation, the particular measures proposed to address them, the residual effects and where the measures are secured. Where mitigation measures would be contained in relevant management plans outline versions should be provided with the application.

3.16 Aviation

(Scoping Report Section 7.2)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
3.16.1	Section 7.2	Aviation	It is proposed to scope out impacts on aviation on the basis that the maximum height of the proposed stacks and buildings is anticipated to be comparable to the heights of structures and stacks in the surrounding area. The Inspectorate notes that the Applicant will consult the Civil Aviation Authority (CAA) in relation to any requirements for aviation lighting on the stacks and that the need for an aviation assessment will be reviewed should it be determined that taller stacks or cranes would be required than currently anticipated. The Inspectorate is content to scope this matter out on the basis of the information provided and that the proposed approach would be reviewed in the event that the maximum parameters of the structures were increased. However, should the parameters change but the Applicant remains of the view that an assessment is not required, the ES should include evidence demonstrating agreement with the CAA (and any other relevant consultation bodies) and the absence of a LSE.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES[1]

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
NHS England	NHS England
The relevant Integrated Care Board	NHS Humber and North Yorkshire Integrated Care Board
	NHS Lincolnshire Integrated Care Board
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	Humberside Fire and Rescue Service
	Lincolnshire Fire and Rescue Service
The relevant police and crime commissioner	Humberside Police and Crime Commissioner
	Lincolnshire Police and Crime Commissioner
The relevant parish councils	Great Limber Parish Council
	Keelby Parish Council
	Immingham Town Council
	Stallingborough Parish Council
	Aylesby Civil Parish
	Healing Parish Council
	Great Coates Village Council
	Habrough Parish Council

[1] Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION	ORGANISATION
	South Killingholme Parish Council
	Ulceby Parish Council
The Environment Agency	The Environment Agency
The Maritime and Coastguard Agency	Maritime and Coastguard Agency
The Maritime and Coastguard Agency - Regional Office	The Maritime and Coastguard Agency - North East England
The Marine Management Organisation	Marine Management Organisation
The Civil Aviation Authority	Civil Aviation Authority
The relevant Highways Authority	Lincolnshire County Council
The relevant strategic highways company	National Highways
The Coal Authority	The Coal Authority
The relevant internal drainage board	North East Lindsey Drainage Board
The Canal and River Trust	The Canal and River Trust
Trinity House	Trinity House
United Kingdom Health Security, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	The Forestry Commission - Yorkshire and North East
The Secretary of State for Defence	Ministry of Defence

TABLE A2: RELEVANT STATUTORY UNDERTAKERS[2]

STATUTORY UNDERTAKER	ORGANISATION
The relevant NHS Trust	East Midlands Ambulance Service NHS Trust
	Yorkshire and the Humber Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
Dock and Harbour authority	Associated British Ports
	Port of Grimsby
	Humber Sea Terminal
	Port of Immingham
	New Holland Dock
	South Killingholme /Associated Petroleum Terminals (Immingham) Ltd
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant water and sewage undertaker	Anglian Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc

[2] 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Squire Energy Limited
	National Gas
	Saltfleetby Energy Limited
The relevant electricity generator with CPO Powers	South Humber Bank Power Station
	Immingham Power Station
	Killingholme Power Station
	Heron Renewable Energy Plant
	VPI Immingham Energy Park A LLP
	VPI Immingham B LLP
	VPI Immingham LLP

STATUTORY UNDERTAKER	ORGANISATION
	EP SHB Limited
The relevant electricity distributor with CPO Powers	Northern Powergrid (Northeast) Limited
	Northern Powergrid (Yorkshire) plc
	Aidien Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))[3]

LOCAL AUTHORITY[4]
City of Lincoln Council / Lincoln District Borough Council
Newark and Sherwood District Council
West Lindsey District Council
North Kesteven District Council
East Lindsey District Council
Bassetlaw District Council
Doncaster District Borough Council
East Riding of Yorkshire Council
North East Lincolnshire Borough Council
North Lincolnshire Borough Council
North Northamptonshire Council
Peterborough City Council
Rutland County Council
Cambridgeshire County Council
Norfolk County Council
Nottinghamshire County Council
Leicestershire County Council
Lincolnshire County Council

[3] Sections 43 and 42(B) of the PA2008

[4] As defined in Section 43(3) of the PA2008

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Anglian Water
Associated Petroleum Terminals (Immingham) Ltd
Cambridgeshire County Council
Canal and River Trust
Coal Authority
Environment Agency
Health and Safety Executive
Historic England
Marine Management Organisation
Maritime and Coastguard Agency
National Highways
NATS En-Route Safeguarding
Natural England
Network Rail Infrastructure Ltd
Newark and Sherwood District Council
National Gas
North Kesteven District Council
Rutland County Council
United Kingdom Health Security Agency
West Lindsey District Council
Witham and Lindsey Drainage Boards (for North East Lindsey Drainage Board)

Anglian Water Services
Lancaster House, Lancaster Way,
Ermine Business Park, Huntingdon,
Cambridgeshire. PE29 6XU

www.anglianwater.co.uk

Our ref: Stallingborough/ScopingResponse

Planning Inspectorate

StallingboroughCCGT@planninginspectorate.gov.uk

11th March 2024

Dear Ms. Down,

Application by RWE Generation UK plc (the Applicant) for an Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) (the Proposed Development) - Anglian Water EIA scoping consultation response.

Thank you for the opportunity to comment on the statutory consultation for the project within North East Lincolnshire to develop a Combined Cycle Gas Turbine generating plant (CCGT) with a gross electrical output capacity of up to 900 megawatts of electrical output (MWe) fitted with carbon capture plant (CCP) and associated natural gas pipeline and electrical grid connection.

It is noted that this will also include infrastructure for the proposed abstraction of cooling water from the Humber Estuary and the discharge of treated water into the Humber Estuary. The scoping report states that it is anticipated that the potential cooling water infrastructure pipelines leading into the Humber Estuary, the natural gas supply pipeline, underground HV electricity cable and CCP are likely to be classed as associated development.

At this point, discussions are on-going with the proposed development and the final technology selection for both the CCGT and CCP is subject to ongoing technical studies and will be influenced by future UK Government policy.

Our response seeks to set out the current position and specially the need for the project and Anglian Water to work together to assess the project's requirements and effects, so that it could contribute to the UK's transition to a net zero 2050 economy.

Anglian Water is the appointed water and sewerage undertaker for the site and is the wholesaler who supplies water. Businesses are able to choose their water retailer and Anglian Water supplies water to that retailer.

This response is submitted on behalf of Anglian Water in its statutory capacity and relates to potable water and water assets, along with wastewater and water recycling assets. It sets out key issues which the applicant should consider and assess in the design and mitigation of the project. We welcome the reference at Para. 5.14 that the project plans to engage with several consultees including Anglian Water on the Water Environment (including Flood Risk Assessment) process.

Consultation response by Anglian Water

It is recommended that the EIA should include reference to identified impacts on the water supply, sewerage network and sewage treatment both during construction and operation.

The applicant has not sought to scope these matters out by providing sufficient information to reach a conclusion that the project's impacts regarding water supply as well as water recycling and water quality, are not significant. For example, paragraph 6.8.79 (bullet point 4) states that at present, water supply is anticipated to be sourced from either the estuary or from Anglian Water. At Paragraph 6.8.65 it states consideration of foul water will be included, although the current assumption is that this will be discharged to the nearest public sewer.

Anglian Water requests that these points are assessed early in the EIA to set out how the project will be supplied with water, its wastewater managed, how water assets of serving residents and business will be protected and how design has been altered to reduce the need for new water infrastructure or the diversion of infrastructure. The following detailed comments are provided.

The scheme - Anglian Water's existing infrastructure

Given the potential location and likely extent of the proposed development area there will be existing Anglian Water assets both above and underground, which serve the surrounding businesses and community.

Anglian Water works with developers, including those constructing projects under the 2008 Planning Act, to ensure requests for alteration of sewers, wastewater and water supply infrastructure are planned to be undertaken with the minimum of disruption to the project and customers.

Utilities searches should be undertaken to establish the extent of Anglian Water's assets within the scheme's application boundary. These should be mapped to establish interactions with assets and the scheme designed to avoid impacts upon those assets. For example, Anglian Water pipelines exist in road verges. Anglian Water would want to ensure the location and nature of these assets is identified and protected. To reduce the need for diversions and the attendant carbon impacts of those works, ground investigation would enable the promoter to design out these potential impacts and so also reduce the potential impact on services if construction works cause a pipe burst or damage to all supporting infrastructure.

Maps of Anglian Water's underground assets are available to view at the following link: http://www.digdat.co.uk/.

For further information on the above ground assets, you should contact Anglian Water's estates team on: awsestates@savills.com.

At paragraph 3.9.3, we welcome the intention to produce a CEMP (Construction Environment Management Plan) and this should include steps to remove the risk of damage to Anglian Water assets from plant and machinery (compaction and vibration during the construction phase) including haul and access roads and crossings (if any). Further advice on minimising and then relocating (where feasible) Anglian Water existing assets can be obtained from: connections@anglianwater.co.uk

Advice on the form and content of suitable protective provisions in the draft Development Consent Order should be sought. Please contact me for further details.

Water Resources

The site is in the East Lincolnshire Water Resource Zone (WRZ), which supplies water to Grimsby, the eastern parts of Lincolnshire WRZ and serves communities as far south as Boston. Whilst the scoping report considers water environment impacts it does not look at water resources in detail. As the site is within an area of 'serious water stress' designated by the Environment Agency and water is used in the project construction and operation this indicates that water resources should be assessed in the EIA. This may include consideration of the Socio-Economic effects of the use of water for the project in the context of growth and climate change as well the potential impacts on communities and business if these services are distributed. There is no reference to assessment of the carbon costs of relocating water infrastructure if assets are impacted during construction or operation.

As part of our Water Resources Management Plan (WRMP) process for the AMP8 (2025 to 2030) period, Anglian Water has been in discussion other developers on the South Humber about their potential water demands. The final determination by regulators of the WRMP is anticipated to be concluded in around December 2024 and will therefore identify any remaining headroom. That supply will decline due to abstraction reductions at the same time demand is forecast to increase.

In June 2023, Anglian Water published a position statement on non- domestic water demands. In summary, this advises that where a request for a new or increased non- domestic water demand may compromise Anglian Water's ability to supply existing and forecast new domestic customers that request is likely to be declined. It also sets out that applicants for water for non-domestic purposes must fund infrastructure required to maintain headroom for domestic customers. New non- domestic water demand requests are currently assessed on a first come, first served, and then connected basis. Demand requests are not prioritised based on national policy such as the net zero transition or through cumulative assessment of the impacts and benefits of projects. Anglian Water Services is currently unable to enter an agreement to supply water which is for a connection and supply that is more than 12 months in the future.

To support appropriate water resource planning, Anglian Water now requires that significant new non-domestic water demands are set out in a Water Resources Assessment (WRA). For applications under the 2008 Act the WRA (or a summary of the WRA) will form part of the EIA sufficient to enable regulators including the Environment Agency to advise the Examining Authority and the Secretary of State that the supply of water to the project is deliverable and sustainable.

Construction Stage – According to the scoping report, the construction period of the project is expected to take place over 3 years in different locations. There will be requirements for water use such as for building materials such as concrete; the cleaning of machinery and roads; dust suppression measures to control and reduce impacts on the environment etc. At peak periods up to 2,000 workers are expected to be on site. These workers which will require water supply for welfare units etc. The scoping report does not address the potentially significant water demand requirements at the construction stage and in the preparation of the EIA, CEMP and project as a whole these should be investigated further and scoped in.

Operation stage - Paragraph 3.1.9 of the scoping report states the proposed development is expected to require a number of local service provisions including for water. The exact connection locations, their routes and details of the services as yet are to be defined but expected to be within site. The likely amount of water usage and source and management (including water efficiency to reduce water demand) of this needs to be covered adequately. This will need to cover non-domestic and domestic use of water. Also, how waste water and process effluent will be dealt with.

Further advice on water and wastewater capacity and options can be obtained by contacting Anglian Water's Pre-Development Team (planningliasion@anglianwater.co.uk). As a commercial project if there is a requirement for significant supplies of potable or raw water either for the construction or operational stages Anglian Water's Wholesale services department may be contacted via wsc@anglianwater.co.uk to assist in scoping out options for assessment.

Flood Risk, Drainage and Surface Water

We note at Section 6.8 that a Flood Risk Assessment (FRA) will be prepared and will cover the different sources of flooding. Anglian Water welcomes the intention to assess all sources of flooding including sewer flooding in the FRA and that surface water flooding and drainage will be considered including on off- site receptors.

Anglian Water is responsible for management of the risks of flooding from surface water which are directed to foul water or combined water sewer systems. Anglian Water should be consulted, and data sought on historic sewer flooding, if on site design and offsite impacts from the project and cumulatively with other development potentially cause increased risk to the existing sewer network.

Anglian Water considers that all surface water during construction and operation of the project should be managed via Sustainable Drainage Systems (SuDS) and not via the public sewer network, in accordance with the sustainable drainage hierarchy. Further detail on the drainage strategy for the proposed development (at both construction and operation stages) should be included in the EIA in order to address the open question over the need for sewer network connections with the project.

The use of nature-based solutions including SuDS and natural flood management, rain water harvesting for non-potable uses should be further investigated. SuDS as a nature- based solution which if located, designed and managed appropriately can provide opportunities for biodiversity gain including offsite ecology network enhancements and assist in reducing the project's climate change impacts. Further advice can be sought from developerservices@anglianwater.co.uk.

Engagement

Anglian Water would welcome the early instigation of discussions with the prospective applicant, in line with the requirements of the 2008 Planning Act and guidance. Experience has shown that early engagement and agreement is required between NSIP applicants and statutory undertakers during design and assessment and well before submission of the draft DCO for examination. On the basis that fuller consideration of water resources, water supply and

possibly water recycling matters does identify that resources, assets and/ or services may be impacted by the project we would recommend further discussion on the following issues:

1. Requirement for potable and raw water supplies.

2. Impact of development on Anglian Water's assets including groundwater and water abstraction and the need for mitigation.

3. Requirement for water recycling connections (surface water/foul drainage).

4. The design of the project to minimise interaction with Anglian Water assets and specifically to avoid the need for diversions which have carbon costs.

5. Confirmation of the project's cumulative impacts (if any) with Anglian Water projects.

6. Draft Protective Provisions.

Please do not hesitate to contact me as Anglian Water's NSIP lead should you require clarification on the above response or during the pre- application to decision stages of the project.

Yours faithfully,

C.Murphy (signed)

Carry Murphy
Spatial and Strategic Planning Manager - Sustainable Growth

c.c. [redacted]@rwe.com

From: Matt Dearnley
To: Stallingborough CCGT
Cc: Matt Dearnley; Kevin POWELL
Subject: Stallingborough CCGT & CCP proposed development Project No EN010161
Date: 21 February 2024 10:00:58
Attachments: image001.png

> You don't often get email from [redacted]@aptoil.co.uk. Learn why this is important

Stallingborough CCGT & CCP proposed development Project No EN010161

For the attention of Alison Down,

Good morning you recently wrote to Associated Petroleum Terminals at Queens Road, Immingham, N E Lincolnshire about the above project.

The Planning Inspectorate has Identified us as a consultation body to be consulted before adopting its scoping opinion.

I can confirm based on the information provided that we have no comments at this stage on the project but will want to be consulted if this project is taken forward.

We will have interest in the second project that is referenced within the documentation for connecting the project to the Viking CCS project (DCO application -Planning Inspectorate reference EN070008).

Please confirm receipt of this email and could you keep both Kevin Powell (Company Sec) and myself in copy.

Kind regards

Matt

Matt Dearnley
Terminal Manager
APT (Immingham) Ltd
Queens Road | Immingham | N E Lincolnshire | DN40 2PN
Tel: [redacted]@aptoil.co.uk

From:	Alice Tithecott
To:	Stallingborough CCGT
Cc:	NSIPs
Subject:	RE: EN010161 - Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant - EIA Scoping Consultation
Date:	07 March 2024 21:15:22
Attachments:	image006.png image007.png image008.png image009.png image010.png image011.png image012.png image013.png

Dear Joseph,

Many thanks for your email regarding the Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant. Cambridgeshire County Council have no comments to make at this stage.

Thanks,
Alice

_____

Alice Tithecott | Planning and Growth Manager
Place and Sustainability
Cambridgeshire County Council
New Shire Hall
Emery Crescent
Enterprise Campus
Alconbury Weald
PE28 4YE

Upcoming leave: 16th-24th March 2024

Pronouns: she/her (why have I put this here?)
[redacted]@cambridgeshire.gov.uk
Phone: [redacted]
Chat with me on Teams

My working day may well differ from yours, so please do not feel obliged to reply outside of your normal working hours.

Canal & River Trust
Making life better by water

Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol BS1 6PN

Your Ref EN010161-000013

Our Ref IPP - 221

Thursday 15 February 2024

Dear Sir/Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11. Scoping consultation- application by RWE Generation UK plc (the Applicant) for an Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) (the Proposed Development).

Thank you for your consultation.

We are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation. The Trust is a prescribed consultee in the Nationally Significant Infrastructure Projects (NSIPs) process.

The Trust has reviewed the Scoping Report and can advise that the proposed development is approximately 30km away from the nearest waterways owned or operated by the Trust. It is therefore unlikely to have any impact on our waterways and we have **no comment** to make at this time.

If the proposals become significantly altered, we ask that you re-consult us in order that we can re-consider this position.

Please do not hesitate to contact me with any queries you may have.

Yours sincerely,

Ian Dickinson MRTPI
Area Planner
[redacted]@canalrivertrust.org.uk
[redacted]

https://canalrivertrust.org.uk/specialist-teams/planning-and-design

The Coal Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

For the attention of: Alison Down - EIA Advisor
East Riding of Yorkshire Council

[By email: StallingboroughCCGT@planninginspectorate.gov.uk]

20 February 2024

Dear Alison Down - EIA Advisor

Re: EN010161 Stallingborough CCGT and CCP

Application by RWE Generation UK plc (the Applicant) for an Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) (the Proposed Development)
Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested; STALLINGBOROUGH COMBINED CYCLE GAS TURBINE (CCGT), CARBON CAPTURE PLANT (CCP)

Thank you for your notification of 12 February 2024 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

We have reviewed the site location plan provided and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make.

However, in the interest of public safety, it is requested that the Coal Authority's Standing Advice note is drawn to the applicant's attention, where relevant.

Yours

The Coal Authority Planning Team

Nicola Young
RWE Generation
Site I Trigonos (Car Park) Windmill Hill
Business Park
Swindon
SN5 6PB

Our ref: XA/2024/100062/01-L01
Your ref: EN010161-000013

Date: 08 March 2024

Dear Nicola Young

Scoping opinion consultation for Development Consent Order

Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP)

Thank you for consulting the Environment Agency on the Environmental Impact Assessment (EIA) Scoping Opinion for the proposed development.

We have reviewed the 'Environmental Impact Assessment Scoping Report' by RWE Generation UK PLC (dated February 2024, reference EN010161). We were consulted by the Planning Inspectorate on 12 February 2024.

Planning policy
Sections 5.3.8 to 5.3.12 consider sections of the Overarching National Policy Statement for Energy (EN-1), and how they inform the scoping developments design. We would like highlight the following sections within EN-1, in regards to environmental constraints within our remit:

- 4 - Assessment Principles
    - 4.3 - Environmental Effects/Considerations
    - 4.6 - Environmental and Biodiversity Net Gain"
    - 4.10 - Climate Change Adaptation and Resilience
    - 4.12 - Pullution Control and Other Environmental Regulatory Regimes
    - 4.14 - Hazardous Substances
- 5 - Generic Impacts
    - 5.2 - Air Quality and Emissions
    - 5.4 - Biodiversity and Geological Conservation
    - 5.6 - Coastal Change

- 5.8 - Flood Risk
- 5.11 - Land Use, Including Open Space, Green Infrastructure, and Green Belt
- 5.15 - Resource and Waste Management
- 5.16 - Water Quality and Resources

Flood Risk
The site lies within Flood Zone 1, 2 and 3 as defined by the Flood Map for Planning and flooding from a combination of fluvial and tidal sources. It is adjacent to the Humber Estuary (Main River), and a number of main rivers run through the site. Environment Agency maintained flood defence assets protect the site.

Outfalls
Outfall structures will require erosion protection, valves/tidal flaps to prevent tidal flooding during high tide, and consideration of sedimentation and blockage within the design. The developer should consider the effects of coastal erosion within the estuary. This may affect the proposed placement of infrastructure, such as the proposed non-intrusive technique in the Humber Estuary, to install a new water abstraction intake and outfall (section 6.8.61)

We need to understand whether there will be any runoff into the existing watercourses excepting the Humber Estuary. The drainage is pumped in some areas; this will have integrated risks which must be mitigated, such as limited capacity, and consideration of pump failure.

Sedimentation of outfalls should be considered in the Sedimentation Risk Assessment (section 6.8.66). Hydromorphological impacts will need to be assessed and mitigated, in regards to flood risks associated with the sedimentation or blockage of existing or proposed structures (such as outfalls or culverts).

Please note that there is no additional discharge capacity into Stallingborough North Beck Main River (either direct or indirect).

The confluence with the tidal estuary is likely to have a flow control structure, such as a tidal flap at the outlet. Consideration should be given to capacity limits (such as during tidal locking) and the risk of blockage or sedimentation. Sedimentation at the confluence should be considered in the Sedimentation Risk assessment (section 6.8.66).

Flood defences
The developer should consider the Environment Agency's assets (such as flood defences) in the context of avoiding damage from proposed routes for Abnormal Indivisible Loads. We require a setback of at least 16 metres for tidal defences, and 8 metres for fluvial defences, to ensure that access is maintained (section 6.8.49). This is mentioned from the toe of the defence, to the bank top. There may also be adverse effects to the structural stability of flood assets, such as erosion of an earth embankment, blockage of weep holes.

There are ongoing tidal defence improvements between Immingham and Grimsby. The third phase of the Stallingborough Sea Defence Improvement Scheme (part of a wider investment plan to manage tidal flood risk across the Humber estuary) has just begun (local planning authority ref.DM/1071/22/FUL). It is imperative that the developer considers the Stallingborough Sea Defence Improvement Scheme as the Order Limits overlap with the scheme (including land intended for storage and mitigation). Further consultation with the Environment Agency is needed on this matter.

Vibration should be scoped in for all stages of the development, and these should be assessed quantitatively. The developer should consider (existing) flood assets as receptors in the context of their assessment of vibration. The Construction Noise Management Plan (CNMP) should consider vibration at flood assets for all phases.

There is insufficient detail about the proposal to scope out vibration from the decommissioning stage. The removal of structures can be more onerous than the installation. The assessment of vibration, accounting for flood assets as a receptor has not been carried out, which may make the statement in section 6.12.51 regarding vibration during operation, unrepresentative.

Construction works in close proximity to flood assets should quantitatively consider adverse risks from vibration from all sources at all stages of development, or provide an adequate justification for scoping out the effects of vibration to flood defences. This is especially pertinent as the Crossing Register (see section 6.8.67) may not have a precise location for proposed crossings, and that there may be HDD (or other non-intrusive methods) under the existing tidal flood defences to the Humber, with significant increase flood risk if the flood defence was to fail. Note that the intrusive ground Investigation (GI) may cause vibration concerns in regards to flood assets as a receptor.

