HyNet North West

PLANNING STATEMENT

HyNet Carbon Dioxide Pipeline DCO

Planning Act 2008

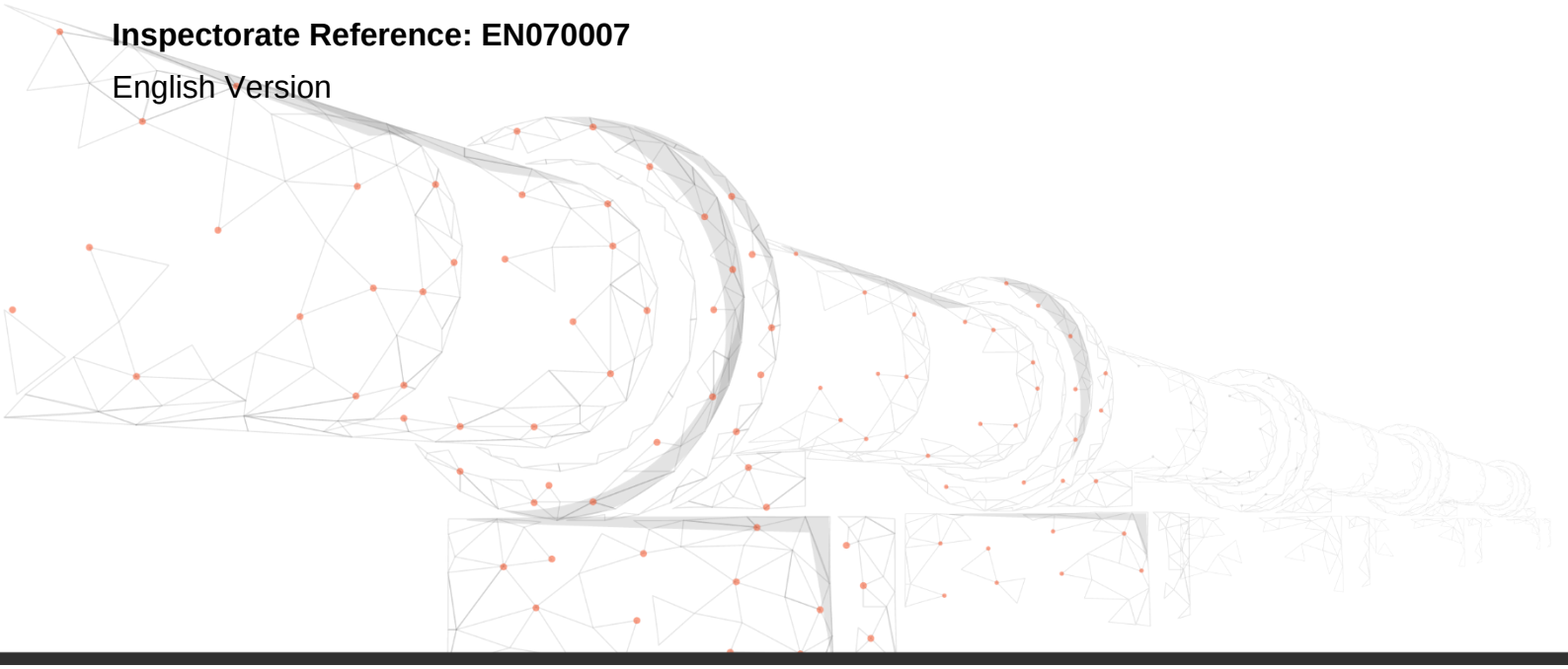
The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulations 5(2)(q)

Document Reference Number D.5.4

Applicant: Liverpool Bay CCS Limited

Inspectorate Reference: EN070007

English Version



REVISION: B

DATE: April 2023

DOCUMENT OWNER: WSP UK Limited

PUBLIC

QUALITY CONTROL

Document Reference		D.5.4			
Document Owner		**WSP**			
Revision	**Date**	**Comments**	**Author**	**Check**	**Approver**
A	September 2022	Submission	CP	AV	PK
B	April 2023	Deadline 1 updates	CP	AV	AH

TABLE OF CONTENTS

FIGURES

EXECUTIVE SUMMARY

This Planning Statement has been prepared on behalf of Liverpool Bay CCS Limited ('the Applicant') to support the application for a Development Consent Order (DCO) for the HyNet Carbon Dioxide Pipeline ('the DCO Proposed Development'). The DCO Application has been made under section 37 of the Planning Act 2008 ('PA2008') and submitted to the Secretary of State ('the SoS') for Business, Energy and Industrial Strategy ('BEIS').

The Applicant is seeking consent to build and operate a new underground carbon dioxide (CO_2) pipeline from Cheshire, England to Flintshire, Wales with necessary infrastructure for its operation including Above Ground Installations (AGIs) and Block Valve Stations (BVSs). This is a Nationally Significant Infrastructure Project (NSIP) as defined under section 14(1)(g) of the PA 2008 and meets the relevant qualifying criteria in section 21(1) of the PA2008.

The DCO Proposed Development will form part of the HyNet North West Project, ('the Project') which is a hydrogen supply and Carbon Capture and Storage (CCS) project. The objectives of the Project are to reduce CO_2 emissions from industry, homes and transport and support economic growth in the North West of England and North Wales.

The DCO Proposed Development is a critical component of the Project which, by facilitating the transportation of carbon, enables the rest of the Project to be low carbon. It will also allow onward tie-in to local carbon intensive industries to reduce CO_2 emissions. In addition to this, the construction of the CO_2 pipeline has the potential to generate regional and national demand for construction, engineering and manufacturing skills which will contribute to the economic benefit of the Project.

The importance of this DCO Proposed Development has been recognised in the Government's choice in taking forward the project in Track-1 of its Cluster Sequencing process (Department for Business, Energy and Industrial Strategy, 2021). It will be key to meet the ambitious but critical targets set by The Climate Change Act 2008 (as amended) and set the way forward for other industrial clusters in the UK and abroad to decarbonise industry and the economy (UK Parliament, 2008).

The DCO Application will seek consent for the construction, operation and maintenance of the following components which are part of the DCO Proposed Development:

- **Ince Above Ground Installation (AGI) to Stanlow AGI Pipeline**– an approximate 4 km section of underground onshore pipeline (20" in diameter) with capacity of up to 2.5 $MtCO_2$/yr at a pressure of approximately 38 barg to transport CO_2.
- **Stanlow AGI to Flint AGI Pipeline** – an approximate 32 km section of underground onshore pipeline (36" in diameter) with a capacity of up to 10 $MtCO_2$/yr at a pressure of approximately 35 barg) to transport CO_2.
- **Flint AGI to Flint Connection Pipeline** – an approximate 400m section of underground onshore tie-in pipe (24" in diameter) with a capacity of up to 4.5 $MtCO_2$/yr at a pressure of approximately 33 barg to transport CO_2.

- **Flint Connection to Point of Ayr (PoA) Terminal Pipeline** – an approximate 24 km section of existing underground onshore pipeline (24" in diameter) between Connah's Quay and PoA Terminal which currently transports natural gas but would be repurposed and reused to transport CO_2. This section of the Connah's Quay to PoA Pipeline is referred to in the ES as the Flint Connection to PoA Terminal Pipeline. Construction along the Flint Connection to PoA Terminal Pipeline will be limited to works associated with connecting it to:
    - The Flint AGI to Flint Connection Pipeline (included within the scope of the ES)
    - The three Block Valve Stations (BVSs) via installation of small sections of Tie-In pipeline (included within the scope of the ES) and
    - The PoA Terminal (subject to approval of the TCPA Proposed Development so are not included within the scope of the ES but assessed in Chapter 19 of the ES **[APP-071]**.
- **Four AGIs** – Ince AGI, Stanlow AGI, Northop Hall AGI and Flint AGI
- **Six BVSs** – located along:
    - the Stanlow AGI to Flint AGI Pipeline; and
    - the Flint Connection to PoA Terminal Pipeline

This Planning Statement is intended to assist the Examining Authority ('ExA) by making the case as to why development consent should be granted due to its compliance with planning policy. The Planning Statement includes a summary of the process by which the design of the proposals has evolved and been the subject of public consultation and engagement and sets out a high-level description of the proposals for which development consent is applied (**Chapters 1 and 2**).

The policy context in **Chapter 3** alongside the assessment at **Chapters 4 and 5** show that the Applicant has fully taken into account the relevant policy considerations and guidance contained within the NPSs, National and Local planning policy.

Chapter 6 of the Planning Statement weighs up the key benefits and disbenefits of the DCO Proposed Development. **Chapter 7** considers the overall planning balance and concludes that the Application has demonstrated compliance with the generic considerations of NPS EN-1 and EN-4, as well as the relevant policies of the NPPF, PPW and Future Wales as well as Local Development Plans.