It is noted that the Construction Environmental Management Plan (CEMP) will consider vibration and address the mitigation measures presented in the Environmental Statement. We would expect real-time vibration detection, with limits adjacent to assets and agreed thresholds for action, and a pre-work/post-works survey of the flood assets with remediation for defects, which may have developed.

We would also expect the CEMP or Code of Construction Practice (CoCP) to include consideration of:

- Flood warnings/alerts (such as signing up for flood warnings and alerts with works to stop and site made safe and evacuated during a flood event)
- Sustainable Drainage Systems (temporary SuDS should be provided for all impermeable surfaces)
- Debris (measures to prevent debris entering the watercourse during a flood event).
- Surveys (where works are proposed in close proximity to a flood asset, carry out Site Investigation to understand it's geometry, condition, composition, structure, etc)
    - Where possible the survey should be corroborated by as-built drawings
- Scaffolding (if using scaffolding, then fix boards in place, and do not surcharge the flood assets)

It would be advisable to elevate sensitive equipment, under consultation with the Environment Agency, to help manage residual tidal flood risk in a breach or overtopping scenario.

It is unclear whether the new natural gas pipeline will be above or below ground, and the method by which pipelines will cross watercourses. This will affect the assessment of flood risk and vibration during all stages of development. The decommissioning process will also be influenced, as section 3.11.2 suggests that all above ground infrastructure will be removed, but

is unclear what this will include. Furthermore, we will expect requirements relating to decommissioning, which allows us the option to request that all infrastructure (above or below ground) is removed.

Culverting
We would oppose the culverting of any watercourses, and instead prefer the installation of a temporary clear-span bridge crossing. This is in line with the Environment Agency's anti-culverting policy. We will normally only grant a permit for a culvert if there is no reasonably practical alternative, and if the detrimental effects would be sufficiently minor that a more costly alternative would not be justified, or there are reasons of overriding public/economic interest. The developer should consider the effects of proposed crossings on hydrology and geomorphology. The developer will need to model the hydrology of culvert installation, and how this relates to flood risk. Culverts pose a risk of blockage, and this should be considered within the design of drainage for all stages of the development.

Construction techniques
In regards to any proposed non-intrusive construction techniques, we will require consideration of the:

- method chosen (such as Horizontal Directional Drilling),
- the proposed displacement from flood defences and below ground level
- surveys of flood assets at crossing points
- monitoring of ground levels during the works
- monitoring of vibration Erosion and exposure of the cable
- decommissioning

Section 6.8.67 states that a qualitative assessment of the risk to the physical form of watercourses will be undertaken, whilst section 6.8.75 list potential construction impacts. The developer should attempt to define the watercourse crossing locations within a reasonable limit of deviation, to help us assess the associated risks. Non-intrusive techniques are preferred in all cases and a necessity for Main Rivers.

Flood Risk Assessment
We recommend that the Flood Risk Assessment (FRA) is submitted as soon as possible for our consideration and in support of the Environmental Statement. The FRA should:

- confirmation that appropriate mitigation measures/flood resilience techniques have been incorporated into the development, informed by the risks identified
- assess whether the development could increase flood risk elsewhere and, if so, propose measures to avoid or mitigate this risk
- consider integrated risks (such as pumping) and how residual risks will be managed (such as breach scenarios of the tidal flood defences as the Humber Estuary). The developer may need to mitigate integrated risks, such as increasing pumping capacity.

The PPG states that essential infrastructure should remain operational at times of flood. The application should be supported by an FRA which demonstrates that the development will remain operational during a 0.1% event considering the latest guidance on climate change available online at Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk). Critical equipment should be above this flood depth shown on the tidal hazard mapping for this

scenario and expected fluvial flood levels. We will seek for equipment to have the capacity to be remotely operated, for example, switching off the proposed gas pipeline.

The FRA should include confirmation that appropriate mitigation measures/flood resilience techniques have been incorporated into the development, informed by the risks identified. The FRA must assess whether the development could increase flood risk elsewhere and, if so, propose measures to avoid or mitigate this risk.

Please refer to the following document for information on flood resilience and resistance techniques to be included: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007).

Single storey buildings should be built with finished floor levels (FFLs) above the predicted flood depth for the 0.5% scenario, with an appropriate allowance for climate change according to the latest guidelines available online at Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk); and above the fluvial flood level with consideration of climate change (if relevant). If this is not possible, then an area of safe refuge will need to be provided, or an appropriate Flood Alert/Warning and Evacuation Plan should be submitted to and approved by the Local Planning Authority.

Please refer to the following document for information on flood resilience and resistance techniques to be included: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007).

We would not support works within floodplain. The developer should carry out hydraulic modelling to accurately assess the flood risks associated with the proposal, including residual tidal flood risk from a breach scenario. Loss of fluvial (Flood Zone 3a and 3b) and tidal (Flood Zone 3b) floodplain storage will require compensation. Flood storage compensation should:

- be level for level
- be volume for volume
- be localized
- achieve net gain where possible
- not disrupt flood flow routes

Changes to the flow regime should be modelled and mitigated to not increase flood risk. We require an understanding of how flood risk will not be increased from the sites for all stages of development, such as SuDS for impermeable surfaces, consideration of blockages, and pumping from site.

In line with the National Planning Policy Framework (NPPF), the lifetime of a non-residential development depends on the characteristics of that development. A period of at least 75 years is likely to form a starting point for assessment.

Please consider the following website regarding climate change (CC):
https://www.gov.uk/guidance/climate-change

Table 6.45 lists watercourses potentially impacted by the proposed development. The New Beck Drain (LHS), which goes into the East Halton Skitter Beck, has not been mentioned, and needs to be scoped in. The Laceby Beck/New Cut Drain/River Freshney may pose a fluvial flood risk within the Order Limits. The Mawmbridge Drain is not categorized as a Main River, but should remain scoped in. The developer should consider all Ordinary Watercourses within the Order Limits, such as Three Drain End Plantation (contact the Internal Drainage Board for more details).

Flood modelling
There are records of historic flooding in the vicinity of the site, including flood event outlines for the February 1953 and December 2013 tidal surge events. In the December 2013 event, overtopping of the defences around Immingham resulted in some inundation in the vicinity of the proposed transport route.

Section 2.4.9
A Main River called New Beck Drain crosses the red line boundary for the site just to the southwest of Harborough. The head of main river starts at east 516490 north 410510. Please reference this in the scoping report and consider any associated flood risk.

Appendix A Figure 2C
There is a Main River which is not shown on this plan, but extends in line with the Flood Zones past Harborough and towards Keelby. The head of main river starts at east 516490 north 410510.

Section 6.2.17
Reference is made to UKCP18 25km grid square climate change projection data, and this is presented in Table 6.3. We need to understand how this would align with the climate change projections for sea level rise presented in the Flood Risk Assessment: climate change allowances guidance (2022) available online at Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk). For Sea Level rise, the baseline period in both the Flood Risk Assessments: Climate Change Allowances guidance and UKCP18 interface is 1981-2000. A baseline period of 1995 to 2014 appears to relate to the latest International Panel on Climate Change Sixth Assessment Report (IPCC AR6). Please clarify which climate change estimates for sea level rise are proposed. We would recommend those presented within the Flood Risk Assessment: climate change allowances guidance (2022) or those from the UKCP18 interface. Additionally, we would recommend testing credible maximum climate change scenarios. For sea level rise this would be the H++ scenario and the upper end allowance for peak river flow.

Table 6.15
It's important to consider the effects of climate change on fluvial river flow. A FRA will need to include the effects of sea level rise, in relation to fluvial rivers.

Table 9.1
Changes in fluvial flow, as a result of climate change in relation to the proposed development, need to be considered in line with the guidance on climate change allowances for FRAs available here Flood risk assessments: climate change allowances - GOV.UK (www.gov.uk).

Section 6.8.3
The developer should review the Statutory Main River Map available online at environment.data.gov.uk, in consideration of comments made in Section 2.4.9, table 6.4.5 on page 141, and Figure 2C in Appendix A.

Table 6.4.5
Please note, there is a Main River called New Beck Drain upstream of Skitter Beck, the head of main river of which is near Keelby at east 516490 north 410510. This crosses the site in a north westerly direction. This should be scoped into the assessment.

Section 6.8.58
If undertaking new breach modelling, please refer to the latest guidance on breach of flood defences, LIT 56413. This can be requested via enquiries@environment-agency.gov.uk

Section 6.8.61
If infrastructure is proposed within areas at flood risk, we would recommend undertaking detailed hydraulic modelling. The Stallingborough Hydraulic modelling study (2019) covers a good portion of the area of interest, and incorporates the following:

- the Oldfleet Drain which runs adjacent to the main site (represented in Tuflow ESTRY)
- North Beck Drain to the northwest of the main site (represented in Tuflow ESTRY)
- Middle Drain (IDB watercourse) to the northwest of the main site (represented in Tuflow 2d with gully lines to enforce channel bed levels).

The Stallingborough (2019) model uses a mix of conventional fluvial hydrological methods and direct rainfall. Direct rainfall is applied in the location of the main site, and hence this model may also be a useful source of information in terms of evaluating fluvial flood risk for smaller drainage ditches, and ordinary watercourses. There is also detailed hydraulic modelling of the Skitter Beck, East Halton Beck, and New Beck Drain (Mott Macdonald, 2019), and River Freshney and New Cut Drain (JBA, 2016).

For the Humber Estuary, the Environment Agency holds breach and overtopping modelling data undertaken using Tuflow software in 2010 by Mott Macdonald, and more recent water level modelling for the Humber Estuary (2020). The Coastal Flood Boundary (CFB) (2018) dataset may also be of interest. Comprehensive bank top survey of flood defences on the south bank of the Humber was also undertaken in 2016. Detailed modelling and survey data can be requested via enquiries@environment-agency.gov.uk. Coastal Flood Boundary data can be obtained online via environment.data.gov.uk

It is important to check that any modelling information meets your requirements, and utilizes the best available information in line with guidance on undertaking modelling for Flood Risk Assessments, available here Using modelling for flood risk assessments - GOV.UK (www.gov.uk)

In the case of the Stallingborough (Capita AECOM, 2019) and East Halton Skitter Beck (Mott Macdonald, 2019) hydraulic modelling studies, the climate change allowances used are based on the previous Humber River Basin District values. Therefore, it may be necessary to update them using the latest allowances, or alternatively, demonstrate that the climate change values

adopted in the existing models are conservative with respect to the values in more recent guidance available online at Using modelling for flood risk assessments - GOV.UK (www.gov.uk)

In terms of the design hydrology, The Stallingborough (Capita AECOM, 2019) modelling used a combination of ReFH2 hydrographs, scaled to FEH statistical peaks for the upper catchments, and direct rainfall for the lower catchments. The East Halton Skitter Beck (Mott Macdonald, 2019) modelling incorporated ReFH1 hydrographs, scaled to FEH statistical peaks. In the case of both studies, hydrological methods have since been updated with more recent updates to the Peak Flow Dataset (NFRA), updates to ReFH2 and WINFAP software, and updates to the FEH Depth Duration Frequency model (FEH22). It would be prudent to at least check that design flow estimates have not changed significantly considering updated methods and datasets.
For the most part, the red line boundary for the site is outside of the modelled extents for the River Freshney and New Cut Drain modelling (JBA, 2016). However, this modelling study may be of interest to the project, particularly when considering the rarer Annual Exceedance Probability (AEP) events.

For the Humber estuary, the Tidal Hazard Mapping Study (Mott Macdonald, 2010) considered a range of Annual Exceedance Probability (AEP) events, including the 0.5% (1 in 200) tide. Overtopping and breach scenarios were represented in this modelling. Climate change was also considered to 2115, however, climate change uplifts in the 2010 Tidal Hazard Mapping Study were based on the UKCP05 projections which were subsequently superseded by UKCP09, and more recently UKCP18. When using the 2010 Tidal Hazard Mapping data, it will be important to check that the boundary conditions and model schematisation are still representative, and to also review the climate change uplifts applied considering more recent guidance. Furthermore, since the 2010 Tidal Hazard Mapping Study was completed, comprehensive bank top survey of the defences, along the south bank of the Humber, was undertaken in 2016. The developer should check bank elevations in the 2010 Tidal Hazard Mapping Tuflow model against more recent topographic survey, and more recently available Lidar data. Finally, it would be necessary to also consider the H++ climate change scenario, as a sensitivity test for the development in line with current guidance.

Section 6.8.61
We note that the developer has stated they will request Product 4/Product 8 flood information. We would recommend also requesting product 5, 6, and 7 information as well so that limitations with any associated modelling can be properly understood and if necessary to allow for updates and re-runs of models to be undertaken to be compliant with the latest guidelines. Detailed modelling data can be requested via lnenquiries@environment-agency.gov.uk

Section 6.8.69
Please note, it is important to evaluate credible maximum climate change scenarios. For sea level rise this would be the H++ scenario and the upper end allowance for peak river flow.

Section 6.8.70
Please note, it is important that you check the Environment Agency modelling datasets are fit for your requirements, and reflect the most up to date guidance, particularly around climate change. Please refer to recently published guidance on undertaking modelling for Flood Risk

Assessments available here: Using modelling for flood risk assessments - GOV.UK (www.gov.uk)

Section 6.8.77
In the impacts for the Operating phase, flood paths and levels could be altered and there could be an increased flood risk to the surrounding area during the construction phase.

Fisheries, Biodiversity and Geomorphology
Section 4.2 and 6.13.24 outlines the project's associated developments. We wish to see the final choice of natural gas pipeline route corridors, electrical grid connection route corridors, abstraction and discharge pipelines, and laydown areas to be made to reduce the environmental impact. Impacts on Local Wildlife Sites (LWS), Sites of Special Scientific Interest (SSSI), Special Protection Areas (SPA) and Special Areas of Conservation (SAC) should be avoided where at all possible. We advise that the applicant considers opportunities, and makes reference to, the Shoreline Management Plan (SMP), River Basin Management Plan (RBMP), Coastal restoration (ReMeMaRe), Water Framework Directive (WFD) mitigation measures and Local Nature Recovery Strategies (LNRS) and any mitigation measures listed for the affected waterbodies under WFD.

Biodiversity Net Gain (BNG)
We would expect to see BNG baselines for habitat, hedgerow, and watercourses (River Condition Assessment). A 10% (minimum) uplift will be required for all 3 sections (habitat, hedgerow, and watercourses).

The enhancement of biodiversity in and around development should be led by a local understanding of ecological networks, and should seek to include:

- habitat restoration, re-creation and expansion
- improved links between existing sites
- buffering of existing important sites
- new biodiversity features within development
- securing management for long term enhancement

The Environment Act 2021 looks to ensure that the overall impact from development on the environment is positive. The Act includes measures to strengthen local government powers in relation to net gain and a minimum requirement of 10% BNG. Although we recognise that provision of BNG is not yet mandatory for Nationally Significant Infrastructure Projects (2025), we encourage the applicant to consider an approach to development that results in measurable net gains in biodiversity, having taken positive and negative impacts into account.

The Planning Practice Guidance (PPG) provides guidance on the application of net gain. The CIEEM, together with CIRIA and the IEMA, have published guidance on how to deliver net gain in practice. These can be downloaded here.

Water Environment
We are pleased to see all the watercourses scoped in Table 6.45, and look forward to receiving more details (exact locations, timings, and method) on watercourse crossings. For any watercourse, the method presenting the least risk is usually horizontal directional drilling, or

other trenchless techniques. We look forward to further details and justification for the chosen method for each crossing. We would expect to see 8m buffers for fluvial watercourses (16m for tidal), alongside a completed and detailed WFD assessment, as outlined in section 6.8.68.

Terrestrial Ecology
We recommend the 'Ecological Mitigation and Management Framework' (Document Reference 6.2.12.3) establishes a framework for the long-term delivery of ecological mitigation and management, which is to be secured through the Development Consent Order.

Marine Ecology
In regards to section 6.15.14 (migratory species), our data shows this area as key migratory routes for smelt, allis shad, and twaite shad. These species should be scoped in, as the impacts from thermal plumes, risk of bentonite breakout, sediment disturbance, and underwater noise are all a concern.

Table 6.98 states the potential impact pathways resulting from operation and decommissioning of the proposed development, and determines whether receptors should be scoped in or out of further assessment. Due to the abstraction and discharge of water, we believe there will be impacts relating to benthic habitats and species from scour. Therefore, the effects on benthic habitats of scour, associated with the abstraction and discharge of water, should be scoped in.

In Table 9.1, we need further clarification that the Greater Wash Marine SPA has been scoped out in consultation with Natural England. We also highlight that all designated sites should be scoped in and require a Habitats Regulation Assessment and SSSI assent.

We understand that a plan on benthic organisms, fish and shellfish and marine mammals has been scoped out due to alterations of water quality from unplanned releases. The risks presented by alterations of water quality due to unplanned releases, accidental leaks and spills from vessels, present a risk to the ecological designations within the site boundaries. Therefore, this should be scoped in.

We note that fish surveys have not been scoped in reference to section 6.1 3.2; fish data is available from the EA and should be considered and scoped in. This is also highlighted within in section 6.13.18, as there are fish species of conservation that fall with in the development boundary, we would also expect to see Eel (England and Wales) Regulations 2009, Salmon and Freshwater Fisheries Act 1975.

We agree with the applicant's suggestion to review the predicted zones of impact as their proposals develop, and evidence collection, including modelling, progresses. Currently, in Table 6.45, the Humber Estuary Lower transitional waterbody is scoped in because proposed activities would be directly located within this waterbody. At this stage we can't rule out the risk of direct/indirect effects to other waterbodies, including the Humber Estuary Middle and Upper or the adjacent coastal water. Further evidence would need to be presented to justify scoping out adjacent waterbodies. We therefore request that these water bodies are scoped in.

We also note that the requirement and scope for project specific marine ecology surveys will be determined as the project progresses. We advise that evidence collection to define baseline

conditions (from desk studies and bespoke project surveys) should be sufficient to understand, and describe, spatial and temporal variability of receptors, including seasonal and annual variability.

The proposed split into marine and terrestrial ecology sections, based on whether habitats are above or below Mean High Water Spring (MHWS) is a pragmatic approach for most receptors. Assessment of saltmarsh may require a different boundary approach, to assess saltmarsh communities in their entirety. Clear signposting between the two ecology sections would be needed to help consultees find the information.

Plankton is not listed separately as a receptor, though it seems that zooplankton will be considered as part of the assessment of the benthic and fish and shellfish receptors. We advise that phytoplankton should also be considered in the Environmental Statement, and the supporting WFD compliance assessment.

With regards to the supporting WFD compliance assessment, we support the applicant's proposal to follow the Clearing the Waters for All guidance. Further useful guidance on relevant quality elements and how we classify them is available at wfd uktag | water framework directive, including information about the Transitional Fish Classification Index (TFCI).

Geomorphology

The following comments should be used as guiding principles to consider, when designing water crossings or coastal landfall, to avoid negatively impacting the geomorphology and interference of natural processes.

We acknowledge the use of trenchless techniques, such as Horizontal Directional Drilling (HDD), to minimise the likelihood of cables entering the water environment. Ensure watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of vertical channel change.

Coastal landfall infrastructure should be located outside of areas expected to be impacted by coastal change over the duration of the project. Avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such as access tunnels, which are left in-situ after decommissioning, could be exposed by future coastal erosion or river movement, becoming an impediment to natural processes.

We further advise to utilise opportunities to deliver WFD mitigation measures as part of the design. Design should ensure mitigation measures can be delivered. For example, cables should not be brought to surface level in floodplains earmarked for future river restoration.

Water resources

The scoping report describes multiple elements of both the construction phases, and operation of the development, which require both consumptive and non-consumptive uses of water.

Construction

We agree that potential impacts identified to groundwater (6.8.76) in the construction phase include those posed by dewatering, which could have an effect on groundwater quality, groundwater flow and levels as a result of groundwater abstraction and associated discharges. This in turn can impact upon nearby abstraction licence holders, other lawful users and surface water features. We welcome a more detailed hydrogeological assessment, and development of a dewatering scheme prior to construction, as set out in impacts and mitigation section 6.9.61; this considers the effects of “any draw down or impacts on nearby abstractions or resources”.

Dewatering was previously exempt from requiring an abstraction licence. Since 01 January 2018, most cases of new planned dewatering operations above 20 cubic meters a day will require a water abstraction license from us, prior to the commencement of dewatering activities at the site. It is assumed that a construction project of this size will fall outside of the criteria for exemption in The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works and regulatory position statement for de-watering discharges.

The site is located within the Lincolnshire Chalk and Spilsby Sandstone groundwater assessment unit. There is no groundwater resource availability for new consumptive abstraction in this groundwater unit; meaning we will not issue a licence for consumptive groundwater abstraction from the Chalk aquifer. More information can be found in the Grimsby, Ancholme & Louth Abstraction Licensing Strategy.

If the dewatering activity can be demonstrated to be discharged to the same source of supply without intervening use (i.e. non-consumptive), this can increase the likelihood of a licence being granted (examples of consumptive intervening uses include: dust suppression; mineral washing; washing down machinery and potable supply). This may be more difficult to achieve when reducing the water table by pumping groundwater from depth.

The report has identified the possibility of artesian flow from the Chalk aquifer. This may increase the need for dewatering during construction phases, as is referenced in section 6.8.76. Passive dewatering (groundwater is discharged to the surface under the influence of gravity) is classed as an abstraction. However, most passive dewatering schemes do not pose a risk to the environment or groundwater table. The Environment Agency has published a regulatory position statement, so that it does not need to regulate low risk passive dewatering. If you comply with these conditions, you do not need a water abstraction licence from the Environment Agency for passive dewatering.

Section 3.5.3 notes that there may be other water sources in addition to abstraction for cooling assumed to be from the Humber Estuary. These include uses for construction (and for domestic requirements). It is also noted that at the peak of construction there may be 2000 workers (3.8.1) on site.

As mentioned above, the Grimsby, Ancholme & Louth Abstraction Licensing Strategy states that there is no groundwater availability at the site. New consumptive surface water abstraction would be subject to hands off flow or level conditions, which restrict abstraction to periods of high flow (likely to be confined to winter months only).

We recommend that a full water resources assessment or options appraisal is undertaken, and that Anglian Water Services are consulted early for any options that include their supply to the development. This assessment should consider quantities required for:

- dewatering
- dust suppression
- machinery and material washing
- potable or other domestic water supply.

We also recommend that engagement with the national permitting service regarding the pre-application process, for any abstraction licence requirements relating to these uses, is made as early as possible to prevent delays further on in the process.

Operation

In the section 3.5.2, it is stated that that the Combined Cycle Gas Turbine and Carbon Capture Plant will require water for cooling as part of the operational processes, as well as water for other processes and domestic needs. It is currently anticipated that process cooling water would be abstracted from the Humber Estuary.

The abstraction licensing strategy does not necessarily restrict abstraction quantities available from the estuary. The determination of the required abstraction licence will however, also consider the water quality impacts and environmental risk to the Humber estuary as a SAC, SPA and Ramsar. It is expected that the Habitat Regulations Assessment (HRA) referenced in other sections (5.2.15, 6.1.38, 6.13.23, 6.14.9) will include the abstraction and discharge requirements which relate to the Humber Estuary.

We welcome a cooling water feasibility study which will be carried out to determine whether hybrid, or once through cooling, represents best available technique (4.2.5). We would also like this study to include water efficiency in its options appraisal.

Other consumptive water requirements

Similarly to construction phases, it is stated that other water sources may also be investigated for process, and domestic requirements (3.5.3). See comments above which identify the difficulties there may be in acquiring new water from abstraction from surface water or groundwater. We would like to see ongoing operational water needs such as these, included in a full water resources assessment or options appraisal.