The Planning Statement therefore considers conclusively that the need for and benefits which would be delivered by the DCO Proposed Development substantially outweigh the limited adverse impacts identified and would justify the granting of compulsory powers. The Applicant concludes that the DCO Proposed Development is acceptable in planning terms and that a DCO should therefore be made.

1. INTRODUCTION

1.1. GENERAL OVERVIEW

1.1.1. The Planning Statement has been prepared on behalf of Liverpool Bay CCS Limited ('the Applicant') to support the application for a Development Consent Order (DCO).

1.1.2. The Applicant intends to build and operate a new underground carbon dioxide (CO2) pipeline from Cheshire, England to Flintshire, Wales (the 'DCO Proposed Development'). The pipeline will include necessary infrastructure for its operation including Above Ground Installations (AGIs) and Block Valve Stations (BVSs).

1.1.3. The DCO Proposed Development includes infrastructure to facilitate the transportation of CO_2 which will be captured from proposed low carbon hydrogen production facilities and existing industrial sources in the North West of England and North Wales and stored in depleted oil and gas fields in Liverpool Bay. The DCO Proposed Development does not include the infrastructure to produce hydrogen or to capture and store CO2 emissions, as these will be subject to separate consenting processes.

1.1.4. The DCO Proposed Development is classified as a Nationally Significant Infrastructure Project (NSIP) and will require an application for a DCO to be made under the Planning Act 2008 ('PA2008') to the Secretary of State (SoS) for Business, Energy and Industrial Strategy (BEIS) via the Planning Inspectorate ('The Inspectorate'). It is an NSIP because it constitutes a 'cross-country pipeline', which means "a 'pipe-line' whose length exceeds, or is intended to exceed, 16.093km". The length of the pipeline in the DCO Proposed Development is approximately 60km (36km for the new pipeline and 24km for the existing pipeline) and is a cross-country pipeline.

1.1.5. The DCO Proposed Development is EIA development within the definition of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations'), which requires an Environmental Impact Assessment (EIA) to be undertaken and an Environmental Statement (ES) to be prepared in support of the DCO Application.

1.1.6. The DCO Proposed Development will comprise:

- A system of pipelines for the conveyance of CO_2, and apparatus and works associated therewith;
- Works integral to the construction of the CO_2 pipeline, including Construction Compounds and temporary access tracks; and
- Powers required for the construction and operation of the CO_2 pipeline

1.2. PURPOSE AND STRUCTURE OF THE PLANNING STATEMENT

1.2.1. The purpose of the Planning Statement is to assist the ExA and the SoS in their assessment by setting out how the DCO Proposed Development accords with relevant planning policy, most notably the National Policy Statements (NPSs) for energy infrastructure (where these are applicable), as well as other existing and emerging relevant policy at the national, regional and local level.

1.2.2. Sections 104 and 105 of the PA2008 provide for the approach to be taken to decisions where an NPS has effect (section 104) and where no NPS has effect (section 105). The Applicant considers that, as there is no NPS in force for CO_2 pipelines, this Application falls to be determined under section 105.

1.2.3. Section 105 requires the SoS to determine applications having regard to any local impact report prepared by the relevant local planning authority; and matters prescribed in relation to development of the description to which the application relates; and any matters which the SoS thinks are both "important and relevant". While NPSs may not have effect in relation to schemes determined under section 105, matters incorporated within them are nonetheless likely to constitute important and relevant considerations in determining such applications and have therefore been considered where applicable in this Planning Statement.

1.2.4. In this case, the NPS is the Overarching NPS for Energy (EN-1) and the NPS for gas supply infrastructure and gas and oil pipelines (EN-4) are considered important and relevant considerations. EN-1 sets out the need to decarbonise the energy system, to which objective the DCO Proposed Development would contribute, and EN-4, although it does not specifically provide for CO_2 pipelines, sets out generic pipeline consenting requirements.

1.2.5. The Government is currently undertaking a review of the existing energy NPSs to ensure they provide a suitable framework to support decision-making for nationally significant energy infrastructure and to ensure the planning policy framework can deliver investment in the infrastructure needed for the transition to net zero.

1.2.6. The draft revised energy NPSs were published by the Government on 6 September 2021 and the consultation period ran until 29 November 2021. The draft NPSs of relevance are Draft Overarching Energy NPS (EN-1) and Draft National Policy Statement for gas supply infrastructure and gas and oil pipelines (EN-4) which would be expanded to address carbon dioxide pipelines. The draft revisions have been considered where applicable. However, as these are only drafts, the 2011 documents remain the most relevant policy. Where revised versions are published before this Application is determined, the Applicant will provide an update considering the provisions of those with regard to this Application and setting out any updates required to the ES to the ExA or SoS as appropriate.

1.2.7. Other matters that are deemed ‘important and relevant considerations’ for the purposes of section 105 of the PA2008 include national and local planning policy and the Needs Case for the DCO Proposed Development **[APP-049]**.

1.2.8. The Planning Statement is structured as follows:

- Chapter 1 – Introduction;
- Chapter 2 – The Site;
- Chapter 3 – The Legislative and Consenting Framework;
- Chapter 4 – Planning Assessment against National Policy Statements;
- Chapter 5 – Planning Assessment for Green Belt;
- Chapter 6 – Likely Benefits and Dis-Benefits;
- Chapter 7 – Overall Planning Balance and Conclusions;
- Chapter 8 – References;
- Appendix A – Relevant Planning History and Committed Developments
- Appendix B – Planning Policy Compliance Assessment.

1.3. OVERVIEW OF THE APPLICATION

1.3.1. The Applicant is Liverpool Bay CCS Limited - a wholly owned subsidiary company of Eni UK Limited. Liverpool Bay CCS Limited will act as the responsible entity for future licensed operations under the UK government’s proposed regulated regime for CO_2 transport and storage in Liverpool Bay.

1.3.2. The DCO Proposed Development will form part of the HyNet North West Project, (‘the Project’) which is a hydrogen supply and Carbon Capture and Storage (CCS) project. The objectives of the Project are to reduce CO_2 emissions from industry, homes and transport and support economic growth in the North West of England and North Wales.

1.3.3. The DCO Proposed Development is a critical component of the Project which, by facilitating the transportation of carbon, enables the rest of the Project to be low carbon. It will also allow onward tie-in to local carbon intensive industries to reduce CO_2 emissions. In addition to this, the construction of the CO_2 pipeline has the potential to generate regional and national demand for construction, engineering and manufacturing skills which will contribute to the economic benefit of the Project.

1.3.4. The importance of the DCO Proposed Development has been recognised in the Government’s choice in taking forward the project in Track-1 of its Cluster Sequencing process (Department for Business, Energy and Industrial Strategy, 2021). It will be key to meet the ambitious but critical targets set by The Climate Change Act 2008 (as amended) and set the way forward for other industrial clusters in the UK and abroad to decarbonise industry and the economy.

1.3.5. The DCO Application will seek consent for the construction, operation and maintenance of the following components which are part of the DCO Proposed Development, the respective work numbers have been included and the Draft DCO **[AS-016]** should be referred to accordingly:

- **Ince Above Ground Installation (AGI) to Stanlow AGI Pipeline**– an approximate 4 km section of underground onshore pipeline (20" in diameter) with capacity of up to 2.5 $MtCO_2$/yr at a pressure of approximately 38 barg to transport CO_2 **(Work Numbers 4, 5, 6, 7)**;
- **Stanlow AGI to Flint AGI Pipeline** – an approximate 32 km section of underground onshore pipeline (36" in diameter) with a capacity of up to 10 $MtCO_2$/yr at a pressure of approximately 35 barg) to transport CO_2 **(Work Numbers. 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 22, 23, 24, 25, 28, 29, 30, 31, 32, 33, 34, 35, 38, 39, 40, 41, 42, 43, 44, 47)**;
- **Flint AGI to Flint Connection Pipeline** – an approximate 400m section of underground onshore tie-in pipe (24" in diameter) with a capacity of up to 4.5 $MtCO_2$/yr at a pressure of approximately 33 barg to transport CO_2 **(Work Number 50)**;
- **Flint Connection to Point of Ayr (PoA) Terminal Pipeline** – an approximate 24 km section of existing underground onshore pipeline (24" in diameter) between Connah's Quay and PoA Terminal which currently transports natural gas but would be repurposed and reused to transport CO_2. This section of the Connah's Quay to PoA Pipeline is referred to in the ES as the Flint Connection to PoA Terminal Pipeline. Construction along the Flint Connection to PoA Terminal Pipeline will be limited to works associated with connecting it to:
    - The Flint AGI to Flint Connection Pipeline (included within the scope of the ES) **(Work Number 50)**,
    - The three Block Valve Stations (BVSs) via installation of small sections of Tie-In pipeline (included within the scope of the ES) **(Work Numbers 51, 53, 55)**; and
    - The PoA Terminal (subject to approval of the TCPA Proposed Development so are not included within the scope of the ES but assessed in Chapter 19 of the ES **[APP-071]**.
- Four AGIs – Ince AGI (Work Number 1), Stanlow AGI (**Work Number 9**), Northop Hall AGI (Work Number 45), and Flint AGI (**Work Number 48**);
- **Six BVSs** – located along:
- the Stanlow AGI to Flint AGI Pipeline (three in total, **Work Numbers 20, 26, 36**); and
- the Flint Connection to PoA Terminal Pipeline (three in total, **Work Numbers 51, 53, 55**)

1.3.6. Within this Planning Statement, the terminology 'Newbuild CO_2 Pipeline' or 'Newbuild Infrastructure Boundary' specifically refers to the newbuild elements (i.e the Ince AGI to Stanlow AGI Pipeline, Stanlow AGI to Flint AGI Pipeline and Flint AGI to Flint Connection Pipeline as well as the four AGIs and six BVSs).