Water Quality

As the iterative design of the plant is ongoing, it is currently unclear what discharges will occur because of the project. From the information provided in the report, there is the possibility that the project may require permits for, but not limited to, the following water discharge activities:

- cooling water
- process effluent
- site drainage
- sewage effluent
- construction effluent (potentially including dewatering, hydrostatic testing, concrete wash water and tunnelling effluent).

We would encourage the applicant to engage with the Environment Agency's pre-application advice service to ensure that the correct permits are sought, and quality applications are submitted. To avoid delays in the project, we recommend the applicant engages with us as early as possible. We would expect to see the requirement for permits secured with an appropriate mechanism as tertiary mitigation within the environmental statement.

The current stage of design also does not make it clear whether a discharge to foul sewer for sewage or trade effluent is planned. If a discharge to foul sewer is planned, the Environment Agency would expect the applicant to provide evidence of assurances from Anglian Water Services, that the discharge does not pose a risk of causing non-compliance at the receiving wastewater treatment site (most likely Pyewipe). This may include an assessment on the impact of emissions of substances not controlled by permitted emission limits at the receiving site (for instance specific pollutants, hazardous substances, and priority hazardous substances).

We welcome the proposal to produce a framework Construction Environmental Management Plan (CEMP). Although they can be an effective means of controlling the risks of construction on the water environment, the Environment Agency regularly encounters large construction sites which still cause pollution due to either the production of an insufficient CEMP or failure of their contractors to follow the CEMP. We recommend utilising available guidance to produce the framework CEMP, such as the guidance produced by IEMA (Practitioner Vol 12: Environmental Management Plans, 2008).

We acknowledge that a cumulative and combined effects assessment will be carried out, and presented within the environmental statement. In-combination assessments are also a requirement of the water discharge activity permit application process, but currently this process will only consider existing discharges. The cumulative and combined effects assessment within the environmental statement should consider potential combined effects of new discharges, and the ability of the receiving water environment to accommodate them. For instance, the Humber estuary may have a limited thermal buffering capacity and therefore the impact of future thermal discharges should be considered in the environmental statement.

The impacts of climate change on the future baseline condition of the water environment should be considered. This involves not only the increased likelihood and severity of storms and heavy rainfall, but also hotter annual average temperatures, lower summer rainfall and more frequent and significant extreme heat events.

Section 3.2.6

Currently, it is unclear what bulk containers for fuel and other chemicals will be installed at the site. If potential containers are not identified at the appropriate stage of the iterative design process, there is the potential that sufficient pollution prevention infrastructure is designed out. To avoid this issue, leave enough flexibility in developing designs and plans to ensure that pollution prevention infrastructure (such as secondary containment) can be incorporated where required. Additionally, it would be good practice to Identify potential fuels and chemicals that may need to be stored onsite at the earliest opportunity as plans develop.

We note that the developer is still considering alternative options for various aspects of the project, including cooling technology and potential water source (section 3.2.6). No mention is

made as to whether the developer will seek to consult with the Environment Agency on these aspects. We may be able to advise on the assessment methodology and potential effects of the proposed alternatives. We would encourage the applicant to engage with our planning and permitting pre-application advice services when assessing alternative options that impact upon receptors within our remit.

Table 6.44
lists receptors which could be impacted by potential major accidents and disasters. However, the potential impacts on the water environment do not appear to have been listed for every appropriate scenario. There is a risk that the impact of major accidents and disasters on the water environment are not properly assessed. For example, a fire or explosion could damage bulk containers, or secondary containment, resulting in a release of polluting substances to the water environment. This could be applicable to several scenarios including a major storm or structural collapse at neighboring sites. Severance of existing utilities during construction could result in discharges of raw sewage or trade effluent. The developer needs to ensure that potential impacts to the water environment are considered for any major accident or disaster, which could result in damage to storage, control measures or pollution prevention for potentially polluting substances.

Section 6.8.3
states that information on water quality and resources (i.e consented discharges and licensed abstractions) will be added to the impact assessment within the Environmental Statement. If these aspects are not considered at earlier stages, for example at the Preliminary Environment Information Report, there is a risk that the baseline conditions are not fully understood and there the assessment of alternatives and of potentially significant effects is not as accurate as it could be. Please incorporate this information into any further relevant assessment, prior to the Environmental Statement.

Section 6.8.41
States that there are no designated bathing or shellfish waters within the proposed study area. Whilst this is accurate, the Cleethorpes Bathing Water is located just over 6km Southeast of the potential abstraction and discharge location area. Although outside of the current study area, there is still the potential for this bathing water to be impacted by the proposed development. This bathing water should be considered throughout the design process, the assessment of likely effects and within any potential discharge permit application.

Section 6.8.61
States that sediment disturbance and the release of drilling fluid may occur during the construction of the abstraction intake and outfall structures. It is unclear what alternative construction or mitigation measures (ie cofferdams) have been assessed to prevent this potential water discharge activity. This activity could cause an acute pollution within the Humber estuary and may require a water discharge activity permit. However, it is unclear from the description provided whether the Environment Agency is likely to issue a permit, or expect greater mitigation to prevent the discharge from happening at all. Alternative options to prevent the loss of drilling fluid or significant sediment disturbance, should be assessed. We would encourage the applicant to engage with our pre-application advice service to determine whether a permit is required, and what controls are likely to be in place.

The list of applicable planning legislation and guidance (section 6.8.63) does not include the following:

- The Conservation of Habitats and Species Regulations 2017 (as amended)
- Humber River Basin Management Plan

A habitats regulations assessment will likely be required for any water discharge activity permit application, and should therefore be considered as early as possible. If the Humber River Basin Management Plan is not considered, the developer may not have regard for the objectives of that plan when designing the project and considering its impacts. These plans need to be incorporated into the list of applicable legislation and plans.

Section 6.8.65

It is noted that qualitative, and potentially quantitative, surface and groundwater impact assessments will not incorporate the potential impacts of amine-contaminated water, as this will be removed for disposal offsite. Additionally, section 6.11.78 confirms that the impacts on water resources will be scoped out of the assessment of materials and waste. There is a risk that the approach to the above assessment will neglect to consider the potential impacts from amine-contaminated water. This is particularly the case if the contaminated water is taken to a wastewater treatment works, which is considered outside the scope of the materials and waste assessment. We therefore request that impacts on water resources are scoped in for the assessment of materials and waste.

Groundwater and contaminated land

Aquifer Typology

The bedrock beneath the study area consists of the Flamborough Chalk Formation, Burnham Chalk Formation and the Welton Chalk Formation. The Chalk formations are designated as Principal Aquifers. The Chalk is underlain at depth by the Lower Greensand Group, which is classified as a Secondary A aquifer. The site is underlain by several superficial deposits, including:

- the Alluvium and Glaciofluvial Deposits (Secondary A aquifers)
- Lacustrine Deposits (Secondary B aquifer)
- Beach and Tidal Flat Deposits
- Diamicton Till
- Head (Secondary Undifferentiated) and Tidal Flat Deposits (unproductive strata).

Source Protection Zones (SPZ) are present beneath the site (Main Site and the Site), including several SPZ1s within the Site. There is the potential for artesian flow in the Chalk aquifer, and springs may be present. The groundwater is therefore of very high vulnerability in this location.

Ground Water

A qualitative surface and groundwater impact assessment will be undertaken, using a source-pathway-receptor approach. This will be informed by an intrusive ground investigation. The wider site (including the gas pipeline corridor) is underlain by particularly sensitive groundwater in Chalk Principal aquifer. It includes several source protection zones. The ground investigation

works themselves must be carried out carefully to avoid causing contamination or, with the installation of boreholes, creating new pathways for the flow of contaminants.

We are pleased to see that all groundwater receptors, including private water supplies, will be added in the impact assessment in the Environmental Statement. However, Figure 2C shows the water receptors within 5km of the site. We note that the numerous source protection zones within the site scoping boundary have not been included in this figure, yet they are a very sensitive receptor.

Section 6.8.76 states that artesian conditions could be encountered during construction. Groundwater in the Chalk aquifer can be artesian or sub-artesian depending on the time of the year. The area is also known to have blow wells (artesian chalk springs), which the applicant should investigate further, as these are potential receptors for contamination and/or potential sources of groundwater flooding. Blow wells can provide important habitat and connect to the chalk streams, which are now priority habitats. such conditions need to be researched, and a plan developed prior to excavations commencing, including the ground investigation works. Future excavation of the overlying deposits needs to be carefully considered. The likelihood of encountering springs should also be considered prior to works commencing.

Paragraph 6.8.76 also states that dewatering may be required; the potential impacts of this will need to be considered.

<u>Contamination assessment</u>
The “Main Site” was previously agricultural land. The wider site (gas pipeline corridor and potential laydown area) has had industrial uses. Therefore, there is the potential that controlled waters have been affected by contamination. Several historic and active landfills are located within 250m of the Main Site and several within or close to the Site.

The Lincolnshire and Northamptonshire Groundwater and Contaminated Land team holds extensive further records about the Acordis landfills. The landfills have been investigated under Part 2a by NE Lincs Council. Old Fleet Drain is impacted with pollutants in the vicinity of the landfills. Landfill 3 is known to be producing hydrogen sulphide, so any development or workers making excavations near this site, need to be made aware of any risks from landfill gas.

The following matters have been scoped in:

- Creation of preferential pathways and mobilisation of contaminants, within soils on superficial and bedrock
- Introduction of new sources of contamination, such as fuels and oils used in construction plant during construction

Consequently, a phase 1 desk-based study has been proposed, including the production of a conceptual site model, to establish the baseline. Further works, including an intrusive ground investigation may be required. The report states that the Land Contamination Risk Management procedures will be followed.

Section 6.9.33 states that, “It is understood that the proposed off-site laydown area has potential radiological contamination which relates to the feedstock for titanium dioxide manufacturing,

ilmenite, and the process wastes... the potential presence of contaminated soil / groundwater within the proposed off-site laydown area cannot be excluded." It is assumed that this area will be included in the proposed land contamination assessment works. It is not clear whether the temporary laydown areas will be covered by an Environmental Permit for the development. If not, then we will expect pollution prevention measures to be demonstrated, for example in the CEMP. The proposed temporary laydown area near Pyewipe, on the site of the Grimsby Combined Heat and Power plant, is within a source protection zone 2. Consideration of land contamination in these areas will also be important, given the proposed laydown areas previous use - the Grimsby Combined Heat and Power plant.

As stated in paragraph 6.9.57, the operation of the proposed development will be in accordance with an Environmental Permit. Early discussion regarding this, including any potential impacts and or emissions to groundwater, will be necessary. We also recommend early engagement with regard to potential permits that may be needed for treatment or re-use of any waste deposits in relation to the historic landfill sites.

Paragraph 6.9.59 states that, "The Proposed Development will be designed to avoid important geological features or resources, and sources of contamination, through careful routing and site selection." Avoidance of SPZs when routing the gas pipeline would be beneficial to avoid disturbance, or potential pollution of the vulnerable groundwater resource.

The methodology for the installation of the electricity cables has yet to be finalised. Where the placement of these cables takes place in land affected by contamination, waste material will need to be carefully managed. Please see information about waste management in the **informatives** section below.

Construction Environment Management Plan

The report states, in paragraph 6.9.60, that, "The main mitigation measure to prevent likely significant adverse effects on soils, geology and hydrogeology during the construction and operational phases of the Proposed Development will be to maintain good site practice and management through the development and adherence to a CEMP." We welcome this and will review the CEMP in due course, but make the following comments about what assessments we would expect to be included within the CEMP.

Section 6.8.79 identifies that some of the potential impacts on groundwater during operation and maintenance include the:

- migration of contaminants following preferential pathways provided by the foundations of structures to non-contaminated soils, geology and groundwater
- impediment and alteration of groundwater flow regime arising from foundations and subsurface structures, resulting in groundwater mounding up the hydraulic gradient, and reduced groundwater levels down hydraulic gradient

It is therefore important that a foundation works risk assessment (FWRA) is completed for the development. This could be included in the CEMP, along with pollution prevention measures, to ensure the groundwater beneath the site is not impacted by on-site activities.

A decision is yet to be made about whether the electricity cabling will be underground cabled, above ground, or a combination of both. The report states (in paragraph 6.9.60) that an understanding of groundwater beneath the site will be obtained from ground investigation and monitoring. A more detailed hydrogeological assessment will be needed, if trenchless techniques or dewatering is required in high-sensitivity groundwater environments or where dewatering is required to facilitate open cut installation.

It is not clear whether HDD may be an option for the installation of cables. This activity could involve the use of drilling muds, and their use may require risk assessment to ensure they do not pose a risk to controlled waters. The proposed use of directional drilling techniques should therefore be included in the CEMP if not included elsewhere in the Environmental Statement.

Control of Major Accident Hazards
As part of the COMAH Competent Authority (CA), we would like to make the applicant aware that there are numerous COMAH sites within close proximity to the "main site" boundary of the proposed development, including:

- Stallingborough/BOC Limited (ID: 1023901)
- Grimsby/Cristal Pigment UK Limited (ID: 1038173)
- Grimsby/Solenis UK Industries Limited (ID: 451335)
- Grimsby/Synthomer (UK) Limited (ID: 4310816)

There are additional COMAH sites within the boundary of the "whole site".

If over the course of the project, it becomes apparent significant quantities of Hazardous substances (such as those discussed in section 6.7.39) will need to be stored on site, the operator should assess if the site will require a Hazardous substances consent, and to notify under the control of Major Accident Hazard Regulations 2015.

Any electricity cabling, gas pipelines, or other infrastructure, will need to consider their proximity to the COMAH sites, in regards to the construction, operation and decommissioning phases of the project.

COMAH establishments are regulated by the COMAH CA. The CA comprises the Health and Safety Executive (HSE) and the relevant environmental regulator, the Environment Agency (EA) in England, acting jointly.

It is understood that a separate consultation with HSE is necessitated, to consider the risks and likely effects on safety grounds, that arise from the possible consequences of a major accident at one or more of the major hazard sites.

Carbon Capture
We would advise the applicant to be aware of and apply the guidance on emerging technologies (GET), and any other relevant guidance, such as the carbon capture guidance.

We would also emphasize the Environment Agency's current stance on emissions from carbon capture plant - anything that comes out of the stack must be disclosed. We would expect to see details further into the pre-application stage.

Environment Agency owned land
There is an area of land owned by the Environment Agency in relation to the Old Fleet Drain, within the scoping area. It is unclear at this stage whether this land will be affected by the proposals, but we would welcome discussions with the applicant regarding this.

Humber 2100+ Adaptation Pathway Project
Communities around the Humber are at risk from tidal, river, surface and groundwater flooding. Nearly half a million people, 14,000 businesses, and more than 120,000 hectares of agricultural land are already at risk from tidal flooding on and around the estuary and its major tributaries. The risk and impact of tidal flooding is increasing due to climate change and predicted sea level rise.

How flood risk is managed in the Humber over the long-term will need to change, to ensure communities and businesses can adapt and continue to thrive. The Humber 2100+ partnership(External link) (Environment Agency and 12 local authorities) is developing a new adaptive strategy to manage tidal flood risk and increase resilience for the next 100 years.

Special Protection Area
Please note, a scheme to create a quality habitat area for SPA birds partially falls within the "whole site" boundary, under planning application DM/1068/20/FUL. Please consult the Local Planning Authority (North-East Lincolnshire Council) and Natural England.

Informatives
Dewatering
If dewatering is required, it may require an environmental permit if it doesn't meet the exemption in The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works. More information can be found here Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK (www.gov.uk)

If they don't meet the exemption and require a full abstraction licence, they should be aware that some aquifer units may be closed for new consumptive abstractions in this area. More information can be found here Abstraction licensing strategies (CAMS process) - GOV.UK (www.gov.uk)

Please note that the typical timescale to process a licence application is 9-12 months. We suggest talking to our National Permitting Service early in the project planning.

The applicant may also need to consider discharge of groundwater, especially if it is contaminated. More information can be found here Discharges to surface water and groundwater: environmental permits - GOV.UK (www.gov.uk)

The use of drilling muds for the directional drilling may require a groundwater activity permit unless the 'de minimis' exemption applies. Early discussion about this is also recommended.

Flood Risk Activity Permit

The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in the floodplain of a main river if the activity could affect flood flow or storage and potential impacts are not controlled by a planning permission

For further guidance please visit https://www.gov.uk/guidance/flood-risk-activities-environmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environment-agency.gov.uk

The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

It would be helpful to understand whether or not the developer is proposing to disapply the Environmental Permitting Regulations (EPR) for Flood Risk Activity Permits (FRAPs). We would recommend early engagement of this matter.

Waste

The Environmental Protection (Duty of Care) Regulations 1991 for dealing with waste materials are applicable to any off-site movements of wastes. The code of practice applies to you if you produce, carry, keep, dispose of, treat, import or have control of waste in England or Wales.

The law requires anyone dealing with waste to keep it safe and make sure it's dealt with responsibly and only given to businesses authorised to take it. The code of practice can be found here https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/506917/waste-duty-care-code-practice-2016.pdf

If you need to register as a carrier of waste, please follow the instructions here https://www.gov.uk/register-as-a-waste-carrier-broker-or-dealer-wales

If materials that are potentially waste are to be used on-site, the applicant will need to ensure they can comply with the exclusion from the Waste Framework Directive (WFD) (article 2(1) (c)) for the use of, 'uncontaminated soil and other naturally occurring material excavated in the course of construction activities, etc…' in order for the material not to be considered as waste. Meeting these criteria will mean waste permitting requirements do not apply.

Where the applicant cannot meet the criteria, they will be required to obtain the appropriate waste permit or exemption.

A deposit of waste to land will either be a disposal or a recovery activity. The legal test for recovery is set out in Article 3(15) of WFD as:

- any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy.
- we have produced guidance on the recovery test which can be viewed at https://www.gov.uk/government/publications/deposit-for-recovery-operators-environmental-permits/waste-recovery-plans-and-deposit-for-recovery-permits#how-to-apply-for-an-environmental-permit-to-permanently-deposit-waste-on-land-as-a-recovery-activity.

You can find more information on the Waste Framework Directive here

https://www.gov.uk/government/publications/environmental-permitting-guidance-the-waste-framework-directive

More information on the definition of waste can be found here

https://www.gov.uk/government/publications/legal-definition-of-waste-guidance

More information on the use of waste in exempt activities can be found here https://www.gov.uk/government/collections/waste-exemptions-using-waste

Non-waste activities are not regulated by us (i.e. activities carried out under the CL:ARE Code of Practice), however you will need to decide if materials meet End of Waste or By-products criteria (as defined by the Waste Framework Directive). The 'Is it waste' tool, allows you to make an assessment and can be found here https://www.gov.uk/government/publications/isitwaste-tool-for-advice-on-the-by-products-and-end-of-waste-tests

Where a development involves any significant construction or related activities, we would recommend using a management and reporting system to minimise and track the fate of construction wastes, such as that set out in PAS402: 2013, or an appropriate equivalent assurance methodology. This should ensure that any waste contractors employed are suitably responsible in ensuring waste only goes to legitimate destinations.

Where development involves the use of any non-road going mobile machinery with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This shall apply to the point that the machinery arrives on site, regardless of it being hired or purchased, unless agreed in writing with the Local Planning Authority (LPA).

This is particularly important for major residential, commercial, or industrial development located in or within 2km of an Air Quality Management Area for oxides of Nitrogen (NOx), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM10 and PM2.5). Use of low emission technology will improve or maintain air quality and support LPAs and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority CA, which is usually the local authority. The requirement to include this may already be required by a policy in the local plan or strategic spatial strategy document. The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation, this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application, to which this then can be applied.

Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether or not excavated material arising from site during remediation and/or land development works are waste.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

The Environment Agency recommends that developers should refer to our:

- position statement on the Definition of Waste: Development Industry Code of Practice
- website at https://www.gov.uk/government/organisations/environment-agency for further guidance

Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any proposed treatment or disposal activity is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

Further Advice

We would welcome the opportunity to further engage and advise on the matters outlined above, in order to provide you with confidence and clarity in relation to our position on the DCO proposals, prior to formal submission and outside the statutory engagement process.

This would fall within the scope of our Cost Recoverable Planning Advice service, and as such would be subject to a fee of £100 per staff hour of time. We will contact you further in relation to this, but in the meantime should you wish to gain our views on any draft assessments or proposals please contact us at NITeam@environment-agency.gov.uk for a quote.

Yours sincerely

Morgan Haringman
Planning Specialist

Direct e-mail NITeam@environment-agency.gov.uk

Health and Safety Executive

CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

Joseph Jones (Associate EIA Advisor)
The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

By email only

StallingboroughCCGT@planninginspectorate.gov.uk

Dear Mr Jones

Date: 7 March 2024

PROPOSED STALLINGBOROUGH CCGT (the project)
PROPOSAL BY RWE GENERATION UK PLC (the applicant)
INFRASTRUCTURE PLANNING (ENVIROMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) REGULATIONS 10 and 11

Thank you for your letter of 12 February 2024 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the proposed development consent order ['DCO'] application boundary for this Nationally Significant Infrastructure Project ['NSIP'] falls into a number Major Accident Hazard Sites ['MAHS'] and Major Accident Hazard Pipelines ['MAHP']. This is based on the site boundary, dashed red line (which also includes the orange dashed line for the transport route from the Port of Immingham), in Figure 1B of Appendix A of the Scoping Report downloaded from infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010161/EN010161-000011-STAL - Scoping Report Appendix A - Figures - Part A.pdf. This was verified via ESRI GIS shapefiles received via email from Nicola Young at RWE on 15/02/2024 in a file called "Stallingborough_CCGT_CCP_DCO_Site_Boundary_Shapefile.zip".

The 24 major accident hazards sites are as follows:

HSE Ref.	Operator	Site Name
H0317	Novartis Grimsby Ltd	Pyewipe, Grimsby
H0320	Phillips 66 Limited	Eastfield Road, South Killingholme
H0322	Bluestar Fibres	Great Coates, Grimsby
H0332	Synthomer (UK) Ltd	South March Road, Stallingborough
H0360	Associated British Ports	Immingham
H0411	Exolum Immingham Ltd.	East Terminal, Immingham Dock

HSE Ref.	Operator	Site Name
H0422	Tronox Pigment UK Ltd.	Laporte Road, Stallingborough
H0424	Prax Lindsey Oil Refinery Ltd.	Eastfield Road, South Killingholme
H0974	Associated Petroleum Terminals (Immingham) Ltd.	Queens Road, Immingham
H1926	Immingham Railfreight Terminals Ltd.	Kiln Lane Industrial Estate, Stallingborough
H2028	Global Shipping Services Ltd	Kiln Lane Industrial Estate, Stallingborough
H2039	Exolum Immingham Ltd.	West Terminal, Immingham Dock West
H3220	Humberside Sea & Land Services Ltd	Humber Road, South Killingholme
H3224	BOC Limited	Hobson Way, Stallingborough
H3245	Edward Nicholson	East Riverside, Immingham Dock
H3387	North Killingholme Storage Ltd.	Lancaster Approach, North Killingholme
H3477	Grosvenor Grain and Feed Co Ltd.	West Gate, Humber Road
H3502	Edward Nicholson	North Moss Lane, Stallingborough
H3549	Associated British Ports	Robinson Road, Immingham Dock
H3862	Solenis UK Industries Limited	Moody Lane, Grimsby
H3901	Arkema Coatings Resins Ltd.	Laporte Road, Stallingborough
H4033	Air Products (BR) Ltd	Laporte Road, Stallingborough
H4109	Calor Gas Ltd	Manby Road, South Killingholme
H4144	Origin UK Operations Ltd	Gresley Way, Immingham Dock
H4280	ABP (Hydro) Terminal	Immingham Dock
H4299	RWE Npower Renewables	Land adjacent to Hobson Way, Near Stallingborough
H4310	Abengoa Bioenergy UK	Hobson Way, Stallingborough
H4361	Vireol plc	Great Coates, Grimsby

The 11 major accident hazard pipelines are as follows:

Operator	Pipeline Name	HSE Ref.	Transco Ref.
Cadent Gas Ltd	Thornton Curtis / Ciba Geigy	7022	1293
Cadent Gas Ltd	Courtaulds Supply Pipe	7023	1294
Cadent Gas Ltd	Tioxide Supply Pipe	7024	1295
Cadent Gas Ltd	SCM Supply Pipe	7025	1296
National Grid Gas PLC	9 Feeder North Bank of Humber / Hatton	7026	1297
National Grid Gas PLC	9 Feeder Brocklesby / Stallingborough	7037	1308
National Grid Gas PLC	22 Feeder Goxhill / Hatton	7039	1310
Cadent Gas Ltd	Healing / Grimsby	7041	1312
Cadent Gas Ltd	Middlemere Road / Healing	7042	1313
Uniper	Theddlethorpe Gas Terminal Control to Killingholme Reception Centre (20" section)	7240	0
VPI Immingham CHP	Immingham CHP Project Natural Gas Pipeline A	13555	0

The Applicant should make contact with the above operators, to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.

For pipelines, there are three particular reasons for this:

1. The pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.
2. The standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.
3. To establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice [HSE: Land use planning - HSE's land use planning methodology] is dependent on the type of population and the location of areas where people may be present. Based on the information in the Scoping Report downloaded from infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010161/EN010161-000010-STAL - Scoping Report.pdf, there are no details about where and what populations are likely to be present. It is advised to refer to HSE's land use planning methodology when locating populations, particularly defining the sensitivity levels of the populations and their locations in the decision matrix. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide further advice.

Would Hazardous Substance Consent be needed?

Hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an 'addition rule' in Schedule 1 Part 4 Paragraph 5 for below-threshold substances. If hazardous substances planning consent is required, please consult the hazardous substances authority (typically the same as the local planning authority) on the application.

Based on the Scoping Report (EN010161-000010-STAL - Scoping Report.pdf (planninginspectorate.gov.uk), a number of hazardous substances have been given as being present on-site but not their quantities (such as in 6.7.39). It is not clear whether the applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. Paragraph 6.7.38 suggests the site could be a lower-tier COMAH (Control of Major Accident Hazards Regulations 2015) site; it is possible the site will require hazardous substance consent and so should consult the hazardous substances authority [HSE guidance on this: HSE: Land use planning - Hazardous substances consent which includes advice on how long should be allowed for the consultation with the HSE]. There is also some government guidance on the process here: Hazardous substances - GOV.UK (www.gov.uk).

Consideration of Risk Assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role in NSIPs is summarised in Advice Note 11 'working with public bodies in the infrastructure planning process' Annex G on the Planning Inspectorate's website - Advice Note Eleven, Annex G – The Health and Safety Executive | National Infrastructure Planning (planninginspectorate.gov.uk). This document includes consideration of risk assessments under the heading "Risk assessments".

A search of 'risk assessment' and 'major accident' was conducted. Major accidents as defined in Table 9.1 appears to be related to natural disasters. It appears that major accidents arising from hazardous substances have not been considered. It is noted under 6.7.38 that CO2 is not currently defined as a hazardous substance under specific COMAH and pipeline regulations, however, the overarching health and safety legislation would still require a risk assessment of CO2. There are many consultation zones (as found above) that intersect with the site boundary and so the DCO boundary is likely to be impacted by major accidents from MAHs and MAHPs. The requirement and scope of a risk assessment should be considered and undertaken as necessary.

Annex G provides that there are no additional requirements for any risk assessments submitted to and approved by the relevant planning authority to also be considered by HSE.

Explosives sites

No comment to make as the proposed developments does not fall into the safeguarding zones of the nearby HSE Licenced explosive sites.

Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

Pp Shirley Rance

Cathy Williams
CEMHD4 NSIP Consultation Team

From:	Allen, Tim
To:	Stallingborough CCGT
Cc:	Nicholas, Matthew
Subject:	Historic England EIA Scoping response EN010161 - PL00794541 Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP)
Date:	11 March 2024 21:22:48
Attachments:	image368109.jpg

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11 Application by RWE Generation UK plc (the Applicant) for an Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) (the Proposed Development)

Dear Ms Down

Thank you for consulting Historic England 12/02/24 on EIA Scoping for the above development.

Historic England Advice

We welcome the scoping in of both direct archaeological impacts and setting effects.

Whilst some archaeological work was done in respect of the previously consented biomass scheme (unbuilt) on this site it is appears that the extent of investigations is insufficient to address the necessary assessment and mitigation of impacts to current expectations in association with the present scheme. The previous work was thoroughly carried out in the limited area ultimately excavated and produced important results in particular for late Roman activity, however it appears likely that a more extensive programme of initial evaluation would have led to more areas being opened for mitigation. There appears to be considerable scope for other areas of the site to contain important remain both at that Roman / Post-Roman level and potentially at lower buried land surface / peat deposits. We recommend a staged programme of further work with the benefit of the advice of the Local Authority archaeologist and systematic deposit modelling, this should draw on the results of previous work including recent air photo analysis in the HER, existing and new borehole and geophysical data and is likely to require further excavation.

Early attention should be paid to the effects of infrastructure connections to / from the proposed installation in particular given the likely congestion of existing infrastructure routes around Grimsby restricting options.

Works on the Humber shore should consider that this has been a dynamic coast and areas of former creeks and inlets may now lie in the terrestrial zone, deposit modelling and assessment should span the shore line. Regard should be had to submerged wrecks and structures potentially affected by any marine dredging works etc.

We note the proposed scope of setting work, assessment radii are useful in framing the study but professional judgement should also be brought in to include any likely effects on designated assets further afield.

With regards to the proposed categorisation of asset importance is should be noted that general categories should always be refined through professional judgement, some grade ii assets likely belong in the category above and some undesignated archaeological remains may ultimately be revealed to be of equivalent importance to scheduled monuments.

All harm to the significance of designated heritage assets will require consideration and proportionate

weight by the decision maker (further to NPS/NPPF) as such, effects falling below the horizon of 'significant effects' in EIA terms will still need to be identified and communicated regardless of whether they are 'reportable' in EIA terms.

Please see also our published advice including ;-

See https://historicengland.org.uk/images-books/publications/gpa3-setting-of-heritage-assets/
See https://historicengland.org.uk/images-books/publications/preserving-archaeological-remains/
See https://historicengland.org.uk/images-books/publications/deposit-modelling-and-archaeology/
See https://historicengland.org.uk/images-books/publications/planning-archaeology-advice-note-17/

We welcome the applicants positive engagement with us and look forwards to further discussion.

Yours Tim Allen

Tim Allen MA FSA
Team Leader (Development Advice)

Midlands Region
Historic England
The Foundry, 82 Granville Street, Birmingham B1 2LH

Direct Line [redacted]
http://www.historicengland.org.uk/ | @HistoricEngland

Marine Management Organisation

Marine Licensing
Lancaster House
Hampshire Court
Newcastle
Upon Tyne
NE4 7YH

T +44 (0)300 123 1032
F +44 (0)191 376 2681
www.gov.uk/mmo

Alison Down
EIA Advisor
Planning Inspectorate

Your reference: EN010164-000014
Our reference: DCO/2024/00003

Email: StallingboroughCCGT@planninginspectorate.gov.uk

By email only

11 March 2024

Dear Ms Down,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "EIA Regulations") – Regulations 10 and 11

MMO scoping consultation response on the application by RWE Generation plc (the "Applicant") for an Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) (the "Proposed Development")

Thank you for your scoping consultation dated 12 February 2024 and for providing the Marine Management Organisation ("MMO") with the opportunity to share our comments with you on the Proposed Development.

The Marine Management Organisation

The MMO was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to contribute to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas. The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence[1]. Inshore waters include any area which is submerged at mean high water spring ("MHWS") tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.

The MMO's role in Nationally Significant Infrastructure Projects

[1] Under Part 4 of the 2009 Act

In the case of Nationally Significant Infrastructure Projects ("NSIPs"), the Planning Act 2008 (the "2008 Act") enables Development Consent Order's ("DCO") for projects which affect the marine environment to include provisions which deem marine licences[2].

As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works. Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence ("DML") enable the MMO to fulfil these obligations. Further information on licensable activities can be found on the MMO's website. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note.

The MMO's comments on the Proposed Development

Please find attached comments of the MMO. Due to timing constraints involved in providing these comments, the MMO has been unable to seek the views of our scientific advisors at the Centre for Environment, Fisheries and Aquaculture Science ("Cefas"). As such, this response includes the MMO's initial observations of the Proposed Development and any legislative comments, rather than a technical opinion on the proposed scope of the associated Environmental Impact Assessment ("EIA").

The MMO reserves the right to make further comments on the project throughout the pre-application process and may modify its present advice or opinion in view of any additional information that may come to our attention. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Your feedback

We are committed to providing excellent customer service and continually improving our standards and we would be delighted to know what you thought of the service you have received from us. Please help us by taking a few minutes to complete the following short survey (https://www.surveymonkey.com/r/MMOMLcustomer).

If you require any further information, please do not hesitate to contact me using the details provided below.

Yours Sincerely,

[2] Section 149A of the 2008 Act

Julia Stobie
Marine Licensing Case Manager
D [redacted]
E [redacted]@marinemanagement.org.uk

Copied into response:
[redacted]@marinemanagement.org.uk (Marine Licensing Case Officer)
[redacted]@marinemanagement.org.uk (Senior Marine Licensing Case Manager)

Marine Management Organisation

Scoping consultation response

Title: Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP)

Applicant: RWE Generation plc

MMO Reference: DCO/2024/00003

Contents

1 Proposed Development

1.1 Overview

1.1.1 RWE Generation UK Plc ('the Applicant') intends to develop a Combined Cycle Gas Turbine generating plant (CCGT) with a gross electrical output capacity of up to 900 megawatts of electrical output (MWe) fitted with carbon capture plant (CCP) and associated natural gas pipeline and electrical grid connection ('the Proposed Development').

1.1.2 The Proposed Development will be located on the south bank of the Humber Estuary near Stallingborough, North Lincolnshire and includes infrastructure for the abstraction of cooling water from the Humber Estuary and the discharge of treated water into the Humber Estuary.

1.1.3 The MMO has an interest in those aspects of the Proposed Development that may have an impact on the marine area or those who use it, namely abstraction and discharge infrastructure within the marine environment to facilitate the cooling water process proposed. The potential abstraction and discharge locations are within the marine environment.

1.1.4 The MMO understands that locations for the abstraction and discharge infrastructure are currently being investigated but these elements of the Proposed Development (and therefore draft Order Limits) are anticipated within the Humber Estuary. The MMO notes the system to be used has not yet been confirmed; either a hybrid or once-through cooling (OTC) system will be chosen. There is the potential for impacts on the marine environment from abstraction and discharge of water from the Humber Estuary as well as from the construction of the facility itself.

1.1.5 Any additional works or activities in the marine area which are licensable under the 2009 Act should be notified to the MMO at the earliest opportunity and the impacts of such activities considered in the Environmental Impacts Assessment ("EIA") process. Further information regarding marine licensing can be found on the MMO's website: Do I need a marine licence? - GOV.UK (www.gov.uk)

1.2 Location

1.2.1 The proposed Combined Cycle Gas Turbine generating plant (CCGT) is located on the south bank of the Humber Estuary near Stallingborough, North Lincolnshire (see figure 1)

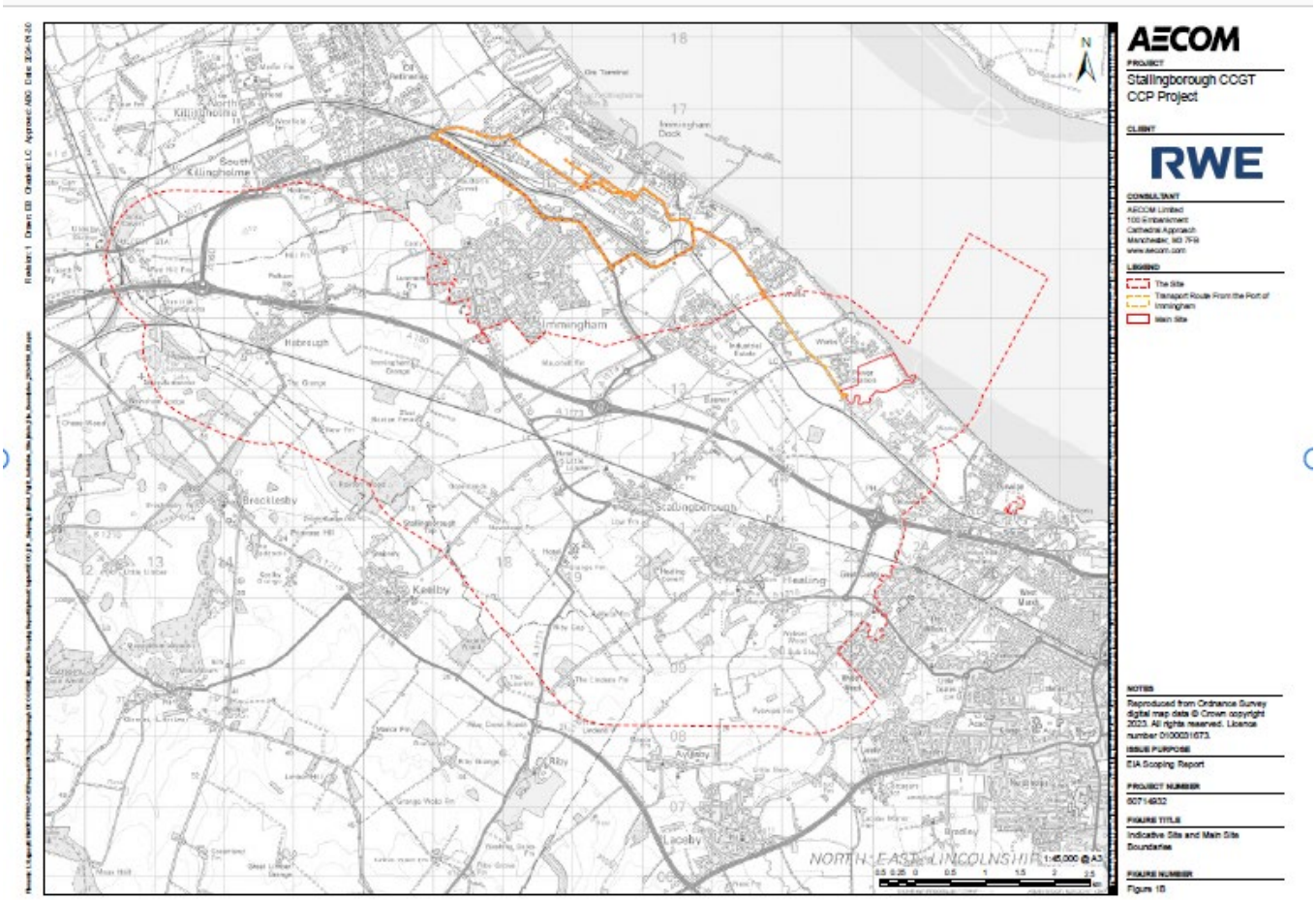


Figure 1 *Proposed location of the Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant. Red solid line denotes the main site. Red dotted line denotes the site, orange dotted line denotes transport route from the Port of Immingham. Source: Applicant's Scoping Report Appendix A, figure 18.*

.

2 Scoping Consultation Response

2.1 Statutory Framework and Purpose of the Environmental Statement (ES)

2.1.1 Section 8 of the Report states that the ES will set out the process followed during the EIA including the methods used for the collection of data and for the identification and assessment of impacts. The MMO supports the approach taken by the Applicant and notes Schedule 1 to the EIA Regulations, which describes developments for which an EIA is necessary, including:

> *"thermal power stations, and other combustion installations, with a heat output of 300 megawatts or more*" and;

"23. Installations for the capture of carbon dioxide streams for the purposes of geological storage pursuant to Directive 2009/31/EC *from installations referred to in this Schedule, or where the total yearly capture of carbon dioxide is 1.5 megatonnes or more".*

And that given its capacity and the nature of the proposed activities, the Proposed Development will therefore be an 'EIA development'.

2.1.2 In accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the "EIA Regulations"), the Applicant has requested a Scoping Opinion from the Planning Inspectorate. As such, a Scoping Report entitled "The Environmental Impact Assessment Scoping Report" has been submitted (the "Report").

2.2 Policy and Legislation

2.2.1 Section 1.5 of the Report notes the relevant key pieces of legislation associated with the Proposed Development, including the Marine and Coastal Access Act 2009 (the "2009 Act"). The MMO welcomes the Applicant's intention to discuss the approach and provisions around marine licensing and would encourage timely pre-application contact with the MMO to agree the drafting of a deemed marine licence ("DML").

2.2.2 Reference is made to the UK Marine Policy Statement 2011 ("MPS"), with the Report noting that, under the 2009 Act, all public authorities must take authorisation or enforcement decisions that affect or might affect the UK marine area in accordance with the MPS and the relevant Marine Plans. The relevant Marine Plan for the location of the Proposed Development is the East Inshore and East Offshore Marine Plans. The MMO expects the Applicant to clearly demonstrate how all relevant marine plan policies have been considered, as well as providing a statement noting whether the Proposed Development is compliant with the marine plan.

2.3 Consultation process

2.3.1 Section 1.5 of the Report states consultation regarding the Marine Licence and any associated assessment requirements will be held with the Marine Management Organisation (MMO) and other key stakeholders as the application progresses. However, it should be noted that the MMO was unaware of the Proposed Development until the receipt of the Planning Inspectorate's Scoping Request. The MMO welcomes ongoing engagement with the Applicant and will ensure comments are provided on the Preliminary Environmental Information Report (PEIR) once it is available.

2.4 Scope and methodology for the assessment of effects of the Proposed Development on Marine Ecology.

2.4.1 Section 6.15 of the Report details the scope and methodology for the assessment of effects of the Proposed Development on Marine Ecology. Due to timing constraints involved in providing this response, the MMO has been unable to seek the views of our scientific advisors at the Centre for Environment, Fisheries and Aquaculture Science ("Cefas"). As such, this response does not include any comments regarding the study area, baseline environment, key receptors/sensitivities and potential likely significant effects, measures adopted or proposed assessment methodology as set out within the Report.

2.4.2 The MMO notes the site location is within the vicinity of the Humber Estuary Special Area of Conservation (SAC), Humber Estuary Special Protection Area (SPA) and Humber Estuary Ramsar site and this should be taken in to account when considering possible mitigation measures.

2.4.3 As noted above, the MMO is aware that a PEIR will be provided to the MMO for comment as prescribed under Section 42 of the Planning Act 2008. The MMO will work with Cefas to provide full comments on this.

3 Conclusion

3.1.1 The MMO has undertaken a high-level review of the Report and has provided initial observations of the Proposed Development and any legislative comments, rather than a technical opinion on the proposed scope of the associated EIA.

3.1.2 The MMO notes the intention to submit a PEIR; we will provide further comment in due course.

3.1.3 The MMO support the inclusion of a DML within any application for a DCO for the Proposed Development; we recommend that the Applicant engages with the MMO to agree the content of the DML prior to any eventual DCO application submission.

Helen Croxson
Maritime and Coastguard Agency
Bay 2/24
Spring Place
105 Commercial Road
Southampton
SO15 1EG

www.gov.uk/mca

Your Ref: EN010161-000013

11 March 2024

Via email: stallingboroughCCGT@planninginspectorate.gov.uk

Dear Planning Inspectorate,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by RWE Generation UK plc (the Applicant) for an Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter dated 12 February 2024 inviting the Maritime and Coastguard Agency (MCA) to comment on the Scoping Report which will inform the Environmental Statement for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) Project.

The MCA has an interest in the works associated with the marine environment, and the potential impact on the safety of navigation, access to ports, harbours and marinas and any impact on our search and rescue obligations. The MCA would expect any works in the marine environment to be subject to the appropriate consents under the Marine and Coastal Access Act 2009 before carrying out any marine licensable works.

The Proposed Development would comprise of a Combined Cycle Gas Turbine generating plant (CCGT) fitted with carbon capture plant (CCP) and associated natural gas pipeline and electrical grid connection. It will also include infrastructure for the abstraction of cooling water from the Humber Estuary and the discharge of treated water into the Humber Estuary. The Applicant's preferred option is for CO2 to be transported by a pipeline connecting on site into the Viking CCS scheme CO2 Transport and Storage (T&S) infrastructure for subsequent conditioning and transport to offshore geological storage site. The MCA also notes that the Proposed Development expects to make use of transport and storage networks owned and operated by Liverpool Bay CCS Limited, currently under development as part of the HyNet Carbon Dioxide Pipeline project (The Hynet CO2 Pipeline would not form part of this Application but is the subject of separate consent applications by third parties).

The Scoping Report has been considered by representatives of UK Technical Services Navigation and we would like to comment as follows;

1. The MCA has an interest in the works undertaken in the marine environment and the impact on other marine users. On this occasion, the Proposed Development includes the abstraction of cooling water from the Humber Estuary and the discharge of treated water into the Humber Estuary. The MCA would welcome further details and information on the works required below the Mean High-Water Springs during both the construct and operation phase, and the infrastructure to be placed in the marine environment.

2. Section 3.9.8, states that shipping and navigation have been identified as a potential receptor during the construction phase due to potential interactions between existing vessel traffic and the works proposed within the marine environment using marine plant, during the installation phase of the potential abstraction and discharge infrastructure. It is therefore necessary to consider the potential interactions and understand whether there will be potential for likely significant effects on shipping and navigation, as well as identifying possible mitigation measures to minimise risk to vessel traffic. This is not explored any further in the Scoping Report, the reason provided that many design elements of the Proposed Development are yet to be confirmed. The embedded and good practice measures have not been finalised at this stage.

3. It is noted that any measures will be discussed and agreed with statutory consultees and stakeholders throughout the EIA process. A qualitative desk-based assessment of navigational risk (both during and postconstruction) will be undertaken and any control measures will be informed by engagement with the MMO, the Harbour Authority (Associated British Ports), Trinity House and any other stakeholders, as required.

4. It is our understanding that the site falls within the jurisdiction of a Statutory Harbour Authority (SHA) – ABP and Humber Estuary Services. The SHA is responsible for maintaining the safety of navigation within their waters during the construction and the operational phase of the project. Therefore, the scope of the Navigation Risk Assessment (NRA) should be discussed and agreed with the SHA.

5. The MCA would expect the NRA to consider the two other developments within the vicinity of this site (Immingham Ro Ro Terminal and the Immingham Green Energy Terminal) which are further advanced, and whether there are any in- combination effects of the sites on vessel traffic using the River Humber. There are also no details included whether any construction materials will be brought to the site via the River Humber so the NRA should also consider any shipborne delivery of the largest Abnormal Indivisible Loads (AIL) during construction.