1.3.7. The Order Limits (the extent of the DCO Proposed Development as shown on the Location Plan **[APP-007]** extend from Ince (Cheshire, England) to Flint (Flintshire, Wales) and includes the areas required for the CO_2 pipeline, the AGIs and BVSs.

1.3.8. The DCO Proposed Development is described in greater detail in Chapter 3 of the ES **[APP-055]**.

1.3.9. In accordance with Regulation 5(2)(b) of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) ('APFP Regulations'), a draft DCO **[AS-016]** has been submitted to the SoS as part of this Application. The Draft DCO seeks powers of compulsory acquisition of interests and rights in land (including the creation of new rights and the imposition of restrictive covenants) within the Order Land as shown on the Land Plans **[AS-010]**. The provisions relating to compulsory acquisition are set out in Part 5 of the Draft DCO. These and other provisions of the Draft DCO are explained in the Draft Explanatory Memorandum **[AS-018].** Information on the interests and rights that exist in relation to the land within the Order Limits is contained in the Book of Reference **[AS-023]**, and the justification for the proposed compulsory acquisition of interests and rights in land is set out in the Statement of Reasons **[AS-021]**. To demonstrate the Applicant's ability to fund the compulsory acquisition, the Applicant has submitted a Funding Statement **[APP-029]** in accordance with regulation (5)(2)(h) of the APFP Regulations.

1.4. ASSOCIATED DEVELOPMENT

1.4.1. Associated Development is defined in the PA2008 as development which is associated with the principal development. Section 115 (2-4) of the PA2008 sets out the requirements for applicability. The devolution settlement in Wales means that the Associated Development cannot be consented as part of a pipeline DCO in Wales, and a separate planning application must be made for any such works.

1.4.2. As is explained in detail in **Chapter 3** of this Planning Statement, the definition of 'pipe-line" includes any apparatus and works associated therewith, specifically including valves, powers supplies and communications infrastructure. The Applicant therefore considers that all of the elements necessary to operate the pipeline fall within the definition of 'pipe-line' and are not associated development. This includes the BVSs (as valves within the statutory definition). However, the Welsh Government has advised that they do not agree with that view. The decision as to the status of the BVSs will be not determined until a

DCO decision is made by the SoS. To prevent delay to this strategically important development, the BVSs are included in the DCO Application and are also subject to inclusion within a separate Town and Country Planning Act 1990 (TCPA) application.

1.4.3. The PoA Terminal and Foreshore Works Proposed Development cannot be included in the DCO as these works do not fall within the definition of 'pipe-line' within the Planning Act 2008 or the types of 'associated development' permissible in Wales. Accordingly, planning permission for the construction and operation of the PoA Terminal and Foreshore Works Proposed Development is being sought from the local planning authority Flintshire County Council (FCC) under the TCPA.

1.4.4. This approach has been discussed with both FCC and Welsh Government. The Applicant's approach is to ensure that the BVSs are included in both applications for transparency reasons and to reduce the risk of the construction of the project being delayed. The twin-track approach means the decision as to whether the BVSs are part of the NSIP will be made by the SoS in the DCO process, who will confirm the correct consenting route at the point at which they decide the DCO Application.

1.5. OTHER APPLICATIONS

1.5.1. In addition to the two TCPA applications discussed above, the following components form part of the wider onshore CCS infrastructure but will be delivered under separate consenting routes, where required:

- Modifications to the Stanlow Manufacturing Complex to enable captured CO_2 to enter the new CO_2 pipeline;
- CO_2 gathering network comprising connecting pipes between existing plants and the Stanlow AGI and Ince AGI;
- Installation of new fibre optic cable to provide remote connection to the PoA Terminal;
- Onward electrical connection for the proposed AGIs and BVSs from the highway and the CP cabinet at the River Dee to the nearest highway;
- Power supply upgrades to the PoA Terminal;
- Installation of electricity and fibre optic cables from the Mean Low Water Spring (MLWS) point to the north-west of the PoA Terminal to the Douglas Complex offshore platforms; and
- Repurposing of the existing offshore Douglas Complex documentand associated facilities for the transport and storage of CO_2 into three depleted hydrocarbon reservoirs (Hamilton Main, Hamilton North, and Lennox) located within the Liverpool Bay area of the East Irish Sea.

1.6. ENVIRONMENTAL IMPACT ASSESSMENT

1.6.1. The DCO Proposed Development is EIA development as defined in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations'). The EIA Methodology is set out in Chapter 5 of the ES **(APP-057).**

1.6.2. In accordance with the EIA Regulations, the Application therefore includes an ES which is broken down into the following Volumes:

- Volume One: Non-Technical Summary **[APP-051 and APP-052]**;
- Volume Two: Chapters **[APP-053 to APP-072] except [APP-025 and APP-026]**;
- Volume Three: Environmental Statement Appendices **[APP-073 to APP-173 except AS-027, AS-028, AS-029, AS-030, AS-031, AS-032, AS-033, AS-034, AS-035, AS-036, AS-037, AS-038, AS-039, AS-040, AS-041, AS-042, AS-043, AS-044, AS-045, AS-046, AS-047, AS-048, AS-049, AS-050, AS-051, AS-052]**; and
- Volume Four: Environmental Statement Figures **[APP-174 to APP-221]**

1.6.3. An EIA scoping exercise was undertaken prior to the preparation of the ES and the EIA Scoping Report, and the EIA Scoping Opinion issued by the SoS are included within the Application **[APP-073, APP-074 and APP-075]**.

1.6.4. The EIA Regulations 2017 set out a procedure for assessing, consulting on, and coming to a decision on projects that are likely to have significant environmental effects. The EIA considers the likely significant environmental effects resulting from the construction, operation (including maintenance) and decommissioning phases of the DCO Proposed Development.

1.6.5. The ES has therefore been produced so that the SoS can take account of the environmental effects of the DCO Proposed Development when deciding whether or not to grant the DCO.

1.6.6. The ES identifies and sets out any likely significant environmental effects, as well as any measures needed to mitigate likely significant adverse environmental effects, taking account of the Mitigation Hierarchy to first try to avoid, then prevent and then reduce and if possible, offset likely significant adverse effects on the environment. The ES also identifies residual effects; i.e., those effects that the DCO Proposed Development is likely to have after mitigation measures are implemented.

1.6.7. The ES has been produced in accordance with regulation 14 of the EIA Regulations 2017, including all necessary information in order to satisfy regulation 14(2)(a) -(f) and schedule 4 (UK Parliament).

1.6.8. There are a number of design details which are yet to be finalised for the DCO Proposed Development and which will not be finalised until the detailed design

is produced post-consent. The Application has, therefore, adopted the Rochdale Envelope approach to create a design envelope within which the detailed design is constrained to allow robust assessment of the flexibility in that design. The Inspectorate's Advice Note nine: 'Using the 'Rochdale Envelope' the Inspectorate, provides guidance regarding the degree of flexibility that may be considered appropriate within an application for development consent under the PA 2008 (Inspectorate, 2018). The Advice Note acknowledges that there may be parameters of a proposed development's design that are not yet fixed and, therefore, it may be necessary for the ES to assess likely worst-case variations to ensure that the likely significant effects of the DCO Proposed Development have been assessed.

1.6.9. The ES also provides an analytical review of options appraisal and determination of the Order Limits, which is this contained in **Chapter 4** of the ES **[APP-056]**. The consideration of alternatives and design evolution has been undertaken with the aim of avoiding and/or reducing adverse environmental effects, maintaining operational efficiency and cost-effective design solutions, and consideration of other relevant matters such as available land and planning policy.