6. The MCA would expect that the impacts and effects in relation to shipping and navigation to be subject to further consideration by the applicant. The applicant should consult and work with the SHA to develop a robust Safety Management System (SMS) for the project in accordance with the Port Marine Safety Code (PMSC) and its associated Guide to Good Practice, to ensure that the risk and impact on other marine users are As Low As Reasonably Practicable (ALARP). Further local stakeholder engagement will be required to determine the minimum acceptable provision and to determine the necessary risk mitigation measures for construction and operation of the project. From the Guide to Good Practice, section 7 Conservancy, a Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port. The harbour authority also has a duty of reasonable care to see that the harbour is in a fit condition for a vessel to be able to use it safely. Section 7.8 Regulating harbour works covers this in more detail.

   The MCA would expect no effects to be scoped out of the assessment with regards to shipping and navigation, pending the outcome of the discussions with the SHA, the Navigation Risk Assessment and further stakeholder consultation.

   I hope you find this useful at Scoping stage.

Yours faithfully,

HM Croxson

Helen Croxson
Marine Licensing Lead
UK Technical Services Navigation

From:	Rebecca Garrett
To:	Stallingborough CCGT
Cc:	Paul Bellingham; BELL Joshua
Subject:	EN010161 - Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant
Date:	05 March 2024 19:12:02
Attachments:	AA.23.33.19 TM.pdf AA.23.33.19 Scoping Letter Response.docx

To whom it may concern,

National Highways would like to thank the Planning Inspectorate for the opportunity to become an interested party in this planning application.
We hope to engage with the applicant during the pre-application process regarding this project and will request further correspondence to ensure our views are understood and that any questions are answered. Please find attached the Scoping Response letter AA.23.33.19, along with our Technical Memorandum offering our comments.

National Highways will assist and willingly participate in the screening and scoping processes to help identify any significant, transport-related, environmental impacts of proposals.

National Highways requires protective provisions where any works are proposed to the Strategic Road Network [SRN] or there is a requirement to acquire or interfere with land or interests of National Highways. We would request that National Highways are consulted on the location of the corridor and potential tie-in points for both pipeline and grid connections, to ensure the interests of the SRN are maintained.

If you have any queries regarding the above, please do not hesitate to contact me.

Kind regards
Becky

Becky Garrett,Planning & Development
National Highways | 2 City Walk | Leeds | LS11 9AR
Mob: [redacted]
Web: www.nationalhighways.co.uk

Please note I work Monday to Thursday

Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF | https://nationalhighways.co.uk | info@nationalhighways.co.uk

Our ref: DevHU0169
Your ref: EN010161-000013 / PA/SCO/2024/1

Rebecca Garrett
Planning and Development
National Highways
8 City Walk
Leeds
LS11 9AT

Direct Line: [redacted]

FAO:
StallingboroughCCGT@planninginspectorate.gov.uk

05 March 2024

Dear Sir/Madam,

Stallingborough Combined Cycle Gas Turbine and CCP

National Highways has reviewed the request for a scoping opinion as well as the transport related documentation accompanying the planning application, including 'The Environmental Impact Assessment Scoping Report' [the Scoping Report] dated February 2024. We would offer the following comments.

With reference to Circular 01/2022 (Paragraph 55), National Highways will assist and willingly participate in the screening and scoping processes to help identify any significant, transport-related, environmental impacts of proposals.

With reference to 'The Strategic Road Network – Planning for the future', we expect the applicant to provide sufficient environmental information to satisfy the LPA, and any other consenting authorities, that all environmental implications of the proposals have been appropriately considered. Further, National Highways will expect to see measures implemented that fully mitigate any and all environmental impacts arising from and relating to the interaction between developments and the SRN; there are three aspects to this:

- The environmental impacts arising from the temporary construction works;
- The environmental impacts of the permanent transport solution associated with the development; and
- The environmental impact of the road network upon the development itself.

Any assessment undertaken by, or on behalf of the developer should be sufficiently comprehensive to establish the likely transport related environmental impacts, including air quality, light pollution and noise, and to identify the measures to mitigate these impacts.

Further, to avoid potential delay or challenge, transport assessments/statements and environmental statements/impact assessments (if required) should be mutually consistent and pay due regard to each other.

If the LPA are of the opinion that the proposed development should be accompanied by an Environmental Statement [ES], National Highways would agree with the proposal to

scope in transport and notes that the volume of trips and the cumulative impacts on the road network warrant consideration in the ES.

We do note, however, that operational traffic effects are proposed to be scoped out of the assessment(s). We request that a peak hour trip generation analysis is presented for the SRN for operational phase to determine the need for any further assessments.

Policy

We note the Circular 01/2022 is not referenced in the policy section of the Scoping Report; any proposals should be developed in accordance with this policy. We would specifically highlight that paragraphs 47 to 54 relate to the assessment of development proposals.

Study Area

The study area should encompass sections of the SRN, including the A160, and the A180 up to at least the A180 / A18 / M180 / A15 junction.

Personal Injury Collision Analysis

It is noted that accident data will be analysed for the "most recent five-year period"; we note that data from 2020 and 2021 is considered unrepresentative due to COVID-19 and the impact, of the associated national lockdown restrictions, on travel patterns.

Transport Assessment

We request that this application is accompanied by a Transport Assessment [TA] covering the construction and operational phase.

In accordance with Circular 01/2022 the Transport Assessment should set out the vision for the development and how the vision will be achieved. Significant emphasis should be given to reducing the need to travel, especially by car, and maximising the use of active modes and public transport. Hence, the trip generation set out in the Transport Assessment should accord with that established in the Travel Plan. We would expect to see multi-modal [person] trip rates before and after the implementation of measures to maximise active and sustainable travel and limit the use of the private car.

Trip Generation

Peak hour trip generation analysis is presented for the SRN for operational phase to determine the need for capacity assessments. In accordance with Circular 01/2022 we would expect multi-modal trip rates to be presented for before and after the implementation of measures to *"maximise opportunities for walking, wheeling, cycling, public transport and shared travel"*.

Trip Distribution

National Highways would expect any assumptions for the traffic distribution to be a set out with supporting information.

It is noted that HGV are likely to route via the A1173 to the A180, hence, they will route via the A180 / A1173 junction [Stallingborough Interchange]. We would expect a daily profile of the anticipated number of vehicles forecast to route via the SRN presented for review.

Growth Factors

The methodology for deriving growth factors should be presented for review.

Cumulative Assessment(s)

We would request that the Applicant contacts the North Lincolnshire Council and North East Lincolnshire Council to ensure all relevant proposals are included in the cumulative assessment.

Circular 01/2022 also notes that the Transport Assessment must *"consider existing and forecast levels of traffic on the SRN, alongside any additional trips from committed developments that would impact on the same sections (link or junction) as the proposed development"*. We also note that Footnote 21 states that:

> *"Where development proposals are consistent with an up-to-date plan or strategy (or where there is no up-to-date plan or strategy), this should include all relevant development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years and include the full amount of development to be built. Where development proposals are not consistent with an up-to-date plan or strategy, this should include all relevant development that is consented or allocated over the entirety of the plan period. In some instances, due regard should be had to permissions and allocations in neighbouring authorities. The inclusion or exclusion of specific developments should be agreed with the local planning authority at pre-application stage."*

Capacity Assessment(s)

Subject to the impact of the proposed development on the Strategic Road Network, further assessments may be required. With regards to a threshold which may warrant a junction capacity assessment, the applicant should make reference to the following guidance:

- National Planning Policy Framework (Ministry of Housing, Communities and Local Government, 2023);
- National Highways' guidance document 'Planning for The Future' (October 2023); and
- The Department for Transport's Circular 01/2022.

Where assessments are required, we offer the following comments:

- Weekday peak hours – the applicant should take into account that the peak hour periods at SRN junctions may differ to those of the local highway network, and these should be agreed prior to the assessments being carried out;
- A weekday inter-peak period assessment may be required subject to the operation of the development, shift change patterns, and the volume of traffic on the network compared with the typical peak periods;
- Assessment years – in accordance with paragraph 50 of the Circular 01/2022, assessments should be conducted at an opening year to include trips generated by the proposed development, forecasted growth, and committed development.

Further, for multi-phase developments, additional assessments shall be provided based on the opening of each phase; and

- In accordance with the Circular 01/2022 – *"Planned improvements to the SRN or local road network should also be considered in any assessment where there is a high degree of certainty that this will be delivered".* Confirmation of any planned transport improvements should be agreed with National Highways / the LPA.

Mitigation

If the opening year assessments demonstrate that a mitigation scheme is required in order to accommodate the impact of the proposed development, there will be a number of requirements prior to determination of the planning application:

- GG142 walking, cycling and horse-riding assessment should be undertaken at the outset to inform the design of any mitigation scheme;
- As noted in Circular 01/2022, *"GG 104 (or its subsequent update) identifies the framework and approach for safety risk assessment to be applied when undertaking any activity that may have an impact on safety on the SRN"*.
- The design of road improvements should meet DMRB standards or clearly identify any departures from standard required;
- A Departure from Standards application may be required if the standards set out in DMRB are not achieved. This applies equally to over and under achievement of design standards; and
- A Stage 1 Road Safety Audit should be undertaken prior to the submission of the planning application.

Travel Plan

With regards to the preparation of a Travel Plan, we refer to the following paragraphs from the Planning Policy Paper (Circular 01/2022) 'Strategic road network and the delivery of sustainable development':

> *44. Travel plans are an effective means of incentivising the use of sustainable modes of transport. Where these are required, development promoters must put forward clear targets and commitments to manage down the traffic impact of development and maximise the accessibility of and within sites by walking, wheeling, cycling, public transport and shared travel. Targets for achieving a modal shift to sustainable transport will need to be subject to sustained monitoring and management by an appointed travel plan coordinator. Advice on preparing and monitoring travel plans is contained in the planning practice guidance.*
>
> *47. Where the company is requested to do so, it will engage with local planning authorities and development promoters at the pre-application stage on the scope of transport assessments/statements and travel plans. This process should determine the inputs and methodology relevant to establishing the potential impacts on the SRN and net zero principles that will inform the design and use of the scheme. Development promoters are strongly encouraged to engage with the*

company to resolve any potential issues and maximise opportunities for walking, wheeling, cycling, public transport and shared travel, as early as possible.

As discussed, National Highways requires that the Applicant set out a vision for the development, clearly describe any aims, in terms of transport, and explain how these aims will be achieved and why they accord with the prevailing policy. Particularly, National Highways will expect the Applicant to promote and enable a reduction in the need to travel, especially by private car, and prioritise sustainable transport opportunities ahead of capacity enhancements.

With reference to the Circular 01/2022, National Highways *"will support initiatives that reduce the need to travel by private car and enable the necessary behavioural change to make walking, wheeling, cycling and public transport the natural first choice for all who can take it".*

The Travel Plan should include targets for mode shift away from the private car and confirmation of person trips by mode; the plan must set out clear targets and commitments to manage down the traffic impact of development and maximise the accessibility by walking, wheeling, cycling, public transport, and shared travel.

Hence, suitable multi-modal (person) trip rates should be set out alongside any travel planning targets. This approach will enable an assessment of residual transport impacts relative to the current land use (see Circular 01/2022, particularly, paragraphs 47-54).

National Highways will support the preparation of a robust Travel Plan designed to limit the volume of private vehicle trips to and from the development and to promote sustainable modes of travel. To ensure a robust and effective Travel Plan, we recommend that the Travel Plan includes but not be limited to:

- Quantifiable mode shift targets which relate to the trip generation and mode share set out;
- A firm financial commitment with regards to funding for a range of measures (including infrastructure, incentive, and information-based measures) proposed in the short, medium and long term;
- Details of the phasing of any proposed measures relative to any phasing of the development itself;
- A clear outline of the responsibilities of the different parties involved in implementing, monitoring, and funding the Travel Plan;
- A strategy designed to monitor the volume of vehicle trips; and
- The funding to be committed and made available for the implementation of further measures should the Travel Plan fail to achieve its stated targets.

With reference to the DfT document 'Decarbonising Transport: A Better, Greener Britain' (July 2021), the Travel Plan should also consider how the design of the development will facilitate and ensure that *"public transport and active travel are the natural first choice for daily activities"*.

Construction Traffic Management Plan

The Scoping Report notes that a Construction Traffic Management Plan [CTMP] will be prepared to accompany the DCO Application with the aim *"to control the impacts on the existing highway network during the peak construction phase as far as reasonably practicable"*. The CTMP should be provided to National Highways for review and agreement in writing prior to commencement of construction. Construction will then be expected to proceed in accordance with the approved CTMP.

Further, the CTMP will need to include the following:

- A dust management plan;
- A noise management plan;
- Pollution prevention measures;
- Staffing numbers;
- Contractor parking;
- Construction traffic routes;
- Details of delivery arrangements (including for any abnormal loads); and
- Measures to limit and manage transfer of debris on to the highway.

Construction Workers' Travel Plan

The Scoping Report also notes that a Construction Workers' Travel Plan [CWTP] will accompany the DCO application; we would expect the CWTP to, at least, include the following:

- Firm financial commitments with regards to funding for the measures proposed;
- Targets for mode shift and vehicular trip generation, which should be taken forward into the Transport Assessment;
- A sustained monitoring and management strategy to confirm that vehicle trip targets are being met; and
- A plan detailing the remediation process in the event that targets are not being met.

Abnormal Indivisible Loads

We note that if any AIL are proposed to route via the strategic road network [SRN], this should be agreed with the National Highways AIL Team well in advance of any AIL movements.

Automatic Traffic Counter Surveys

Multiple ATCs are proposed on the SRN, permission should be sought from the relevant National Highways team in advance of undertaking these surveys.

Decommissioning

We would recommend that the following planning requirement be attached to a DCO consent:

> *"Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways (or its successors) decommissioning of the development hereby approved shall not commence unless and until a Decommissioning Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways (or its successors).*

Thereafter unless otherwise approved in writing decommissioning shall be undertaken in accordance with the approved plan."

Protective Provisions

National Highways requires protective provisions where any works are proposed to the Strategic Road Network [SRN] or there is a requirement to acquire or interfere with land or interests of National Highways. We would request that National Highways are consulted on the location of the corridor and potential tie-in points for both pipeline and grid connections, to ensure the interests of the SRN are maintained.

Summary

Our review has highlighted that the forthcoming application should be accompanied by a Transport Assessment and Travel Plan.

I trust this response is helpful, but should you require any further information please do not hesitate to contact me.

Yours sincerely,

Rebecca Garrett
Planning and Development
[redacted]@nationalhighways.co.uk

AA.23.33.19 Stallingborough Combined Cycle Gas Turbine and CCP

Prepared for:	Rebecca Garrett
Prepared by:	Joshua Bell
Date:	26th February 2024
Case Reference:	DevHU0169
Document Reference:	AA.23.33.19 TM
Reviewed/approved by:	Terry Dale

Introduction

In February 2024, RWE Generation UK plc [the Applicant], submitted a request to North Lincolnshire Council [NLC] and the Planning Inspectorate for a scoping opinion in relation to a forthcoming DCO application for combined cycle gas turbine and carbon capture plant at land at Hobson Way. For clarity, the Planning Inspectorate reference for the application is EN010161-000013, and the Local Planning Authority [LPA], in this instance NLC, reference is PA/SCO/2024/1.

The Local Highway Authority [LHA] is NLC and the Applicant's Consultant is AECOM Limited [AECOM].

Scoping Request

It is noted in the covering letter [12th February 2024] that:

> *"The Applicant has asked the Planning Inspectorate on behalf of the Secretary of State for its opinion (a Scoping Opinion) as to the information to be provided in an Environmental Statement (ES) relating to the Proposed Development."*

On behalf of National Highways, Jacobs SYSTRA Joint Venture [JSJV] has reviewed the request for a scoping opinion as well as the transport related documentation accompanying the planning application, including *'The Environmental Impact Assessment Scoping Report'* [the Scoping Report] dated February 2024. This Technical Memorandum [TM] will set out the JSJV review of the information presented.

Application Site

Figure 1 presents the location of the application site and the SRN; as can be seen, the closest sections of SRN to the application site are the A180 [circa 5km via the local road network] and the A160 [circa 5km via the local road network]. JSJV understands that the application site currently consists of an arable field.

Figure 1. Application Site Location in Relation to SRN[1]

Technical Review

Proposed Development

The Scoping Report notes that its purpose is to *"support an application for a scoping opinion under Regulation 10(1) ('Application for scoping opinion') of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('the EIA Regulations')"*. It is noted that:

> *"The Applicant intends to develop a Combined Cycle Gas Turbine generating plant (CCGT) with a gross electrical output capacity of up to 900 megawatts of electrical output (MWe) fitted with carbon capture plant (CCP) and associated natural gas pipeline and electrical grid connection (referred to as 'the Proposed Development'). The Proposed Development will also include infrastructure for the abstraction of cooling water from the Humber Estuary and the discharge of treated water into the Humber Estuary."*

It is further noted that:

> *"The Proposed Development will be the subject of a Development Consent Order (DCO) application under the Planning Act 2008 ('the 2008 Act') (hereafter referred to as 'the Application')."*

The Scoping Report states that:

> *"The Proposed Development falls within the definition of an NSIP* [Nationally Significant Infrastructure Project] *under Section 14(1)(a) and 15(2) of the 2008 Act as an onshore 'generating station exceeding 50 MW'."*

We also note that it is stated that:

[1] Extract from Scoping Report – Appendix A: Figure 18 *'Indicative Site and Main Site Boundaries'*

> *"EIA is compulsory for Schedule 1 developments given that the type and/or the scale of the development is likely to have the potential for significant effects on the environment."*
>
> And
>
> *"Given its capacity and the nature of the proposed activities, the Proposed Development will therefore be 'EIA development' and consequently a formal EIA screening opinion is not being sought from the SoS."*

With reference to Circular 01/2022 (Paragraph 55), National Highways will assist and willingly participate in the screening and scoping processes to help identify any significant, transport-related, environmental impacts of proposals.

With reference to 'The Strategic Road Network – Planning for the future', JSJV would expect the applicant to provide sufficient environmental information to satisfy the LPA, and any other consenting authorities, that all environmental implications of the proposals have been appropriately considered. Further, National Highways will expect to see measures implemented that fully mitigate any and all environmental impacts arising from and relating to the interaction between developments and the SRN; there are three aspects to this:

- The environmental impacts arising from the temporary construction works;
- The environmental impacts of the permanent transport solution associated with the development; and
- The environmental impact of the road network upon the development itself.

Any assessment undertaken by, or on behalf of the developer should be sufficiently comprehensive to establish the likely transport related environmental impacts, including air quality, light pollution and noise, and to identify the measures to mitigate these impacts.

Further, to avoid potential delay or challenge, transport assessments/statements and environmental statements/impact assessments (if required) should be mutually consistent and pay due regard to each other.

Access

It is noted that access to the main site will be via Hobson Way / Energy Park Way. We note that this forms a section of the local road network, and the acceptability of the access point will, therefore, be for the LHA to determine.

Abnormal Indivisible Loads

With regard to abnormal indivisible loads [AIL], it is noted that:

> *"Immingham Docks is expected to be used for the shipborne delivery of large plant and equipment (abnormal indivisible loads – (AIL)) during construction of the Proposed Development. These AIL would be transported to the Main Site using the existing road network which is deemed suitable for large loads."*

It is also noted that the anticipated routing of AIL will be *"assessed within the Traffic, Transportation and Access ES Chapter and set out in a Framework Construction Traffic Management Plan (CTMP) that will accompany the DCO Application"*.

JSJV would note that if any AIL are proposed to route via the strategic road network [SRN], this should be agreed with the National Highways AIL Team well in advance of any AIL movements.

Associated Development

The Scoping Report notes that:

> *"It is intended that the captured carbon dioxide (CO2) from the Proposed Development will be transported to a storage site under the North Sea off the east coast of the UK. The Harbour Energy Viking Carbon Capture & Storage (CCS) Transportation and Storage Scheme (hereafter referred to as 'the Viking CCS scheme') is a new 55 km onshore CO2 pipeline which is proposed to cross through the Proposed Development Site (refer to Figure 8A). The Applicant is a capture partner of the Viking CCS scheme and therefore the Applicant's preferred option is for transport via a new CO2 pipeline that connects the Proposed Development to the Viking CCS scheme to be achieved via a separate consent."*

It is important to highlight that the Viking Pipeline proposals are being reviewed as part of a separate JSJV task [AA.23.33.21]. The Scoping Report highlights that the Viking Pipeline proposals will be included in the cumulative assessment in the Environmental Statement; JSJV welcomes this approach. JSJV notes that Table 8.1 of the Scoping Report presents a list of proposals to be included in the cumulative assessment; we would request that the Applicant contacts the North Lincolnshire Council and North East Lincolnshire Council to ensure all relevant proposals are included in the cumulative assessment.

It is noted in the Scoping Report, however, that:

> *"…other delivery partners are being considered for the transport of the CO2 and the full details of any optionality and potential environmental effects if such option(s) are taken forward will be set out in the ES."*

Construction

The Scoping Report notes that:

> *"… it is not expected that the final vendor selection for the CCGT and CCP would be made until the detailed design stage of the Proposed Development, where construction details (e.g. construction methods and characteristics of the materials etc.) will be selected, which occurs after Final Investment Decision and post the granting of any DCO"*

It is, however, noted that:

> *"The assessments to be included within the EIA and presented in the ES will therefore consider and assess the reasonable 'worst-case' impacts and effects"*

Due to the flexibility, and possibility for change, JSJV welcomes this approach.

Nonetheless, JSJV notes that the Scoping Report states that:

> *"Temporary laydown areas will be required during construction of the Proposed Development for purposes including storing and handling of equipment and materials, site offices, batch concrete facilities, welfare facilities and car parking, environmental/ waste handling area and vehicle wheel wash areas."*

However, it is also noted that:

> *"Laydown requirements at this stage are indicative and will be subject to further assessment prior to submission of the DCO Application."*

Construction Traffic Management Plan

The Scoping Report notes that:

> *"A Construction Traffic Management Plan (CTMP) and a Construction Workers' Travel Plan (CWTP) will be prepared to accompany the DCO Application with the aim to control the impacts on the existing highway network during the peak construction phase as far as reasonably practicable"*

JSJV notes that the CTMP should be provided to National Highways for review and agreement in writing prior to commencement of construction. Construction will then be expected to proceed in accordance with the approved CTMP.

Further, the CTMP will need to include the following:

- A dust management plan;
- A noise management plan;
- Pollution prevention measures;
- Staffing numbers;
- Contractor parking;
- Construction traffic routes;
- Details of delivery arrangements (including for any abnormal loads); and
- Measures to limit and manage transfer of debris on to the highway.

We would also expect the CWTP to, at least, include the following:

- Firm financial commitments with regards to funding for the measures proposed;
- Targets for mode shift and vehicular trip generation, which should be taken forward into the Transport Assessment;
- A sustained monitoring and management strategy to confirm that vehicle trip targets are being met; and
- A plan detailing the remediation process in the event that targets are not being met.

Staff Numbers

The Scoping Report notes that:

> *"For the construction phase it is anticipated that there will be a maximum of 2,000 workers at the peak of construction, with around 600 HGVs accessing the site per day (1,200 two-way movements). It would not be expected that all construction workers accessing the site would travel as a single occupancy car trip, with many choosing to car share, as such a ratio of 1.5 will be assumed, resulting in a daily number of construction worker car trips of 1,334 in and 1,334 out (2,668 two way)."*

It is not clear on the scale of the impact at the SRN during peak hours, however, it is noted that:

> *"The above is based upon the best available information at this scoping stage and will be reviewed and updated as further information is available as the Proposed Development evolves."*

This notwithstanding, we would request that the application is accompanied by a Transport Assessment; further guidance is provided later in this TM.

Timescales

It is noted that construction of the proposed development could commence in 2028 for a duration of three years.