1.7. WIDER HYNET PROJECT

1.7.1. The importance of the DCO Proposed Development has been recognised in the UK Government's choice in taking forward the CO_2 pipeline in Track-1 of its Cluster Sequencing process (Department for Business, Energy and Industrial Strategy, 2021). This will be key to meet the ambitious but critical targets set by The Climate Change Act 2008 (as amended) and sets the way forward for other industrial clusters in the UK and abroad to decarbonise industry and the economy. The DCO Proposed Development is essential to ensuring the next stages of the wider HyNet Project can be delivered.

1.7.2. The objectives of the Project are to reduce CO_2 emissions from industry, homes and transport and support economic growth in the North West of England and North Wales. The Project is based on the production of low carbon hydrogen. The hydrogen will be distributed via new pipelines to a range of industrial sites, for injection to form a blend in the existing natural gas network and for use as a transport fuel. The resulting CO_2 will be captured and, together with CO_2 from local industry, (including the Stanlow Manufacturing Complex), will be transported via an underground onshore pipeline network to the PoA Terminal. Here it will be compressed and transported via an offshore pipeline to be permanently stored in existing depleted oil and gas fields in the Liverpool Bay area.

1.7.3. The North West of England and North Wales are perfectly set up to deliver the lowest cost hydrogen production and use in the UK. The North West industrial cluster is located close to ideal geological structures, reducing the cost of

moving and storing both hydrogen and CO_2. The gas reservoirs in Liverpool Bay are due to reach the end of their economic life in time for CO_2 storage to begin in 2025. The DCO Proposed Development will therefore play a key role in both adapting the existing network and building a new network to integrate low carbon hydrogen into the system and enable the transportation and storage of CO_2 (HyNet North West, 2021). This is identified specifically in the Government's Draft Overarching NPS for Energy EN-1 as an urgent need and the DCO Proposed Development meets this requirement.

1.7.1. The wider Project is planned for expansion to capture up to 10MtCO_2 per year by the early 2030s, although this is dependent on Government policy, demand and technical issues (for ease of reference this is referred to as '2030' across the DCO submission).

1.7.2. A detailed description of the DCO Proposed Development and how it relates to the wider Project is provided in Chapter 2 of the ES **[APP-054]**.

1.7.3. A schematic representation of the Project is shown in **Figure 1.**

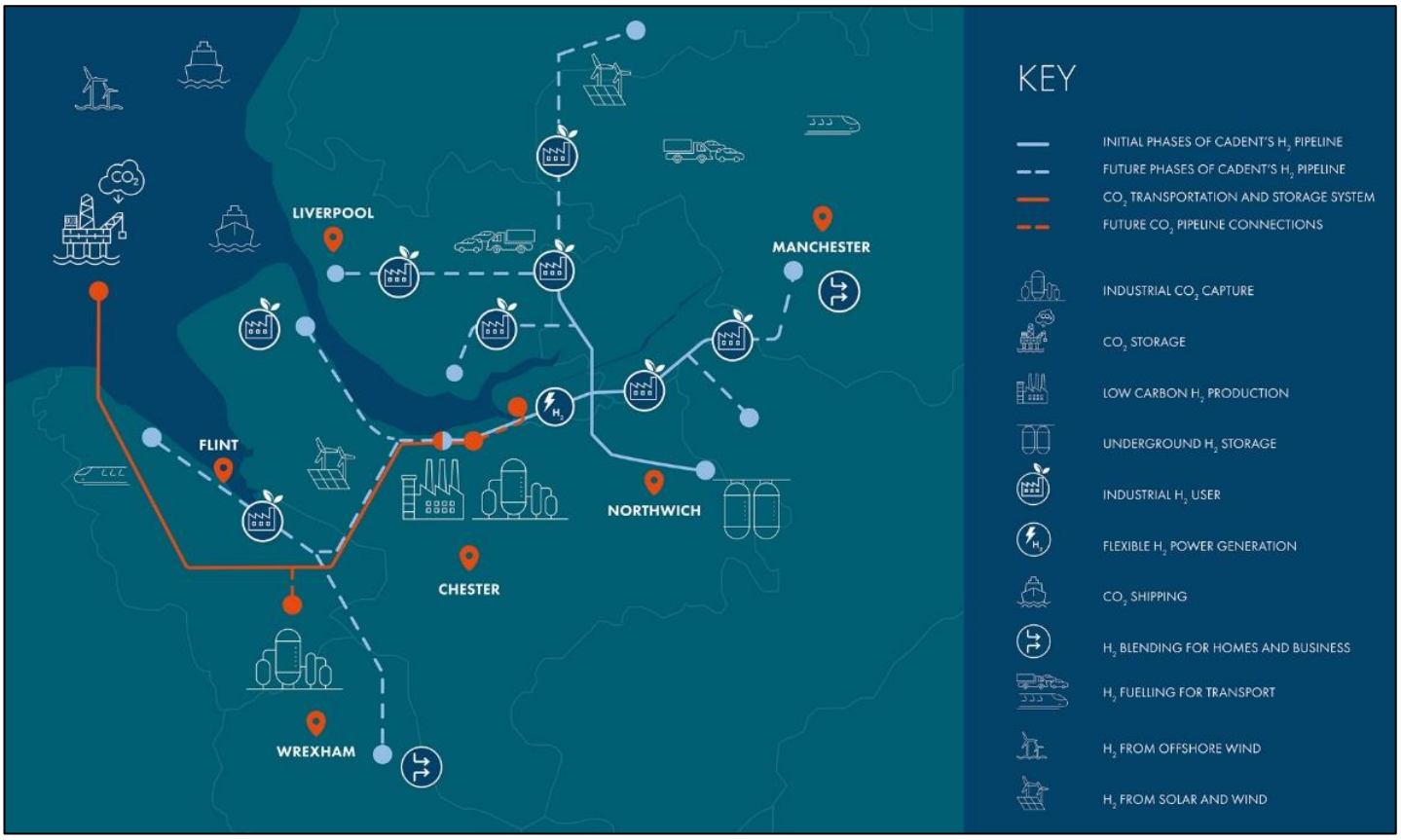


Figure 1: Indicative Overview of the HyNet North West Project

1.8. CONSTRUCTION METHODOLOGIES

1.8.1. A detailed assessment of the approach to construction can be found within Volume I of the ES **[APP-051 and APP-052]** with impacts assessed within Volume II **[APP-053 to APP-072 except AS-25 and AS-26]**.

1.8.2. For all pipeline diameters, the likely construction strategy will involve executing work via multiple teams working on parallel work-fronts at any given time.

1.8.3. Temporary infrastructure will be required to install the pipeline. This will include construction compounds located at strategic locations along the corridor. These areas will be used for pipe storage, machinery storage, plant areas and installation equipment, in addition to providing offices and welfare facilities for workers. Access tracks will also be installed to link to the construction corridor and support pipeline installation.

1.8.4. The pipeline construction works will mainly take place in rural areas using industry-standard construction methodologies and sequences.

1.8.5. As far as reasonably practicable, vegetation loss will be minimised, and the majority of disturbed grounds will be reinstated to match the original landscape.

1.8.6. A Construction Environmental Management Plan (CEMP) will be implemented during the construction period to ensure the environmental effects of construction are managed in accordance with the mitigation set out in the ES and relevant environmental legislation. An Outline CEMP (OCEMP) **[AS-055]** accompanies the ES and sets out what must be specified in the detailed CEMPs to be approved before construction can commence of each stage of works. The purpose of the CEMP is:

- to ensure any impacts as a result of construction and operation activities are kept to a minimum;
- to comply with regulatory requirements and environmental commitments; and
- to ensure procedures are put into place to minimise environmental effects during construction.

1.8.7. Subject to development consent, it is anticipated that construction will commence in 2024, with operation beginning in 2025 at the earliest. From the commencement of the pre-construction activities to completion of commissioning, the construction programme is expected to last approximately 16 months.

2. THE SITE

2.1. INTRODUCTION

2.1.1. This section of the Planning Statement seeks to establish the planning context of the site. It provides a breakdown and overview of the route, planning and environmental designations and planning history.

2.2. SITE DESCRIPTION

2.2.1. 'The Site' refers to the land within which the DCO Proposed Development will be located, which are bounded by the Order Limits. The Location Plan **[APP-007]** identifies the location of the Site in the context of the local area.

2.2.2. The Order Limits refer to the outer perimeter of the site, including the maximum extent of all potential permanent and temporary works required as part of the DCO Proposed Development and is shown on all of the Application Plans.

2.2.3. To aid design development and environmental assessment, the route was broken down into seven separate sections (Section 1 to Section 7), this is illustrated in the ES **[APP-175].**

2.2.4. Sections 1-3 fall within the administrative boundary of Cheshire West and Chester Council (CWCC), England; whilst sections 3-7 fall within the administrative boundary of FCC, Wales. The pipeline crosses the English-Welsh border in Section 3.

2.2.5. The Site is approximately 500ha and the AGI's and BVSs' extend to a total height of 5m AOD.

2.2.6. An overview of the DCO Proposed Sections is shown in **Figure 2.**

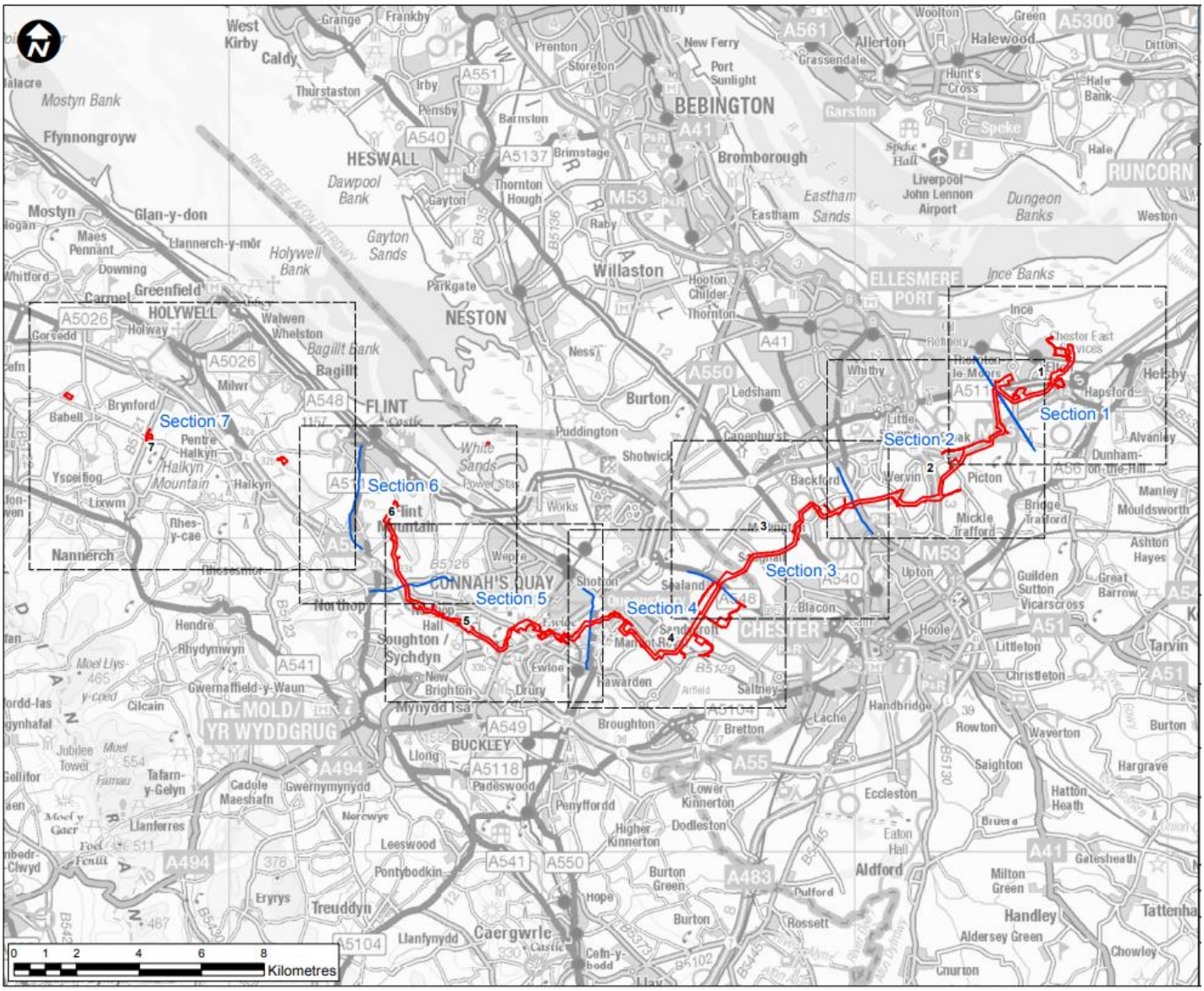


Figure 2: Overview of the Order Limits Route Including Sections *(Contains OS Data © Crown Copyright and data base right 2020)*

2.3. SECTION BREAKDOWN

2.3.1. This section provides a high-level overview of the seven sections of the DCO Proposed Development. For additional detailed assessment please refer to Chapter 3 of the ES **[APP-055]**.

SECTION 1

2.3.2. Section 1 is located entirely within the Cheshire West and Chester local authority boundary, and spans three Parish Council boundaries (Ince, Elton and Thornton-le-Moors), predominately lying within the Elton Parish Council boundary.

2.3.3. Section 1 includes the Ince AGI, located south west of the CF Fertiliser Plant off Marsh Lane, and the Stanlow AGI, located within the existing Stanlow Manufacturing Complex. Section 1 captures the entire Ince AGI to Stanlow AGI Pipeline and the start of the Stanlow AGI to Flint AGI Pipeline.

2.3.4. Section 1 of the Newbuild CO_2 Pipeline is shown in ES Figure 3.2 DCO Proposed Development **[APP-176]**.

SECTION 2

2.3.5. Section 2 is located entirely within the Cheshire West and Chester local authority boundary and spans four Parish Council boundaries (Thornton-le-Moors, Mickle Trafford & District, Wervin, and Backford).

2.3.6. Section 2 spans between the Stanlow AGI and the A41 and includes a continuation of the Stanlow AGI to Flint AGI Pipeline and contains the Rock Bank BVS, located between the settlements of Chorlton and Caughall.

2.3.1. Section 2 of the Newbuild CO_2 Pipeline is shown in ES Figure 3.2 DCO Proposed Development **[APP-176]**.

SECTION 3

2.3.2. Section 3 is located predominantly within the Cheshire West and Chester local authority boundary, but part of the Section is located within Flintshire. It spans five Parish Council and Community Council boundaries (Backford, Lea-by-Backford, Mollington, Saughall and Shotwick Park, and Sealand).

2.3.3. Section 3 spans between the A41 and A548 Sealand Road and includes the Mollington BVS to the west of the settlement of Mollington.

2.3.4. Section 3 of the Newbuild CO_2 Pipeline is shown on the DCO Proposed Development Figure **[APP-176]**.

SECTION 4

2.3.5. Section 4 is located entirely within the Flintshire Local Authority boundary, and spans three Community Council boundaries (Sealand, Queensferry, and Hawarden). It runs between the A548 Sealand Road and the A550 Gladstone Way.

2.3.6. Section 4 of the Newbuild CO_2 Pipeline is shown in ES Figure 3.2 DCO Proposed Development **[APP-176]**.

SECTION 5

2.3.7. Section 5 is located entirely within the Flintshire Local Authority boundary, and spans three Community Council boundaries (Hawarden, Northop Hall, and Northop).

2.3.8. Section 5 spans from the A550 Gladstone Way to the B5126 Connah's Quay Road and includes the Aston Hill BVS and Northop Hall AGI. The Aston Hill

BVS is located within the Harwarden Community Council between the settlements of Mancot and Ewloe. The Northop Hall AGI is within the Northop Hall Community Council to the north of the A55 between the settlements of Northop Hall and Northop.

2.3.9. Section 4 of the Newbuild CO_2 Pipeline is shown in ES Figure 3.2 DCO Proposed Development **[APP-176]**.

SECTION 6

2.3.10. Section 6 is located entirely within the Flintshire Local Authority boundary and spans two Community Council boundaries (Northop and Flint).

2.3.11. It spans from the B5126 Connah's Quay Road to the Flint Connection, where the Newbuild Carbon Dioxide Pipeline connects to the existing Flint Connection to PoA Terminal Pipeline. The Flint AGI is located within this Section, at the end of the Stanlow AGI to Flint AGI Pipeline and the start of the Flint AGI to Flint Connection Pipeline which is included in this Section.

2.3.12. Section 6 of the Newbuild CO_2 Pipeline is shown in ES Figure 3.2 DCO Proposed Development **[APP-176]**.

SECTION 7

2.3.13. This section of the pipeline starts from the Flint Connection and ends at the PoA Terminal. It is predominately rural in nature and includes the existing pipeline.

2.3.14. Section 7 does not include any installation of pipeline, rather the installation of three greenfield BVSs at intervals along the existing route at Cornist Lane, Pentre Halkyn and Babell.