Operational Phase

It is anticipated that the proposed development will be operational *"24 hours a day, 7 days per week"*. It is also noted that that:

> *"Operation of the Proposed Development is anticipated to create up to circa fulltime 50 operational roles, with operative staff working shift systems. Staff are anticipated to work a shift pattern, likely between 07:00 – 19:00 and 19:00 – 07:00. Administrative staff are anticipated to work an office-hour pattern between 08:30 and 18:00."*

The Scoping Report notes that:

> *"Such operational traffic flows are not likely to give rise to significant effects on the highway network and it is not proposed to assess the operational phase within the ES Chapter."*

JSJV would request that a peak hour trip generation analysis is presented for the SRN for operational phase to determine the need for capacity assessments. In accordance with Circular 01/2022 we would expect multi-modal trip rates to be presented for before and after the implementation of measures to *"maximise opportunities for walking, wheeling, cycling, public transport and shared travel"*.

Decommissioning

The Scoping Report notes that:

> *"A Decommissioning Plan (including Decommissioning Environmental Management Plan (DEMP)) would be produced and agreed with the Environment Agency as part of the Environmental Permitting and site surrender process. The DEMP would consider in detail all potential environmental risks on the Site and contain guidance on how risks can be removed or mitigated."*

This notwithstanding, JSJV would suggest that the following planning requirement be attached to a DCO consent:

> *"Unless otherwise agreed in writing by the Local Planning Authority in consultation with National Highways (or its successors) decommissioning of the development hereby approved shall not commence unless and until a Decommissioning Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority in consultation with National Highways (or its successors). Thereafter unless otherwise approved in writing decommissioning shall be undertaken in accordance with the approved plan."*

The inclusion of the above requirement ensures that any effects from the decommissioning phase are to be reviewed and agreed upon by National Highways immediately prior to decommissioning.

Policy

We note the Circular 01/2022 is not referenced in the policy section of the Scoping Report; any proposals should be developed in accordance with this policy. We would specifically highlight that paragraphs 47 to 54 relate to the assessment of development proposals.

Assessment of Transport Impacts

Section 6.10 of the Scoping Report sets out the *"proposed scope and methodology for the assessment of effects of the Proposed Development on traffic, transportation and access"*.

It is noted that:

> *"The traffic, transportation and access study area will comprise these main highway links and the public transport, cycle and walking provision within the immediate vicinity of these of these links"*

JSJV would suggest that the study area should encompass sections of the SRN, including the A160, and the A180 up to at least the A180 / A18 / M180 / A15 junction.

Personal Injury Collision Analysis

It is noted that accident data will be analysed for the "most recent five-year period"; we would note that data from 2020 and 2021 is considered unrepresentative due to COVID-19 and the impact, of the associated national lockdown restrictions, on travel patterns.

Traffic Surveys

It is noted that:

> *"The extent of the traffic data and scope for any traffic surveys that may be required will be agreed with the relevant local highway authorities (LHAs), NELC, NLC and LCC as well as NH."*

JSJV welcomes the approach.

Growth Factors

It is noted that:

> *"Baseline traffic data will be collected within the study area for a period of 7 days to establish a baseline AADT. This will be used to predict the future baseline at the peak year of construction based upon TEMPRO growth factors, using a forecast based upon metrics around population, employment and housing."*

JSJV would note that the methodology for deriving growth factors should be presented for review.

Committed Development

The Scoping Report also notes that:

> *"… committed development sites will also be included to provide a cumulative assessment of the combined impact upon the highway network."*

JSJV welcomes this approach, however, we reiterate the request that the Applicant contacts the North Lincolnshire Council and North East Lincolnshire Council to ensure all relevant proposals are included in the cumulative assessment.

Methodology

The Scoping Report notes that:

> *"The methodology for assessing the impact of development generated construction traffic will be based upon that outlined in the IEMA Guidelines: Environmental Assessment of Traffic and Movement dated July 2023."*

JSJV notes that the following impacts will be considered as part of the assessment:

- *Severance of communities;*
- *Non-motorised user delay;*
- *Non-motorised amenity;*
- *Fear and intimidation on and by road users;*
- *Road user and pedestrian safety;*
- *Public Rights of Way; and*
- *Hazardous / large loads.*

The Scoping Report sets out the assessment criteria for the assessment; for clarity, this has not been presented in the interests of keeping this TM concise. Nonetheless, JSJV considers the methodology to be appropriate.

JSJV notes that *"Traffic, Transportation and Access"* is proposed to be included as a specialist assessment and that the following items are scoped in:

> *"Construction traffic impacts from HGVs and construction workers including: • AILs;*
>
> *• Severance to communities caused by an increase in traffic for a longer period;*
>
> *• Increased levels of fear and intimidation and reduced levels of amenity for non-motorised users;*
>
> *• Increased risk of road traffic accidents caused by an increase in traffic for a longer period, and*
>
> *• Construction traffic using bell mouths and site entrances for access to construction areas."*

If the LPA are of the opinion that the proposed development should be accompanied by an Environmental Statement [ES], JSJV would agree with the proposal to scope in transport and notes that the volume of trips and the cumulative impacts on the road network warrant consideration in the ES.

JSJV does, however, note that operational traffic effects are proposed to be scoped out of the assessment(s). JSJV would request that a peak hour trip generation analysis is presented for the SRN for operational phase to determine the need for any further assessments.

Traffic Distribution

JSJV notes that:

> *"Construction worker vehicle trips will be distributed onto the local highway network based upon a gravity model of local population centres, with the majority assumed to reside within either Grimsby or Immingham."*

JSJV would expect any assumptions for the traffic distribution to be a set out with supporting information.

HGV Routing

It is noted that HGV are likely to route via the A1173 to the A180, hence, they will route via the A180 / A1173 junction [Stallingborough Interchange]. We would expect a daily profile of the anticipated number of vehicles forecast to route via the SRN presented for review.

Additional JSJV Comments

JSJV would expect that the proposals are accompanied by a Transport Assessment and Travel Plan. We would offer the following comments.

Transport Assessment

In accordance with Circular 01/2022 the Transport Assessment should set out the vision for the development and how the vision will be achieved. Significant emphasis should be given to reducing the need to travel, especially by car, and maximising the use of active modes and public transport. Hence, the trip generation set out in the Transport Assessment should accord with that established in the Travel Plan. We would expect to see multi-modal [person] trip rates before and after the implementation of measures to maximise active and sustainable travel and limit the use of the private car.

Travel Plan

With regards to the preparation of a Travel Plan, JSJV would make reference to the following paragraphs from the Planning Policy Paper (Circular 01/2022) 'Strategic road network and the delivery of sustainable development':

> *44. Travel plans are an effective means of incentivising the use of sustainable modes of transport. Where these are required, development promoters must put forward clear targets and commitments to manage down the traffic impact of development and maximise the accessibility of and within sites by walking, wheeling, cycling, public transport and shared travel. Targets for achieving a modal shift to sustainable transport will need to be subject to sustained monitoring and management by an appointed travel plan coordinator. Advice on preparing and monitoring travel plans is contained in the planning practice guidance.*
>
> *47. Where the company is requested to do so, it will engage with local planning authorities and development promoters at the pre-application stage on the scope of transport assessments/statements and travel plans. This process should determine the inputs and methodology relevant to establishing the potential impacts on the SRN and net zero principles that will inform the design and use of the scheme. Development promoters are strongly encouraged to engage with the company to resolve any potential issues and maximise opportunities for walking, wheeling, cycling, public transport and shared travel, as early as possible.*

As discussed, National Highways requires that the Applicant set out a vision for the development, clearly describe any aims, in terms of transport, and explain how these aims will be achieved and why they accord with the prevailing policy. Particularly, National Highways will expect the Applicant to promote and enable a reduction in the need to travel, especially by private car, and prioritise sustainable transport opportunities ahead of capacity enhancements.

JSJV would note that, with reference to the Circular 01/2022, National Highways *"will support initiatives that reduce the need to travel by private car and enable the necessary behavioural change to make walking, wheeling, cycling and public transport the natural first choice for all who can take it".*

The Travel Plan should include targets for mode shift away from the private car and confirmation of person trips by mode; the plan must set out clear targets and commitments to manage down the traffic impact of development and maximise the accessibility by walking, wheeling, cycling, public transport, and shared travel.

Hence, suitable multi-modal (person) trip rates should be set out alongside any travel planning targets. This approach will enable an assessment of residual transport impacts relative to the current land use (see Circular 01/2022, particularly, paragraphs 47-54).

National Highways will support the preparation of a robust Travel Plan designed to limit the volume of private vehicle trips to and from the development and to promote sustainable modes of travel. To ensure a robust and effective Travel Plan, JSJV would recommend that the Travel Plan includes but not be limited to:

- Quantifiable mode shift targets which relate to the trip generation and mode share set out;
- A firm financial commitment with regards to funding for a range of measures (including infrastructure, incentive and information-based measures) proposed in the short, medium and long term;
- Details of the phasing of any proposed measures relative to any phasing of the development itself;
- A clear outline of the responsibilities of the different parties involved in implementing, monitoring and funding the Travel Plan;
- A strategy designed to monitor the volume of vehicle trips; and
- The funding to be committed and made available for the implementation of further measures should the Travel Plan fail to achieve its stated targets.

With reference to the DfT document 'Decarbonising Transport: A Better, Greener Britain' (July 2021), the Travel Plan should also consider how the design of the development will facilitate and ensure that *"public transport and active travel are the natural first choice for daily activities"*.

Assessments

Subject to the impact of the proposed development on the Strategic Road Network, further assessments may be required. With regards to a threshold which may warrant a junction capacity assessment, the applicant should make reference to the following guidance:

- National Planning Policy Framework (Ministry of Housing, Communities and Local Government, 2023);
- National Highways' guidance document 'Planning for The Future' (October 2023); and
- The Department for Transport's Circular 01/2022.

In particular, we would refer the applicant to 'Planning for the Future', which states that National Highways will look at planning applications assessed as being 'severe' on a case-by-case basis. This will take into account the performance and character of the relevant section of the SRN and the predicted effects of the development on its safe operation.

Further, the Applicant should note that the 2007 DfT guidance that describes a '30-vehicle threshold for discussions' does not, for National Highways, justify junction capacity assessments not being undertaken.

Where assessments are required, JSJV would offer the following comments:

- Weekday peak hours – the applicant should take into account that the peak hour periods at SRN junctions may differ to those of the local highway network, and these should be agreed prior to the assessments being carried out;
- A weekday inter-peak period assessment may be required subject to the operation of the development, shift change patterns, and the volume of traffic on the network compared with the typical peak periods;
- Assessment years – in accordance with paragraph 50 of the Circular 01/2022, assessments should be conducted at an opening year to include trips generated by the proposed development, forecasted growth, and committed development. Further, for multi-phase developments, additional assessments shall be provided based on the opening of each phase; and
- In accordance with the Circular 01/2022 – *"Planned improvements to the SRN or local road network should also be considered in any assessment where there is a high degree of certainty that this will be delivered".* Confirmation of any planned transport improvements should be agreed with National Highways / the LPA.

Committed Development

As noted, the applicant should review and include any relevant committed development traffic flows in the area that are likely to affect the flows at the relevant junctions in the assessment years. In accordance with Planning Practice Guidance, these should include development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years. Appropriate committed development flows should be agreed with the LPA. Circular 01/2022 also notes that the Transport Assessment must *"consider existing and forecast levels of traffic on the SRN, alongside any additional trips from committed developments that would impact on the same sections (link or junction) as the proposed development"*. We would make reference to Footnote 21 which states that:

> *"Where development proposals are consistent with an up-to-date plan or strategy (or where there is no up-to-date plan or strategy), this should include all relevant development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years and include the full amount of development to be built. Where development proposals are not consistent with an up-to-date plan or strategy, this should include all relevant development that is consented or allocated over the entirety of the plan period. In some instances, due regard should be had to permissions and allocations in neighbouring authorities. The inclusion or exclusion of specific developments should be agreed with the local planning authority at pre-application stage."*

Forecasted Growth

As noted, any assumptions underpinning the projected levels of traffic should be clearly stated so as to avoid the default factoring up of baseline traffic.

Mitigation

If the opening year assessments demonstrate that a mitigation scheme is required in order to accommodate the impact of the proposed development, there will be a number of requirements prior to determination of the planning application:

- GG142 walking, cycling and horse-riding assessment should be undertaken at the outset to inform the design of any mitigation scheme;

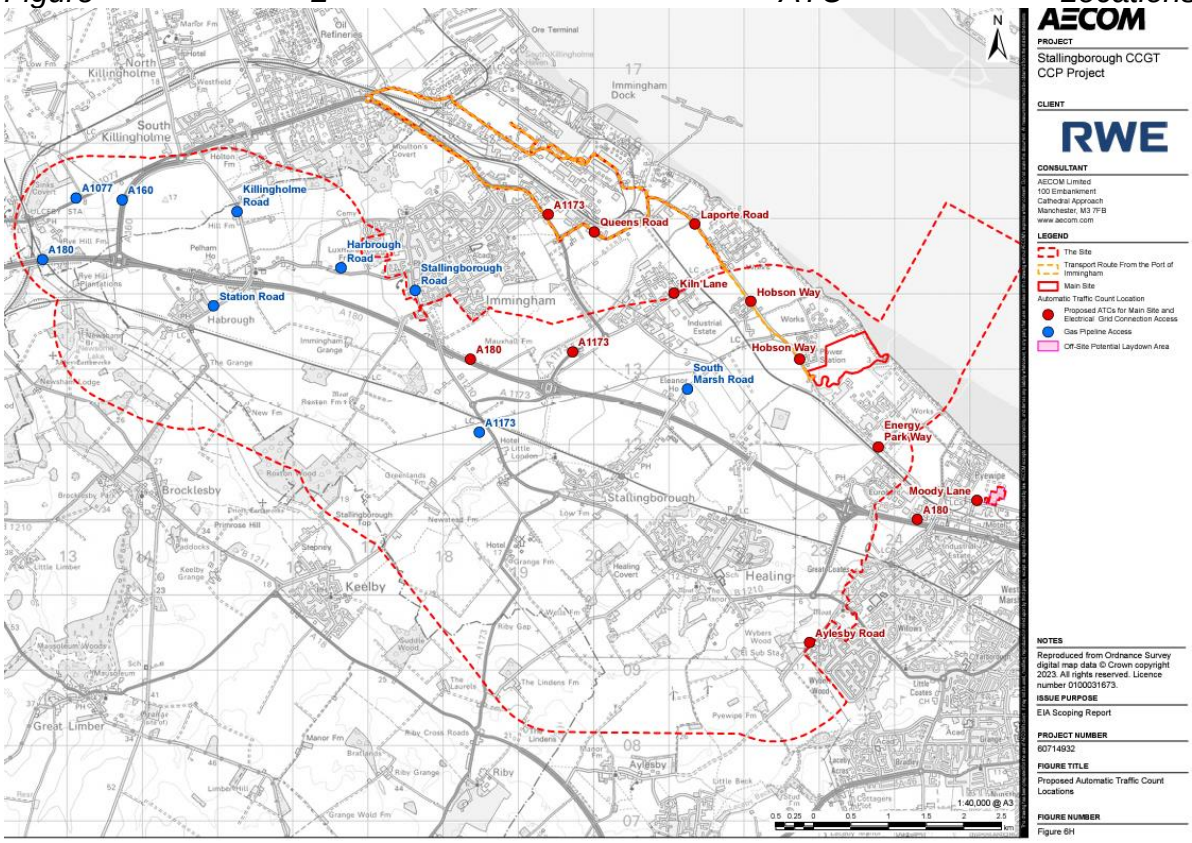
- As noted in Circular 01/2022, *"GG 104 (or its subsequent update) identifies the framework and approach for safety risk assessment to be applied when undertaking any activity that may have an impact on safety on the SRN"*.
- The design of road improvements should meet DMRB standards or clearly identify any departures from standard required;
- A Departure from Standards application may be required if the standards set out in DMRB are not achieved. This applies equally to over and under achievement of design standards; and
- A Stage 1 Road Safety Audit should be undertaken prior to the submission of the planning application.

Local Highway Authority Consultation

JSJV notes that the LHA consultation response [19/02/2024] has been uploaded to the NLC planning portal. The LHA response notes that a Transport Assessment should be submitted.

The LHA has also identified that Automatic Traffic Counter [ATC] surveys are not proposed on the A160 Humber Road and has requested clarification on the rationale behind this. For clarity, the proposed ATCs are shown in **Figure 2**. As can be seen, multiple ATCs are proposed on the SRN, permission should be sought from the relevant National Highways team in advance of undertaking these surveys.

Figure 2 – ATC Locations[2]



[2] Extract from 'Proposed Automatic Traffic Count Locations', produced by AECOM. 30/01/2024.

Summary and Conclusions

On the basis of this review, the recommendation to National Highways in relation to this development proposals is:

Pre-application / Scoping Response – comments are made on the pre-application / scoping in order to assist defining an appropriate assessment of the Strategic Road Network.

Our review has highlighted that the forthcoming application should be accompanied by a Transport Assessment and Travel Plan.

National Gas House
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

+44 (0) 1926 65 3000
nationalgas.com

Submitted via email to: StallingboroughCCGT@planninginspectorate.gov.uk

Date: 7th March 2024

Dear Sir/Madam,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by RWE Generation UK plc (the Applicant) for an Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) generating plant and Carbon Capture Plant (CCP) (the Proposed Development)

I refer to your email dated 12th February 2024 regarding the above proposed DCO. This is a response on behalf of National Gas PLC (NGT). Having reviewed the scoping consultation documents, NGT wishes to make the following comments regarding gas infrastructure which may be affected by proposals.

NGT has two feeder mains located within or in proximity to the Order limits. Details of this infrastructure is as follows:

- Feeder Mains (Brocklesby to Stallingborough PS & Ulceby to Hatton)
- Freehold Land – HS239816
- Ancillary apparatus

Please note that NGT has existing easements for these pipelines which provides rights for ongoing access and prevents the erection of permanent / temporary buildings/structures, change to existing ground levels or storage of materials etc within the easement strip.

You should also be aware of NGT's guidance for working in proximity to its assets, further guidance and links are available as follows.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGT's apparatus, NGT will require appropriate protection and further discussion on the impact to its apparatus and rights including adequate Protective Provisions. A Deed of Consent will also be required for any works proposed within the easement strip.

Key Considerations:

- NGT has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

- Please be aware that written permission is required before any works commence within the NGT easement strip. Furthermore a Deed of Consent will be required prior to commencement of works within NGT's easement strip subject to approval by NGT's plant protection team.

- Any large installations which may result in a large population increase in the vicinity of a high pressure gas pipeline must comply with the HSE's Land Use Planning methodology, and the HSE response should be submitted to National Gas Transmission for review

- The below guidance is not exhaustive and all works in the vicinity of NGT's asset shall be subject to review and approval from NGT's plant protection team in advance of commencement of works on site.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and NGT's Dial Before You Dig Specification for Safe Working in the Vicinity of NGT Assets. There will be additional requirements dictated by NGT's plant protection team.

- NGT will also need to ensure that its pipelines remain accessible during and after completion of the works.

- Our pipelines are normally buried to a depth cover of 1.1 metres, however actual depth and position must be confirmed on site by trial hole investigation under the supervision of a NGT representative. Ground cover above our pipelines should not be reduced or increased.

- If any excavations are planned within 3 metres of NGT High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a NGT representative. A safe working method agreed prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

- Below are some examples of work types that have specific restrictions when being undertaken in the vicinity of gas assets therefore consultation with NGT's Plant Protection team is essential:

  - Demolition
  - Blasting
  - Piling and boring
  - Deep mining
  - Surface mineral extraction
  - Landfilling

- Trenchless Techniques (e.g. HDD, pipe splitting, tunnelling etc.)
- Wind turbine installation - minimum separation distance of 1.5x the mast/hub height is required, and any auxiliary installations such as cable or track crossings will require a deed of consent.
- Solar farm installation
- Tree planting schemes

Traffic Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at agreed locations.
- Permanent road crossings will require a surface load calculation, and will require a deed of consent.
- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.
- The type of raft shall be agreed with NGT prior to installation.
- No protective measures including the installation of concrete slab protection shall be installed over or near to the NGT pipeline without the prior permission of NGT
- NGT will need to agree the material, the dimensions and method of installation of the proposed protective measure.
- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to NGT.
- An NGT representative shall monitor any works within close proximity to the pipeline to comply with NGT specification T/SP/SSW22

New Asset Crossings:

- New assets (cables/pipelines etc) may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- The separation distance for a cable >33kV is 1000mm and pre and post energisation surveys may be required at National Gas Transmission's discretion. A risk assessment/method statement will need to be provided to, and accepted by National Gas Transmission prior to the deed of consent being agreed. Where a new asset is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.
- A new service should not be laid parallel within an easement strip
- Clearance must be at least 600mm above or below the pipeline
- An NGT representative shall approve and supervise any cable crossing of a pipeline.

- A Deed of Consent is required for any cable crossing the easement

Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGT apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO. NGT requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection.

Adequate access to NGT pipelines must be maintained at all times during construction and post construction to ensure the safe operation of our network.