2.3.15. Section 7 of the Newbuild CO_2 Pipeline is shown in ES Figure 3.2 DCO Proposed Development **[APP-176]**.

2.4. PLANNING AND ENVIRONMENTAL DESIGNATIONS

2.4.1. The DCO Proposed Development is located within the Local Authority areas of Cheshire West and Chester Council (CWCC) and Flintshire County Council (FCC). The local development plans of CWCC and FCC may contain policies or allocations which are considered important and relevant to the determination of this Application. An illustrative figure of the environmental constraints associated with each section of the DCO Proposed Development can be found in ES **Chapter 3 [APP-177]**.

2.4.2. The relevant adopted local developments plans for each authority are:

CWCC

- Cheshire West and Chester Local Plan (Part 1) Strategic Policies (Adopted 2015); and

- Cheshire West and Chester Local Plan (Part 2) Land Allocations and Detailed Policies (Adopted 2019).

FCC

- The Flintshire Local Development Plan (LDP) adopted January 2023

Table B4 and B5 of Appendix B of this Planning Statement considers the local plan allocations in both CWCC and FCC and the DCO Proposed Development's compliance with these.

2.4.3. In the administrative boundary of CWCC, the strategic policies are outlined within the Local Plan (Part 1), and relevant specified policies fall within the Local Plan (Part 2). Policy DM44 concerns the protection and enhancement of the natural environment; and DM11 concerning safeguarded areas around aerodromes. The DCO Proposed Development is in the safeguarding area for both Liverpool John Lennon Airport and Hawarden Airport. These policies are assessed within Appendix B.

2.4.4. In Flintshire, Policy PC10 of the LDP concerns new transport schemes and safeguarded road schemes (Flintshire County Council, 2020). Policy PC10.1 concerns the A494(T) / A55(T) / A548 Northop to Shotwick Interchange Improvement scheme which is crossed by the DCO Proposed Development.

2.4.5. On 14 February 2023, it was announced by the Welsh Government in their response to the Roads Review that all major road projects in Wales are to be ceased, which includes the A494(T) / A55(T) / A548 Northop to Shotwick Interchange Improvement Scheme. Despite this, Policy PC10.1 still features in the LDP as this announcement was made after adoption.

2.4.6. Within the Flintshire Local Development Plan (LDP), there is a housing allocation in Ewloe (HN1.7) next to Holywell Road. This overlaps with land within the Order Limits and further discussions have taken place with FCC and further design work has been carried out since statutory consultation to ensure that the pipeline route avoids the allocation which is critical for FCC to meet their housing targets. This is discussed in further detail in Chapter 4 of the ES **[APP-056]** which gives an overview of the alternative options considered for the DCO Proposed Development.

2.4.7. As part of this Application the ES has undertaken detailed and comprehensive assessments of key designations relevant to the DCO Proposed Development which are outlined below.

2.4.8. Chapter 8 of the ES **[APP-060]** concerns Cultural Heritage and as such considers all designated and non-designated heritage assets within the Order Limits. These are showed further in ES Figure 8.1 Designated Heritage Assets

[APP-200], Figure 8.2 Non-Designated Heritage Assets **[APP-201]** and Figure 8.3 Previous Investigations **[APP-202]**.

2.4.9. Chapter 12 of the ES **[APP-064]** concerns Landscape and Visual impacts and has assessed the Landscape Character Areas. Figure 12.2 of the ES shows the Landscape Character Plan **[APP-204]**.

2.4.10. Chapter 6 of the ES **[APP-058]** concerns Air Quality and as such considered Air Quality Management Areas (AQMAs) in both CWCC and FCC administrative boundaries. There is one AQMAs within the Order Limits at Thornton le Moors in CWCC. There are no AQMAs in the FCC area.

2.4.11. Chapter 15 of the ES **[APP-067]** concerns Noise and Vibration impacts and the Applicant undertook a desktop study to identify Noise Important Areas (IAs) and Noise Action Plan Priority Areas (NAPPAs). The Chapter lists out the IA and NAPPAs within 500 metres of the Newbuild Infrastructure Boundary and includes two IAs owned by National Highways, three IAs owned by CWCC and 7 NAPPAs owned by FCC. Figure 15.1 Environmental Noise Survey Locations and Noise Constraints **[APP-208]** shows the noise constraints.

2.4.12. Chapter 9 of the ES **[AS-025]** relates to biodiversity and assesses statutory and non-statutory sites relevant to the DCO Proposed Development. This is considered further in ES Appendix 9.1 Habitats and Designated Sites Survey Report, Figure 9.1.1 Statutory Designated Sites of Nature Conservation, Figure 9.1.2 Non-Statutory Designated Sites of Nature Conservation and Figure 9.4 Frodsham and Ince Marshes LWS **[APP-091 to APP-093]**. A list of the Important Hedgerows within the Order Limits is shown on the Important Hedgerow Plans **[AS-014 and AS-015]**.

2.4.13. Chapter 18 of the ES **[APP-070]** concerns Water Resource and Flood Risk. Further information is also contained in Figure 18.4 the Flood Risk Assessment **[APP-166 and APP-167]**.

2.5. PLANNING HISTORY OF THE SITE AND COMMITTED DEVELOPMENTS

2.5.1. **Appendix A** identifies the relevant planning history for land within and adjacent to the Order Limits, this appendix includes an assessment of each committed development and how the DCO Proposed Development has considered its integration. Appendix A has been updated to consider planning history up to 31 March 2023. **Table B4 of Appendix B** further considers any relevant Local Plan designations.

2.5.2. This should be considered in conjunction with Chapter 19 of the ES (Combined and Cumulative Effects) **[APP-071]**. The focus in that chapter is to assess how the DCO Proposed Development interacts with other developments and the resulting combined effects of all projects on a particular receptor. For example,

if two different pipelines were constructed at the same time this would generate more traffic compared to the construction of a single pipeline and if they were near each other, they would affect the same roads. The chapter also assesses the effects of different environmental topics and how they impact specific receptors when assessed together, for example noise, air quality and visual impacts may all affect a single residential property.

2.5.3. Committed developments to be taken into account in assessing the cumulative effects of more than one project at the same time were identified by setting a search criterion; the inclusion methodology considered certain types of development, for example, major Planning Applications, within 500m of the Order Limits, dating back to three years.

2.5.4. The methodology for this search criteria can be found within ES Chapter 19 **[APP-071]** and appendix 19.1 **[APP-172]**.

2.5.5. Broadly, the Order Limits are greenfield which has been established in **Chapter 1** of this Planning Statement with a further detailed analysis found in Chapter 4 of the ES **[APP-056].** The Site and surrounding area do not have an extensive planning history given this. There are exclusions to this at locations where the Order Limits run in proximity to urban centres in FCC and industrial centres in CWCC.

2.5.6. **Appendix A,** which considers the relationship between the DCO Proposed Development and committed developments, and the assessment of cumulative effects set out at Chapter 19 of the ES **[APP-071]** demonstrates other developments have been taken into consideration.

3. THE LEGISLATIVE AND CONSENTING FRAMEWORK

3.1. INTRODUCTION

3.1.1. This section of the Planning Statement will initially set out the legislative and consenting frameworks of relevance and importance for the determination of the DCO Proposed Development. It will then provide an assessment of the DCO Proposed Development's compliance and conformity with said policy.

3.1.2. Of primary consideration will be the NPSs for energy infrastructure (EN-1 and EN-4), including the draft revised NPS's although it will include and acknowledge other relevant and important matters the SoS may have regard to, including national and local planning policy.

3.1.3. A detailed compliance assessment is contained in **Appendix B (Table B1)** of this Planning Statement which provides an evidenced analysis of the DCO Proposed Development's conformity with the respective legislative and consenting frameworks.

3.2. OVERVIEW OF THE LEGISLATIVE AND CONSENTING FRAMEWORK

NATIONAL SIGNIFICANCE OF THE PROPOSED DEVELOPMENT

3.2.1. The DCO Proposed Development is defined as an NSIP under Section 14(1)(g) and Section 21(1) of the PA2008 (UK Parliament, 2008). The relevant part of each section is below:

Section 14(1)(g):

"(1) In this Act "nationally significant infrastructure project" means a project which consists of any of the following—

(g) "the construction of a pipe-line other than by a gas transporter"

Section 21:

"(1) The construction of a pipe-line other than by a gas transporter is within section 14(1)(g) only if (when constructed) the pipe-line is expected to be—

(a) a cross-country pipe-line,

(b) a pipe-line the construction of which would (but for section 33(1) of this Act) require authorisation under section 1(1) of the Pipe-lines Act 1962 (c. 58) (cross-country pipe-lines not to be constructed without authorisation), and

(c) within subsection (2).

(2) A pipe-line is within this subsection if one end of it is in England or Wales and—

(a) the other end of it is in England or Wales"

3.2.2. With reference to section 21(1)(a) of the PA2008, a cross-country pipeline is defined in s235 of the PA2008 as having: "*the same meaning as in the Pipe-Lines Act (PLA) 1962 (c. 58) (see section 66 of that Act)".*

3.2.3. The PLA s66(1) provides that a *"'Cross-country pipeline' means a 'pipe-line' whose length exceeds, or is intended to exceed, 16.093km'"* (UK Parliament, 1962). The length of the pipeline in the DCO Proposed Development is approximately 60km (36km for the new pipeline and 24km for the existing pipeline), and as such is a 'cross-country pipeline'.

3.2.4. What falls within the definition of a 'pipeline' and is therefore the NSIP needs to be considered with reference to s65 of the PLA which provides the definition which is incorporated into the PA2008:

"In this Act "pipe-line" (except where the context otherwise requires) means a pipe (together with any apparatus and works associated therewith), or system of pipes (together with any apparatus and works associated therewith), for the conveyance of any thing other than air, water, water vapour or steam, not being … [list of excluded pipelines which are not relevant]

(2) For the purposes of the foregoing subsection, the following apparatus and works, and none other, shall be treated as being associated with a pipe, or system of pipes, namely,—

(a) apparatus for inducing or facilitating the flow of any thing through the pipe or, as the case may be, through the system or any part thereof;

(b) valves, valve chambers, manholes, inspection pits and similar works, being works annexed to, or incorporated in the course of, the pipe or system;

(c) apparatus for supplying energy for the operation of any such apparatus as is mentioned in paragraph (a) of this subsection or of any such works as are mentioned in paragraph (b) thereof;

(d) apparatus for the transmission of information for the operation of the pipe or system;

(e) apparatus for affording cathodic protection to the pipe or system;

(f) a structure for the exclusive support of a part of the line or system; and

(fa) in relation only to a pipe, or system of pipes, which is used to convey carbon dioxide to a carbon dioxide storage site, apparatus for treating and cooling carbon dioxide which is to flow through, or through any part of, the pipe or system.

(3) In subsection (2)(fa), the reference to a pipe, or system of pipes, being used to convey carbon dioxide includes a pipe or system which is not being used for

any purpose but which is intended to be used to convey carbon dioxide." [emphasis added]

3.2.5. This is therefore a definition which can include various 'ancillary items'; what can be consented by the DCO is therefore not just the pipe itself but other infrastructure as well.

3.2.6. Section 31 of the PA 2008 states that "*Consent under this Act ... is required for development to the extent that the development is or forms part of a nationally significant infrastructure project*." Accordingly, all elements which form part of the pipeline itself are part of the NSIP and should be included in the DCO.

3.2.7. Having regard to the definition of pipeline, the BVSs form a part of the NSIP in accordance with the definition in section 65(2)(b) of the PLA, being '*valves, valve chambers […] annexed to, or incorporated in the course of, the pipe or system'*. The EIA scoping report (para 2.2.6) **[APP-073 to APP-076]** duly identifies the Welsh BVSs as part of the pipeline infrastructure for the Application. The BVSs will therefore be included in the DCO in accordance with section 31 of the PA2008.

3.2.8. The Application for the new pipeline will include all development within England, and the section within Wales will include the Flint AGI to Flint Connection Pipeline, works to refurbish the existing pipeline (the Flint Connection to PoA Terminal) Pipeline and the creation of three new BVSs (Cornist Lane, Pentre Halkyn and Babell) on the existing pipeline as part of the NSIP.

3.2.9. The trans-boundary nature of the DCO Proposed Development, being an Application which is located in both England and Wales, requires a more complex consenting approach. This complexity is born out of the fact that associated development (as described in **section 1.4**) cannot be included in the Welsh part of the DCO.

3.2.10. The main consenting impact of this is the need for a parallel TCPA application in addition to the DCO Application for which this Planning Statement relates. The elements covered by the DCO Application or TCPA Application (or both (referred to as 'twin-tracking')) is explained in **paragraphs 1.4.3-1.44.** The Applicant has given careful consideration, including taking Counsel's advice, on where the division lies and which consenting regime (or both) each element should be within, having regard to the nature of the elements proposed.

3.2.11. In view of the above, the Applicant has therefore submitted an Application for development consent to the SoS for the DCO Proposed Development as set out above.

3.3. MATTERS OF IMPORTANCE AND RELEVANCE UNDER SECTION 105

3.3.1. As identified in **Section 1.2** above, the DCO Proposed Development will be decided under Section 105 of the PA2008. While NPSs may not have effect in relation to schemes determined under section 105, matters incorporated within them are nonetheless likely to constitute important and relevant considerations. This section will provide an overview in conformity with Section 105(2)(c) of the PA2008 which states the SoS must have regard to *"any other matters which the Secretary of State thinks are both important and relevant to the Secretary of State's decision".*

3.3.2. A review of the NPSs was announced in the 2020 Energy white paper (Powering our net zero future). This review was to ensure the NPSs were brought up to date to reflect the policies set out in the white paper. On 30 March 2023 the draft NPSs were re-published for consultation

3.3.3. A number of NPSs have been designated in relation to energy infrastructure (EN-1 to EN-4) of which those relevant to the DCO Proposed Development are considered later within this section of the Planning Statement. The Applicant concludes that irrespective of whether the application is determined in accordance with the relevant NPS's or is assessed against any other matters that are important and relevant, as listed below, overall compliance has been demonstrated. It will not have a material impact on the determination given the established benefits identified in **Chapter 6 and 7** with the limited and mitigable adverse impacts.

3.3.4. The following national policy documents are therefore considered to be both *important* and *relevant* to the SoS for the purposes of determining acceptance of the DCO Proposed Development:

Adopted National Policy Statements for Energy

- Overarching National Policy Statement for Energy (NPS EN-1) (July 2011);
- Draft Overarching National Policy Statement for Energy (Draft NPS EN-1) (March 2023);
- National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (NPS EN-4) (July 2011);
- Draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (Draft NPS EN-4) (March 2023)

UK Energy Policy

- The Clean Growth Strategy (April 2018);
- National Infrastructure Assessment (July 2018);
- National Infrastructure Strategy (November 2020);

- Prime Minister's Ten Point Plan for a Green Industrial Revolution (November 2020);
- Energy White Paper - Powering our Net Zero Future (December 2020);
- Industrial Decarbonisation Strategy (March 2021);
- UK Hydrogen Strategy (August 2021);
- Net Zero – Build Back Better (October 2021);
- White Paper - Levelling Up the United Kingdom (February 2022);
- British Energy Security Strategy (April 2022); and
- The Growth Plan 2022 (September 2022).

Welsh Energy Policy

- Prosperity for All: A Low Carbon Wales (June 2019);
- A Carbon Capture, Utilisation, & Storage Network for Wales (March 2021);
- Net Zero Wales Carbon Budget 2 (2021-25) (October 2021);
- Wales Infrastructure Investment Strategy (December 2021)

National Planning Policy (England)

- National Planning Policy Framework (updated July 2021);
- Planning Practice Guidance (updated June 2021);

National Planning Policy (Wales)

- National Development Framework – Future Wales 2040;
- Planning Policy Wales;
- Technical Advice Notes
- Well Being of Future Generations (Wales) Act 2015 (*Welsh Legislation*)

OTHER MATTERS OF IMPORTANCE AND RELEVANCE

3.3.5. Local Development Plans which are used to determine planning applications under the Town and Country Planning Act 1990 are not mentioned in the decision-making framework of the PA2008. Paragraph 4.1.5 of NPS EN-1 states *"Other matters that the [SoS] may consider both important and relevant to its decision-making may include Development Plan Documents or other documents in the Local Development Framework".*

3.3.6. The Development Plans of consideration are:

- Cheshire West and Chester Local Plan (Part 1) Strategic Policies (Adopted 2015);
- Cheshire West and Chester Local Plan (Part 2) Land Allocations and Detailed Policies (Adopted 2019);

- The Flintshire Local Development Plan (LDP) (Adopted 2023)

3.4. ADOPTED NATIONAL POLICY STATEMENTS FOR ENERGY – POLICY CONTEXT

3.4.1. The adopted NPS for Energy were published in July 2011 by the SoS for the Department for Energy and Climate Change (now BEIS). These include an Overarching NPS (EN-1) setting out general policies and assessment principles for energy infrastructure and a number of technology specific NPSs (Department for Energy and Climate Change, 2011).