Yours Faithfully

Asset Protection Team

Further Safety Guidance

To download a copy of the HSE Guidance HS(G)47, please use the following link:

https://www.hse.gov.uk/pubns/books/hsg47.htm

Working Near National Gas Assets

https://www.nationalgas.com/land-and-assets/working-near-our-assets

Specification for Safe Working in the Vicinity of National Gas High Pressure Pipelines and Associated Installations

https://www.nationalgas.com/document/82951/download

Tree Planting Guidance

https://www.nationalgas.com/document/82976/download

Excavating Safely

https://www.nationalgas.com/document/82971/download

Dial Before You Dig Guidance

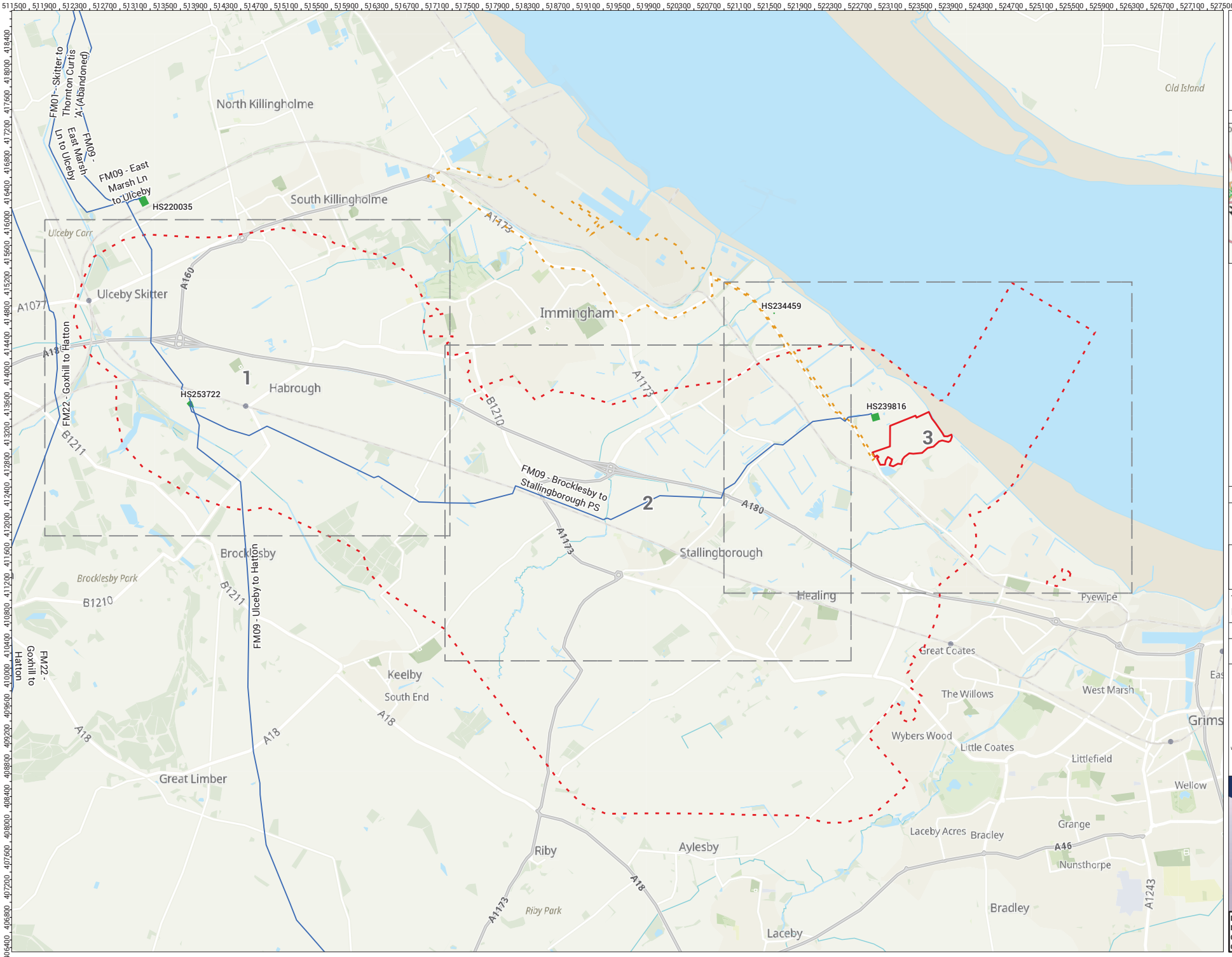
https://www.nationalgas.com/document/128751/download

Essential Guidance:

https://www.nationalgas.com/gas-transmission/document/82931/download

Solar Farm Guidance

https://www.nationalgas.com/document/82936/download



N
W E
S

0 180 360 720 1,080 1,440
Metres

OVERVIEW WINDOW

LEGEND:

- NG T Pipelines
- National Grid Gas Ownership
- Main Site
- The Site
- Transport Route From the Port of Immingham
- Page Extent

For Identification Purposes Only

REVISION: A

CLIENT: national gas

SCHEME:
Stallingborough Combined Cycle Gas Turbine (CCGT)

TITLE:
Interaction Plan

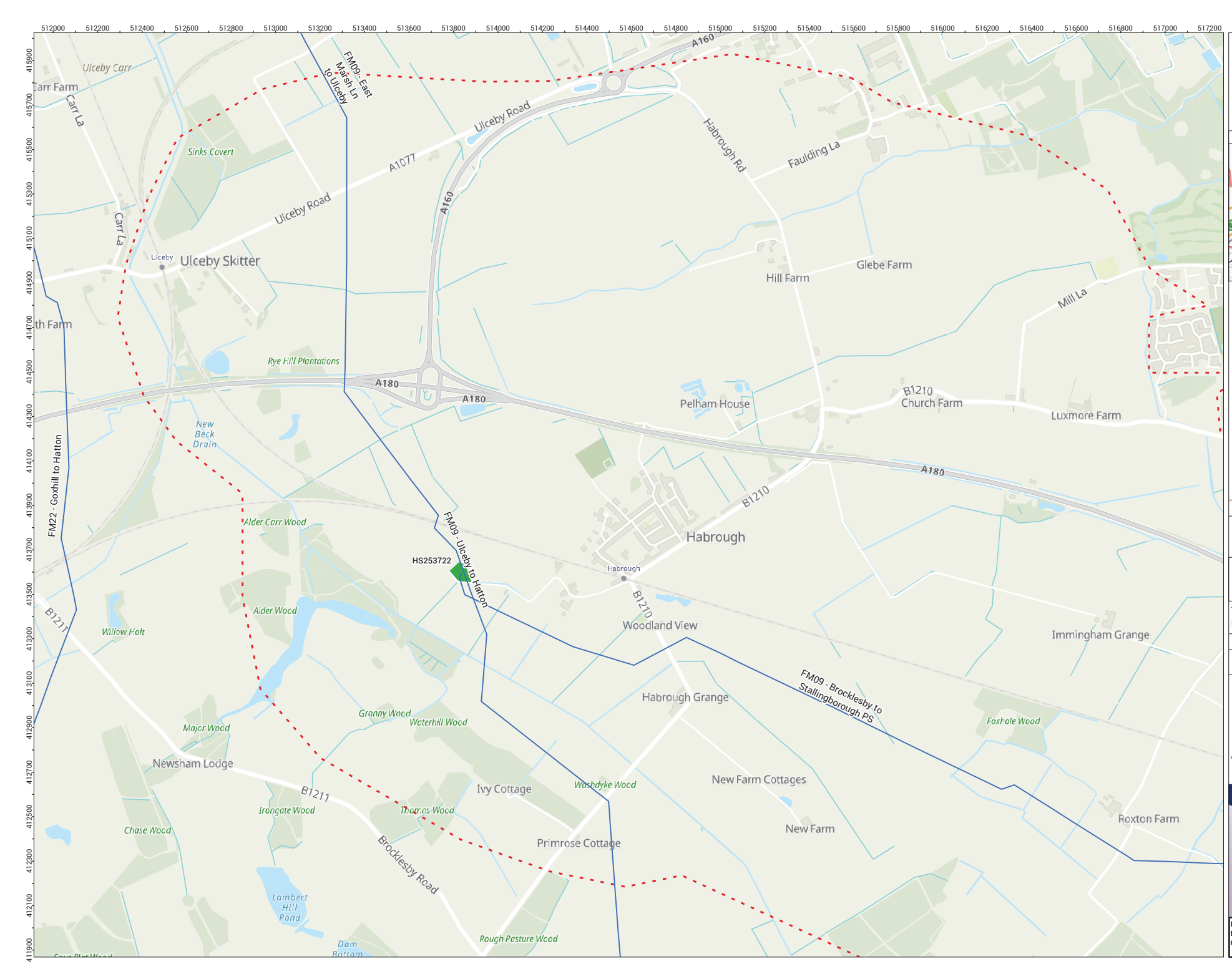
FP. 105183-066

SCALE: 1:45,000 @ A3
DATE: 15/02/2024

FISHER GERMAN
The Estates Office, Norman Court
Ashby de la Zouch,
Leicestershire, LE65 2UZ

01530 412821
https://www.fishergerman.co.uk
ashby@fishergerman.co.uk

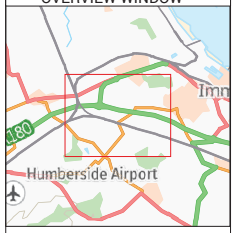
DRAWING REF:
NGT-2024-02-EP-INT-STALLINGBOROUGH COMBINED CYCLE GAS TURBINE OVERVIEW



N
W E
S

0 60 120 240 360 480
Metres

OVERVIEW WINDOW



LEGEND:

- NG T Pipelines
- National Grid Gas Ownership
- The Site

For Identification Purposes Only

REVISION: A

CLIENT: national gas

SCHEME:
Stallingborough Combined Cycle Gas Turbine (CCGT)

TITLE:
Interaction Plan

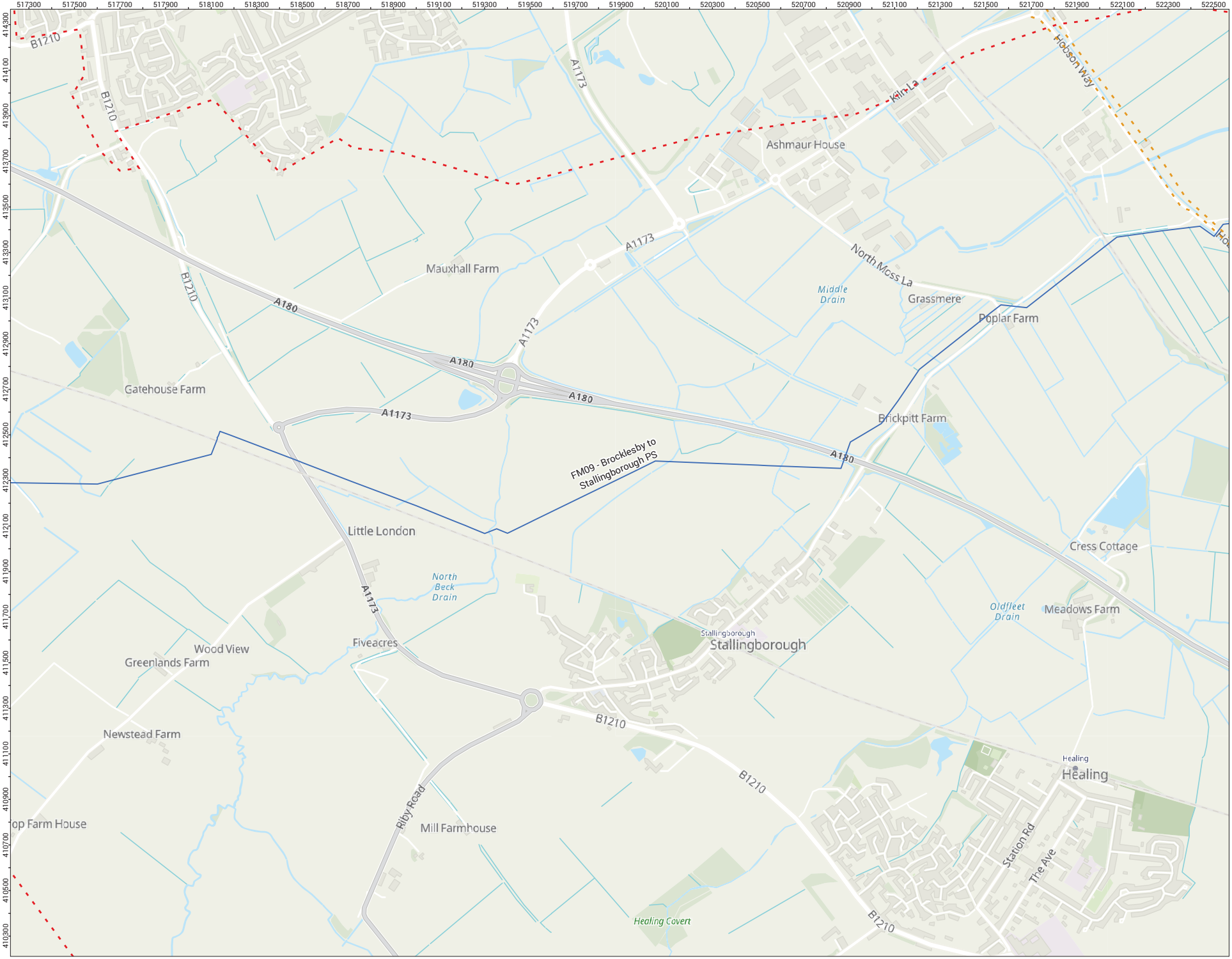
FP. 105183-066

SCALE: 1:15,000 @ A3
DATE: 15/02/2024

FISHER GERMAN
The Estates Office, Norman Court
Ashby de la Zouch,
Leicestershire, LE65 2UZ

01530 412821
https://www.fishergerman.co.uk
ashby@fishergerman.co.uk

DRAWING REF:
NGT-2024-02-EP-INT-STALLINGBOROUGH COMBINED CYCLE GAS TURBINE_1



N
W E
S

0 60 120 240 360 480
Metres

OVERVIEW WINDOW

LEGEND:

- NG T Pipelines
- The Site
- Transport Route From the Port of Immingham

For Identification Purposes Only

REVISION: A

CLIENT: national gas

SCHEME:
Stallingborough Combined Cycle Gas Turbine (CCGT)

TITLE:
Interaction Plan

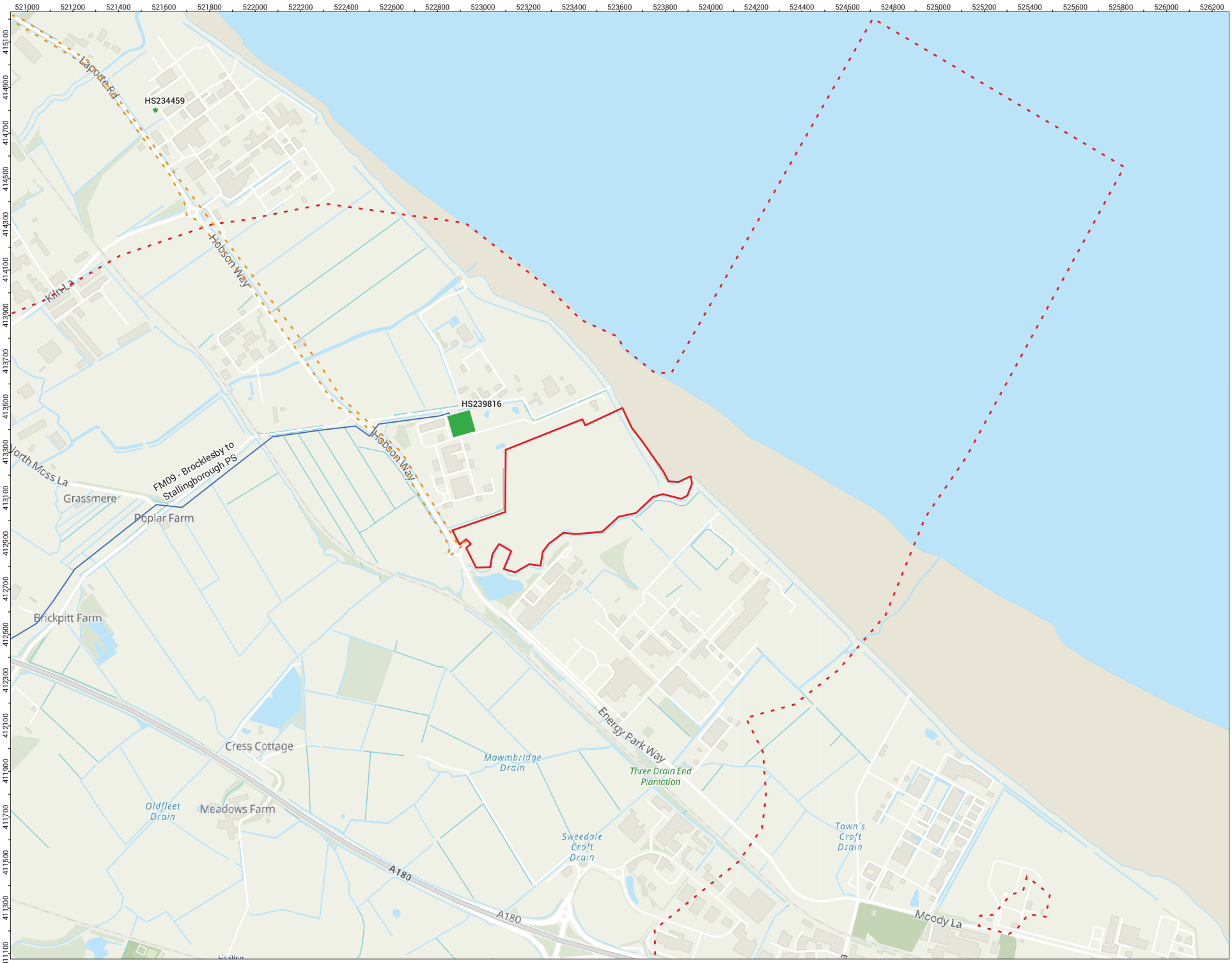
FP. 105183-066

SCALE: 1:15,000 @ A3
DATE: 15/02/2024

FISHER GERMAN
The Estates Office, Norman Court
Ashby de la Zouch,
Leicestershire, LE65 2UZ

01530 412821
https://www.fishergerman.co.uk
ashby@fishergerman.co.uk

DRAWING REF:
NGT-2024-02-EP-INT-STALLINGBOROUGH COMBINED CYCLE GAS TURBINE_2



N
W E
S

0 60 120 240 360 480
Metres

OVERVIEW WINDOW

LEGEND:

- NG T Pipelines
- National Grid Gas Ownership
- Main Site
- The Site
- Transport Route From the Port of Immingham

For Identification Purposes Only

REVISION: A

CLIENT: national gas

SCHEME:
Stallingborough Combined Cycle Gas Turbine (CCGT)

TITLE:
Interaction Plan

FP. 105183-066

SCALE: 1:15,000 @ A3
DATE: 15/02/2024

FISHER GERMAN
The Estates Office, Norman Court
Ashby de la Zouch,
Leicestershire, LE65 2UZ

01530 412821
https://www.fishergerman.co.uk
ashby@fishergerman.co.uk

DRAWING REF:
NGT-2024-02-EP-INT-STALLINGBOROUGH COMBINED CYCLE GAS TURBINE_3

From:	NATS Safeguarding
To:	Stallingborough CCGT
Subject:	RE: EN010161 - Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) - EIA Scoping Consultation [SG36915]
Date:	13 February 2024 14:32:41
Attachments:	~WRD3613.jpg image006.png image007.png image008.png image009.png image010.png image011.png image012.png image013.png image014.png image015.png image016.png

Our Ref: SG36915

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

[redacted]

Date: 08 March 2024
Our ref: 466500
Your ref: EN010161-000013

Environmental services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

BY EMAIL ONLY

Dear Sir/Madam

Environmental Impact Assessment Scoping Consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11

Proposal: Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) (the Proposed Development)
Location: Land of Hobson Way, Stallingborough

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 12 February 2024, received on 12 February 2024.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities, based on relevant and up to date environmental information, should be undertaken prior to an application for a Development Consent Order (DCO). Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Detailed advice on scoping the Environmental Statement is available in the attached Annex.

Natural England notes that it has not had any previous engagement from the applicant on the project.

For any further advice on this consultation please contact consultations@naturalengland.org.uk.

Yours sincerely

John Hartney
Yorkshire and Northern Lincolnshire Area Team
Natural England

Annex A – Natural England's Advice on EIA Scoping

1. General Principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an Environmental Statement (ES) to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided[1].
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation, cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

2. Cumulative and in-combination effects

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

[1] National Infrastructure Planning (planninginsepctorate.gov.uk) Insert 2 – information to be provided with a scoping request, Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements

a. existing completed projects;
b. approved but uncompleted projects;
c. ongoing activities;
d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

In particular, Natural England would like to refer to the high development pressure around the Humber Estuary. The impacts of this proposal in combination with other projects (NSIPS and TCPA projects) along the Humber must be considered within the ES. Especially, projects with the potential to impact functionally linked land should be considered.

3. Biodiversity and Geodiversity

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

Ecological Impact Assessment (EcIA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. Guidelines have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Remember to refer to the relevant sector specific information within National Policy Statements here and our own sector specific guidance on the SD Toolkit.

4. International and European sites

The development site is within or may impact on the following **European/internationally designated nature conservation sites:**

- Humber Estuary Special Area of Conservation (SAC)
- Humber Estuary Special Protection Area (SPA)
- Humber Estuary Ramsar site

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.

Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects.

Table 1: Potential risk to International designated sites	
Site name with link to conservation objectives	**Potential impact pathways where further information/assessment is required.**
1. Humber Estuary Special Protection Area (SPA) European Site Conservation Objectives for Humber Estuary SPA - UK9006111 (naturalengland.org.uk) 2. Humber Estuary Ramsar Designated Sites View (naturalengland.org.uk)	*Key point:* • *Natural England notes that the proposed development is in close proximity and partially within the Humber Estuary. This introduces a number of impact pathways which are listed below. Natural England consider this to be a key aspect of the development plans which must be addressed in detail to ensure avoidance, or mitigation, of any identified impacts.* Potential impacts to Functionally Linked Land Potential impacts that may arise from the proposal relate to the presence of mobile SPA interest features that are located outside the site boundary. Natural England advises that the potential for offsite impacts should be considered in assessing what, if any, potential impacts the proposal may have on European sites. Natural England advises the HRA should consider; • Any impacts due to potential direct loss of functionally linked feeding habitat for Humber Estuary designated birds; • the potential for loss of functionally linked land which is adjacent to the project due to disruption of open vistas; • the potential for noise and visual disturbance impacts on functionally linked land during construction and operation Section 6.14 of the EIA Scoping document states that wintering bird surveys are being undertaken for the proposed development site during October 2023 to March 2024. We welcome this approach and advise that clarification should be provided as to why autumn and spring passage periods have not been surveyed, and are not planned to be undertaken for the spring 2024 period. If there is potential for passage SPA bird species to be using the site, we recommend bird surveys during the autumn passage period (August to October inclusive) and spring passage period (March to mid-May inclusive) to determine the population status of passage birds. Natural England recommend that surveys are also carried out during April 2024 and mid-May 2024 to incorporate the spring passage period.

	We recommend using 'amended' vantage point (VP) surveys (principally following NatureScot Recommended bird survey methods to inform impact assessment of onshore wind Farms guidance March 2017 v.2. Natural England recognise that the NatureScot VP guidance is written for impacts associated with wind turbines, but it is acknowledged in the guidance (page 14) that VP surveys provides useful information and overview of bird usage of a site specifically in relation to potential disturbance and displacement. Natural England considers the use of the NatureScot guidance for VP as an appropriate methodology to be used to assess other developments that can impact on SPA birds). The surveys should cover different tidal states and consideration should also be given to surveys in poor weather/ visibility conditions as large movements of birds can be observed at this time. Vantage point surveys may also need to take account of surveys at dusk and dawn, depending upon the bird species (i.e. geese and swans). If geese and swans have the potential to use the development site or surrounding area, we would expect to see surveys 1 hour before and 1 hour after, dusk and dawn during the respective bird survey season (i.e. winter, spring and autumn passage. Depending upon the site, it may also be necessary to consider nocturnal surveys (specifically for waders). The requirement for provision of mitigation should be informed by the survey results. Section 6.14.13 of the EIA scoping document states that field surveys include the main site plus the gas pipeline route corridors and electrical grid connection route corridor. Natural England advises that both the gas pipeline route corridors and electrical grid connection route corridor have potential to lead to temporary loss of functionally linked land and noise and visual disturbance to adjacent functionally linked land and designated sites during construction. We advise these areas should be informed by surveys. Natural England welcomes the engagement proposed in section 6.14.11 to help determine the feasibility of the grid connection corridor when assessing potential impacts of bird collision. Potential Noise and Visual impacts Natural England notes that construction activity is being undertaken in close proximity to the designated site. We advise that noise and visual disturbance impacts to the designated site should be considered within the HRA. Potential Air Quality Impacts See section 16 below.

	Potential Water Quality Impacts See section 17 below. Potential Dust Impacts Potential for impacts from dust on Humber Estuary within 200m of construction area will need to be assessed for impacts on supporting habitat for Humber birds.
Humber Estuary Special Area of Conservation European Site Conservation Objectives for Humber Estuary SAC - UK00300170 (naturalengland.org.uk)	Potential Impacts to Migrating River and Sea Lamprey See section 15 below. Assessment of the impacts on lamprey should include consideration of direct impacts to the river and sea lamprey, and their supporting habitats. Potential Air Quality Impacts See section 16 below. Potential Water Quality Impacts See section 17 below. Potential Dust Impacts Potential for impacts from dust on Humber Estuary within 200m of construction area will need to be assessed.

5. Nationally designated sites - Sites of Special Scientific Interest

The development site is within or may impact on the following **Site of Special Scientific Interest:**

- Humber Estuary SSSI
- North Killingholme Haven Pits SSSI

The potential impact pathways to the Humber Estuary and North Killingholme Haven Pits are the same as those set out in Table 1 above for their corresponding European sites, where there is overlap of features.

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. Potential for air and water impacts due to connectivity should be considered within the ES.

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 (as amended). Further information on SSSIs and their special interest features can be found at www.magic.gov .

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the Natural England Open Data Geoportal.

6. Regionally and Locally Important Sites

South Humber Gateway Strategic Mitigation Scheme
Natural England has been working with North East Lincolnshire Council and other estuary stakeholders for many years to deliver a strategic approach to mitigation within the South Humber Gateway (for impacts associated with the loss of land functionally linked to the Humber Estuary SPA/Ramsar site). Natural England believes this is the most effective way to mitigate for impacts on functionally linked land.

As the proposed development site falls within the South Humber Bank mitigation zone, the Applicant should liaise with the LPA regarding how to contribute to the strategic approach. This forms a key policy in the local plan (see policy 9 https://www.nelincs.gov.uk/assets/uploads/2020/10/The-NEL-Local-Plan-adopted-2018.pdf).

Notwithstanding this, Natural England's advice is that this proposed development, and the application of measures to avoid or reduce the likely harmful effects from will need to be assessed via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Loss of SHG Strategic Mitigation Site
Natural England notes that the redline boundary of the proposed development encompasses one of the allocated SHG mitigation sites. It is not yet clear from the information presented within the EIA screening report whether there will be permanent development which encroaches onto this mitigation site. Loss or diminution of one of the key mitigation sites is likely to impact on the effectiveness of the whole strategy. Therefore, these impacts would need to be fully assessed in the EIA.

Temporary Impacts to SHG Strategic Mitigation Site

The EIA screening report does make reference to use of the site for temporary construction purposes within paragraph 3.1.10. We advise that the developers must have regard to the views of relevant stakeholders on timings of these works. All potential construction impacts, such as disturbance to birds, and physical damage to the habitat should be assessed. Temporary disturbance to the mitigation site may affect its ability to function as wetland bird habitat, and therefore impact on the effectiveness of the overall strategy. There should also be consideration given to the potential for long term impacts which may occur due to use of the proposed mitigation site as a construction compound, as heavy machinery and temporary hardstanding may lead to soil compaction and inputs of pollutants to the habitat, and therefore reduce the potential for the site to function as suitable habitat for Humber birds in the long term.

SHG Ecological Mitigation Delivery Plan Advice

We also advise that the Applicant should have regard to the South Humber Gateway Ecological Mitigation Delivery Plan (January 2019). We wish to draw attention to Box 4. Strategic Mitigation – Mitigation principles, with a particular focus on the 'Availability and Suitability' and 'Timing' subheadings. It is stated that mitigation areas proposed to support development must be ready to support birds prior to commencement of development. Therefore, as the EIA screening report proposes to use the mitigation area as a construction compound, the suitability of this site to deliver effective mitigation for Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant is unclear.

Natural England also advise that the redline boundary is directly adjacent to a retained grassland area, which is allocated as part of the SHG strategy, as shown on figure 1 of the South Humber Gateway Ecological Mitigation Delivery Plan. We advise that the EIA should also identify the presence of this grassland, and potential construction impacts on this habitat must be addressed within the EIA.

Furthermore, if the mitigation site is also likely to be providing functionally linked habitat in its current state, then the EIA and accompanying HRA will need to have regard for the impacts of this during construction and operation. Please see the functionally linked land section of this letter (section 4, table 1) for further advice.

7. Protected Species

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted standing advice for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

Applicants should check to see if a mitigation licence is required using NE guidance on licencing NE wildlife licences. Applicants can also make use of Natural England's charged service Pre Submission Screening Service for a review of a draft wildlife licence application. Natural England then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. Work relating to a LONI may be undertaken via the existing Service Level Agreement between the Applicant and Natural England. Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning contains details of the LONI process.

8. District Level Licensing for great crested newts

Based on Table 6.80, Natural England is aware that the applicant is considering applying to use the District Level Licensing scheme for great crested newts (GCN).

Where strategic approaches such as district level licensing (DLL) for great crested newts (GCN) are used, a letter of no impediment (LONI) will not be required. Instead, the developer will need to provide evidence to the Examining Authority (ExA) on how and where this approach has been used in relation to the proposal, which must include a counter-signed Impact Assessment and Conservation Payment Certificate (IACPC) from Natural England, or a similar approval from an alternative DLL provider.

The DLL approach is underpinned by a strategic area assessment which includes the identification of risk zones, strategic opportunity area maps and a mechanism to ensure adequate compensation is provided regardless of the level of impact. In addition, Natural England (or an alternative DLL provider) will undertake an impact assessment, the outcome of which will be documented in the IACPC (or equivalent).

If no GCN surveys have been undertaken, Natural England's risk zone modelling may be relied upon. During the impact assessment, Natural England will inform the Applicant whether their scheme is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN.

The IACPC will also provide additional detail including information on the Proposed Development's impact on GCN and the appropriate compensation required.

By demonstrating that the DLL scheme for GCN will be used, consideration of GCN in the ES can be restricted to cross-referring to the Natural England (or alternative provider) IACPC as a justification as to why significant effects on GCN populations as a result of the Proposed Development would be avoided.

9. Priority Habitats and Species

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found here. Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to download. Further information is also available here.

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

10. Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland and ancient and veteran trees are irreplaceable habitats of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 180 of the NPPF sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Natural England and the Forestry Commission have prepared standing advice on ancient woodland, ancient and veteran trees.

11. Biodiversity net gain

Natural England notes and welcomes the applicant's aspiration to deliver over 10% Biodiversity Net Gain measured utilising the Biodiversity Metric stated within section 6.13.24 of the scoping report. The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025. This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only. Some organisations have made public BNG commitments, and some projects are already delivering BNG on a voluntary basis.

Natural England recognises the high opportunity for the development to deliver Biodiversity Net Gain (BNG) on-site and it is recommended that Biodiversity Net Gain: Good Practice Principals for Development is applied in order to achieve this.

12. Landscape

The environmental assessment should refer to the relevant National Character Areas. Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA) in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 (3rd edition) produced by LI and IEMA. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the National Design Guide and National Model Design Code. The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

The National Infrastructure Commission has also produced Design Principles for National Infrastructure - NIC endorsed by Government in the National Infrastructure Strategy.

13. Heritage landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

14. Connecting people with nature

The ES should consider potential impacts on access land, common land, public rights of way and, where appropriate, the England Coast Path and coastal access routes and coastal margin in the vicinity of the development, in line with NPPF paragraph 104 and there will be reference in the relevant National Policy Statement. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

15. Soils and agricultural land quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in the Natural England Guide to assessing development proposals on agricultural land.

The following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.

- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites and The British Society of Soil Science Guidance Note Benefitting from Soil Management in Development and Construction.

16. Air quality

Impacts from traffic
Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NOx and SO_2 against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the impacts of air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

[1] Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK

Traffic impacts to designated sites
There is potential for this development to cause adverse impacts to designated sites from vehicle emissions during the construction, operation, decommissioning phases of the development. Natural England welcomes Table 14.3 of the applicant's EIA scoping document, which indicates that this impact pathway will be assessed within the ES.

Designated sites within 200m of a road which will experience a significant increase in traffic movements should be assessed for impacts due to air pollution from traffic. When undertaking an assessment of the potential impacts during the construction or operation phase of the development there will need to be clarification provided on which roads will be used to access the development site, and the number of predicted vehicle movements. Natural England has produced guidance for assessing the impacts of air pollution due to traffic.

Ammonia emissions from road traffic could make a significant difference to nitrogen deposition close to roads. As traffic composition transitions toward more petrol and electric cars (i.e., fewer diesel cars on the road) – catalytic converters may aid in reducing NOx emissions but result in increased ammonia emissions – therefore consideration of the potential for impacts is needed (see https://www.aqconsultants.co.uk/news/february-2020-(1)/ammonia-emissions-from-roads-for-assessing-impacts).

There are currently two models which can be used to calculate the ammonia concentration and contribution to total N deposition from road sources. One of these models is publicly available and called CREAM (Air Quality Consultants - News - Ammonia Emissions from Roads for Assessing Impacts on Nitrogen-Sensitive Habitats (aqconsultants.co.uk), and there is another produced by National Highways.

Natural England has produced guidance for public bodies to help assess the impacts of road traffic emissions to air quality capable of affecting European Sites. Natural England's approach to advising competent authorities on the assessment of road traffic emissions under the Habitats Regulations - NEA001

Impacts from industrial emissions
During the carbon capture process, Natural England notes there may be emissions of pollutants such as Nitrogen deposition (n-dep), NH3 (including amines), NOx and acids. Therefore, Natural England advises that an air quality assessment should be undertaken on the carbon capture process to establish the potential impact on designated sites.

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - http://www.scail.ceh.ac.uk/
- Ammonia assessment for agricultural development https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit
- Environment Agency Screening Tool for industrial emissions https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England http://www.airqualityengland.co.uk/laqm

17. Water quality

NSIPs can occur in areas where strategic solutions are being determined for water pollution issues and they may not have been factored into the local planning system as they are delivered through National Policy Statements.

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels.

Water abstraction and discharge during the operational phase has the potential to affect a significant portion of the Humber river and sea lamprey populations during migration. Natural England would need to be satisfied that sufficient assessment of the potential impacts on lamprey species has been carried out within the EIA and HRA, including assessment of; risk of impingement/entrainment during abstraction, damage to supporting habitat, and disturbance to migrating lamprey due to vibration from high noise-level activities.

Potential for impacts to designated sites through surface water run-off from the development site will need to be assessed within the ES, this should include potential for increased nutrient and other pollutant inputs.

Natural England advises an assessment of water quality impacts from discharges should be undertaken to establish whether there could be introduction of any additional pollutants to designated sites, and whether there will be a change in water temperature.

18. Climate change

The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development will embed Nature Based Solutions, maintain ecological networks and build resilience to climate change. The ES should also incorporate the policies as set out in NPS EN-1 relating to climate change. The NPPF also requires that the planning system should contribute to the enhancement of the natural environment ‘by establishing coherent ecological networks that are more resilient to current and future pressures’ (NPPF Para 174), which should be demonstrated through the ES.

From:	Aaron Walsh on behalf of Town Planning LNE
To:	Stallingborough CCGT
Subject:	EN010161 - Scoping Opinion for Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant
Date:	07 March 2024 17:07:38
Attachments:	image001.png

OFFICIAL

FAO – Alison Down
Ref – EN010161
Proposal – Scoping Opinion for Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant

Thank you for your letter of 12th February 2024 providing Network Rail with an opportunity to comment on the abovementioned Scoping Opinion.

With reference to the protection of the railway, the Environmental Statement should consider any impact of the scheme upon the railway infrastructure and upon operational railway safety. In particular, it should include a Transport Assessment to identify any HGV traffic/haulage routes that may utilise railway assets such as bridges and level crossings during the construction and operation of the site.

Please note that if the intention is to install cabling or a connection in support of the project through railway land, the developer will be need an easement from Network Rail and we would recommend that they engage with us early in the planning of their scheme in order to discuss and agree this element of the proposals.

Kind regards

Aaron Walsh
Town Planning Technician
Network Rail Property (Eastern Region)
George Stephenson House, Toft Green, York, YO1 6JT

Growth and Regeneration Business Unit
Castle House
Great North Road
Newark
Nottinghamshire
NG24 1BY

www.newark-sherwooddc.gov.uk

Telephone: 01636 650000
Email: planning@nsdc.info

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Sent via e-mail

Our ref: 24/00349/NPA
Your ref: EN010161-000013

21st February 2024

Dear Sir/Madam

Consultation on scoping opinion request to PINS by RWE Generation UK plc (the Applicant) for an Order granting Development Consent for the Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) (the Proposed Development) - http://infrastructure.planninginspectorate.gov.uk/document/EN010161-000010

I refer to the above consultation received by this Authority on 12 February 2023 which relates to the Proposed Development described above located in the administrative boundaries of North East Lincolnshire and partly in West Lindsey District Council, Lincolnshire.

Given the proximity to administrative boundary of Newark and Sherwood District Council, I can advise that we have no comments to make in relation to the scoping opinion consultation.

Please note that this matter has not been formally reported to the District Council's Planning Committee. In these circumstances the comments are those of an Officer of the Council under delegated power arrangements.

If you require any further assistance please do not hesitate to contact my colleague, Helen Marriott, the case officer, who has dealt with this consultation, on [redacted]

Yours faithfully

[redacted]

Lisa Hughes - Business Manager
Planning Development

From:	Nick Feltham
To:	Stallingborough CCGT
Subject:	24/0210/NSIP Stallingborough Combined Cycle Gas Turbine (CCGT) And Carbon Capture Plant (CCP)
Date:	15 February 2024 12:14:08
Attachments:	image554591.png image257215.png image190496.png image625172.png image813976.jpg

Dear Sir, Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

I can confirm that North Kesteven District Council has no comments to make in relation to the Scoping Report in respect of the above,

Regards
Nick Feltham

Nick Feltham
Assistant Development Manager

Tel: [redacted]
Email: [redacted]@N-KESTEVEN.GOV.UK
www.n-kesteven.gov.uk
Kesteven Street, Sleaford, NG34 7EF

From:	Justin Johnson
To:	Stallingborough CCGT
Cc:	Planning; Nicholas Thrower; Andrew Waskett-Burt
Subject:	RE: EN010161 - Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant - EIA Scoping Consultation
Date:	16 February 2024 13:19:09
Attachments:	image001.png image002.png image003.png image004.png image005.png image006.jpg

Dear Sir/Madam

I can confirm that Rutland County Council have no comments to make on the proposed project.

Kind regards,

Justin Johnson | Development Manager
Rutland County Council
Catmose, Oakham, Rutland LE15 6HP
t: [redacted] e: [redacted]@rutland.gov.uk
www.rutland.gov.uk

Details regarding your data protection rights and how the Council processes your data can be found at: www.rutland.gov.uk/my-council/data-protection

---

From: Planning <planning@rutland.gov.uk>
Sent: Thursday, February 15, 2024 11:30 AM
To: Justin Johnson [redacted]@rutland.gov.uk>; Nicholas Thrower [redacted]@rutland.gov.uk>; Andrew Waskett-Burt [redacted]@rutland.gov.uk>
Subject: FW: EN010161 - Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant - EIA Scoping Consultation

Hi all

For your attention.

Thanks
Pam

Pam Smith | Planning Support Technician
Rutland County Council
Catmose, Oakham, Rutland LE15 6HP
t: [redacted] f: [redacted]
e: planning@rutland.gov.uk
www.rutland.gov.uk

Live, work or run a business in Rutland? Have you say about the County's future:
www.rutland.gov.uk/futurerutland

UK Health Security Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN010161-000013
Our Ref: 65337CIRIS

Ms Alison Down
EIA Advisor
The Planning Inspectorate
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

11 March 2024

Dear Ms Down

Nationally Significant Infrastructure Project
Stallingborough Combined Cycle Gas Turbine and Carbon Capture Plant,
EN010161-000013 - Scoping Consultation Stage

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

Environmental Public Health

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the Environmental Statement (ES).

We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*', setting out aspects to be addressed within the Environmental Statement[1]. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Recommendations

Air Quality

- Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold; i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

- We note that the applicant currently proposes that carbon dioxide capture would be facilitated through a method of post-combustion amine stripping (although the technology choice is not fixed at this stage and welcome their commitment to assess the potential impact of amine and amine degradation product emissions to atmosphere.

[1] https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658

We note that the applicant proposes to do this using Environmental Assessment Levels (EALs). Our understanding is that amine stripping may involve some novel amines for which EALs are not available. Should this prove to be the case, at a later stage, we would expect to see an appropriate methodology for the assessment of these amines.

- It is recommended that the air quality impacts assessment also include the diesel-powered back-up generators and associated pollutants.

- It is noted that dust will be created as part of the construction work. The applicant may want to consider if a dust management plan is required for the site during construction.

EMF

- UKHSA requests that the ES includes an assessment of the potential health impact of sources of EMF associated with the proposed development. For more information, see Advice on the Content of Environmental Statements accompanying an application under the NSIP Regime[1].

Human Health and Wellbeing - OHID

This section of OHIDs response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted scoping report OHID wish to make the following specific comments and recommendations:

Socio-economics – Accommodation demands

The scoping report identifies a peak of 2000 construction workers per day (Para 3.8.1 & 6.10.27) but does not identify the projected numbers of non-home-based workers. The scoping report (6.5.1) proposes to identify impacts on accommodation demands but does not specifically consider cumulative effects.

The wider study area has a considerable number of develop schemes within a one-hour travel to work area (TTWA), where the cumulative number of non-homed based workers may be significant and lead to accommodation scarcity.

The presence of significant numbers of workers could foreseeably have an impact on the local availability of accommodation including affordable housing, particularly that of short-term

tenancies and affordable homes for certain communities. For example, where there may be an overlap between construction workers seeking accommodation in the private rented sector, and people in receipt of housing benefit seeking the same lower-cost accommodation.
The cumulative impact assessment will need to consider this across the wider study area but also identify the potential for any local impacts that may affect the capacity of sectors to respond to change.

Recommendations

- The peak numbers of construction workers and non-home-based workers should be established, and a proportionate assessment undertaken on the impacts for housing availability and affordability and impacts on any local services.
- Any cumulative impact assessment should consider the impact on demand for accommodation by construction workers and the likely numbers of non-home-based workers required across all schemes.

Yours sincerely

On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Guildhall
Marshall's Yard
Gainsborough
Lincolnshire DN21 2NA

Telephone 01427 676676
Web www.west-lindsey.gov.uk

Your contact for this matter is:
Danielle Peck
[redacted]@west-lindsey.gov.uk
[redacted]

11 March 2024

The Planning Inspectorate
Environmental Services, Central Operations
Temple Quay House
2 The Square
Bristol
BS1 6PN

Dear Sir/Madam

APPLICATION REFERENCE NO: 147946

PROPOSAL: PINS consultation on behalf of the Secretary of State for its opinion (a scoping opinion) as to the information to be provided in an Environmental Statement - ref EN010161-000013.

LOCATION: Stallingborough Combined Cycle Gas Turbine & Carbon Capture Plant

Thank you for your consultation request under regulation 10 (6) of the EIA Regulations.

West Lindsey District Council as a consultation body and one of the neighbouring authorities wishes to make the following comments in regard to the information to be provide within the Environmental Statement. The following comments are made, following the structure of the Environmental Impact Assessment Scoping Report prepared by RWE dated February 2024.

1. **Introduction**

We agree that the development falls under Schedule 1 of the EIA Regulations. In the absence of an EIA Screening Opinion, we believe that the development is likely to have significant effects on the environment, and agree with the applicant's intention that they will submit an Environmental Statement with their application (paragraph 1.15.16).

2. **Description of the Existing Environment**

We agree with the description of the site and main site along with the description of the site in relation to other relevant Environmental Receptors. It is noted at paragraph 2.1.4 that the natural gas pipeline route corridor and grid connection route corridors will potentially cross into the administrative boundary of West Lindsey.

3. **The Proposed Development**

We are agreeable with the description of the proposed development.

4. Consideration of Alternatives

We are agreeable to the suggested approach of the 'Rochdale envelope' as per PINS advice note 9 (paragraph 4.1.3.) As per paragraph 4.9 of the Advice Note: "*The assessment should establish those parameters likely to result in the maximum adverse effect (the worst case scenario) and be undertaken accordingly to determine significance."*

Para 4.2.1- 4.2.2- It is noted that the choice for the routing of pipelines is currently undergoing feasibility studies. Following the studies, the Environmental Statement should be clear in the chosen route.

5. Legislation and Policy Context

It is noted that the Central Lincolnshire Local Plan is referred to in section 5.4.2. This has been referenced as being 2018-2040, the correct dates for the plan are 2023- 2043, the 2023 plan contains policies for the growth and regeneration of Central Lincolnshire over the next 20 years.

Dependant on the corridor route we would also advise consideration is given to the following:

We would also advise considering the West Lindsey Landscape Character Assessment: https://www.west-lindsey.gov.uk/planning-building-control/planning/planning-policy/evidence-base-monitoring/landscape-character-assessment

West Lindsey Neighbourhood Plans: https://www.west-lindsey.gov.uk/planning-building-control/planning/neighbourhood-planning/all-neighbourhood-plans-west-lindsey

Lincolnshire County Council are the minerals authority and we would defer to them in this regard.

6. Potential Significant Environmental Issues

The proposed methodology to air quality and climate change is largely agreeable.

Cultural Heritage- Para 6.3. It is advised that contact is made with Lincolnshire County Council regarding any buried heritage, dependant on the chosen pipeline route (in relation to the West Lindsey District).

It is noted that West Lindsey is within the 'Wider Impact Area' in the Human Health section (Para 6.4), the contents of this section and the decision to include West Lindsey in the wider impact area is agreed with.

The proposed methodology to Landscape and Visual, Major Accidents and Disasters, Water Environment, Geology, Soils and Agriculture, Traffic, Transportation and Access, Materials and Waste, Noise and Vibration, Terrestrial Ecology, Ornithology and Marine Ecology are largely agreeable.

7. Aspects to be Scoped Out

It is noted that Transboundary Effects and Aviation are to be scoped out, this is agreeable.

8. **EIA Process**

The proposed approach to the EIA process is broadly agreeable.

Please consider the above to constitute West Lindsey District Council's formal consultation response under reg10(6) of the EIA Regulations.

Yours faithfully

D Peck

Danielle Peck
Senior Development Management Officer
On behalf of West Lindsey District Council

If you require this letter in another format e.g. large print, please contact Customer Services on 01427 676676, by email customer.services@west-lindsey.gov.uk or by asking any of the Customer Services staff.

If you want to know more about how we use your data, what your rights are and how to contact us if you have any concerns, please read our privacy notice: www.west-lindsey.gov.uk/planning-privacy

Planning Services Feedback
We value your opinion on our service, as your comments will help us to make improvements. Please visit our website where you may either make your comments online or download our feedback form to fill in and post back: www.west-lindsey.gov.uk/planning

From:	Abi Gilbert
To:	Stallingborough CCGT
Cc:	Planning and Consents
Subject:	EN010161 - Stallingborough Combined Cycle Gas Turbine (CCGT) and Carbon Capture Plant (CCP) - EIA Scoping Consultation
Date:	08 March 2024 15:00:49
Attachments:	Outlook-zknck3tr.png

You don't often get email from [redacted]@witham3idb.gov.uk. Learn why this is important

Dear Sir/Madam,

Thank you for the opportunity to comment on this application.

The application is within North East Lindsey Drainage Board's District and will cross multiple IDB maintained drains and riparian drains within our district. Under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion.

The Board's Middle Drain Branch 3 runs through the East of the Main Site. Under the terms of the Board's Byelaws, Land Drainage Consent from the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9m distance of the top of the bank of a Board maintained watercourse.

Please continue to forward any consultations regarding this application to both Planning@witham3idb.gov.uk and Abi.gilbert@witham3idb.gov.uk.

Abi Gilbert BEng (Hons)
Engineering Services Manager

Witham First District Internal Drainage Board
Witham Third District Internal Drainage Board
Upper Witham Internal Drainage Board
North East Lindsey Drainage Board

Witham House,
Meadow Lane,
North Hykeham,
LN6 9QU

Office: [redacted]
Mobile: [redacted]