3.4.2. The NPSs considered to be of relevance to the DCO Proposed Development (and which together provide the primary basis for the SoS's decision on the Application) are as follows:

- Overarching National Policy Statement for Energy (NPS EN-1);
- National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (NPS EN-4)

3.4.3. As indicated in **Section 3.3** above, the NPS's are currently under review, this following advice from The Climate Change Committee ('CCC') in June 2019 wherein the UK Government announced a new carbon reduction 'Net Zero' target for 2050 (UK Parliament, 2019). Following this, the Government's Energy White Paper ('EWP'), published in December 2020, confirmed that the SoS for BEIS has decided to review the suite of NPSs for energy infrastructure to seek conformity with this new legislation (HM Government, 2020).

3.4.4. The emerging NPS's are not adopted to date, therefore the current adopted NPSs remain of importance and relevance to the SoS decision making and fundamental to Government policy.

3.4.5. Since the adoption of the current NPSs, the decision maker has changed from the Infrastructure Planning Commission (IPC) to the SoS. For the purposes of this Planning Statement when referencing the policies of the NPS the text will be retained as *IPC* and when in discussion this will be revised to *SoS*.

3.4.6. An overview of the current NPS EN-1 of relevance to the DCO Proposed Development follows below, with a detailed assessment found in **Chapter 4**.

NATIONAL POLICY STATEMENT FOR ENERGY (EN-1)

3.4.7. NPS EN-1 does not specifically reference or provide guidance for CCS for hydrogen production or industrial de-carbonisation solutions within the UK. It is however considered a useful policy reference document that includes over-arching principles that support decarbonisation and diversity of energy supply, that the DCO Proposed Development seeks to achieve.

3.4.8. EN-1 has a primary focus on energy generation but includes details regarding the requirement for infrastructure to deliver this overarching goal. Paragraph

3.1.1 states: '*The UK needs all the types of energy infrastructure covered by this NPS in order to achieve energy security at the same time as dramatically reducing greenhouse gas emissions'.* The DCO Proposed Development can therefore draw on the policies of this NPS as matters of relevance and importance given it will support the delivery of the wider HyNet North West Project.

3.4.9. EN-1 further elaborates that the '*Government would like industry to bring forward many new low carbon developments (renewables, nuclear and fossil fuel generation with CCS) within the next 10 to 15 years to meet the twin challenge of energy security and climate change'* by 2050 (paragraph 3.3.5).

3.4.10. It is, therefore, recognised in EN-1 that the delivery of the DCO Proposed Development aligns with the objectives of the UK Government to reduce carbon emissions. It will contribute to the challenges of energy security and climate change by facilitating the use of low carbon hydrogen and carbon capture for industry in the North West and Wales.

3.4.11. Part 2 of EN-1 "Government policy on energy and energy infrastructure development" outlines the overall policy context for nationally significant energy infrastructure and confirms that:

"We are committed to meeting our legally binding target to cut greenhouse gas emissions by at least 80% by 2050, compared to 1990 levels. Analysis done on possible 2050 pathways shows that moving to a secure, low carbon energy system is challenging, but achievable. It requires major investment in new technologies to renovate our buildings, the electrification of much of our heating, industry and transport, prioritisation of sustainable bioenergy and cleaner power generation"

3.4.12. The DCO Proposed Development will deliver industrial decarbonisation to meet this goal of a low carbon energy system and the subsequent greater commitment to achieve net zero by 2050. This is further evidenced within the Needs Case for the DCO Proposed Development **[APP-049]**.

3.4.13. Part 2 of EN-1 seeks to highlight that energy is vital to economic growth, social well-being and achieving 2050 targets. Therefore, it is vital that reforms to the approach and delivery are required. This is further expanded on in Paragraphs 2.2.5 – 2.2.11 "The transition to a low carbon economy". Paragraph 2.2.6 states that:

"*The UK needs to wean itself off such a high carbon energy mix: to reduce greenhouse gas emissions, and to improve the security, availability and affordability of energy through diversification*."

3.4.14. The DCO Proposed Development will support a transition to a lower carbon economy and facilitate generation of low carbon hydrogen in accordance with

the policies of EN-1. The reuse of existing infrastructure makes the overall viability more effective and represents diversification of delivery.

3.4.15. Through Part 2 of EN-1 it has been established that it is critical that the UK continues to have secure and reliable supplies of electricity as it makes the transition to a low carbon economy.

3.4.16. Part 3 of EN-1 emphasises the need for energy infrastructure at the national level. Paragraph 3.2.2 states '*we need to become less dependent on some forms of energy, as new and innovative low carbon technologies and energy efficiency measures are taken up'*.

3.4.17. Paragraph 3.3.5 identifies that the UK is choosing to largely decarbonise its power sector by adopting low carbon sources quickly. There are likely to be advantages to the UK of maintaining a diverse range of energy sources so that we are not overly reliant on any one technology. This is why Government would like industry to bring forward many new low carbon developments (renewables, nuclear and fossil fuel generation with CCS).

3.4.18. It has therefore been established that due to both a reducing energy generating capacity and accomplishing carbon reduction needs, new energy infrastructure is needed. Paragraph 3.3.15 states that in order to secure energy supplies that enable the UK to meet its climate change obligations to 2050, there is an urgent need for new energy infrastructure to be brought forward as soon as possible.

3.4.19. Paragraphs 3.6.4 - 3.6.7 of EN-1 relate specifically to Carbon Capture and Storage ('CCS'). They explain the role CCS can have in meeting emissions targets while also maintaining security of supply and that CCS has the potential to reduce carbon emissions by up to 90%. Paragraph 3.6.4 acknowledges that there is '*uncertainty about the future deployment of CCS in the economy, which in the Government's view cannot be resolved without first demonstrating CCS at commercial scale*'.

3.4.20. The DCO Proposed Development will play an essential role in facilitating the development of the wider HyNet Project and the growth of the North West / North Wales industrial cluster which has been selected by the Government as one of the first in the UK. This will enable the new low carbon hydrogen production plant at Stanlow Manufacturing Complex to come forward and assist the UK in meeting its Net-Zero targets.

3.4.21. In summary, it is fair to conclude that the DCO Proposed Development meets the over-arching objectives and policies with NPS EN-1 Parts 1-3 so far as they are relevant. The DCO Proposed Development will support the delivery of a carbon capture and transportation system, being part of a CCS chain, which will enable the wider Project and regional industrial cluster to expand. The DCO Proposed Development would therefore play a key role in supporting the UK's

transition to a low carbon economy and contributing to achieving the Government's Net Zero 2050 target.

3.4.22. Part 4 of EN-1 sets out a number of 'assessment principles' that must be taken into account by applicants and the SoS in preparing and determining applications for development consent. Part 5 of EN-1 deals with the 'Generic Impacts' of energy infrastructure. These include impacts that occur in relation to all or most types of energy infrastructure.

3.4.23. **Chapter 4** of this Planning Statement provides an assessment of the principles and generic impacts of the DCO Proposed Development and demonstrates that there is no conflict between the DCO Proposed Development and relevant policies in NPS EN-1.

NATIONAL POLICY STATEMENT FOR GAS SUPPLY INFRASTRUCTURE AND GAS AND OIL PIPELINES (EN-4)

3.4.24. EN-4 is relevant to the DCO Proposed Development as CO_2 will be transported utilising a supply pipeline. The pipeline has been identified as an NSIP in **Chapter 1** of this Planning Statement and within paragraph 1.8.1 (iv) of EN-4 (Department of Energy and Climate Change, 2011).

"The infrastructure covered by this NPS is the nationally significant infrastructure caught by the relevant Planning Act thresholds (sections 17–21 of the Planning Act 2008), as follows:

Pipelines over 16.093km (10 miles) long which would otherwise require consent under s.1 of the Pipe-lines Act 1962 together with diversions to such pipelines regardless of length. These pipelines are referred to in this NPS as cross-country pipelines."

3.4.25. Paragraph 1.3.1 establishes the relationship between EN-1 and EN-4. Broadly, EN-4 seeks to provide additional technology specific support to EN-1 whilst retaining the same fundamental targets such as establishing the need and urgency for new energy infrastructure to be consented and built with the objective of contributing to a secure, diverse and affordable energy supply and supporting the Government's policies on sustainable development, in particular by mitigating and adapting to climate change.

3.4.26. Paragraph 1.3.2 states that the NPS '*does not seek to repeat the material set out in EN-1, which applies to all applications covered by this NPS, unless stated otherwise*'.

3.4.27. Part 2 of EN-4 "Assessment of Technology Specific Information" is considered in conjunction with the assessment against EN-1 found in **Chapter 4** of this Planning Statement. It provides further considerations specific to the application of pipelines such as climate change adaption and good design.

3.5. EMERGING NATIONAL POLICY STATEMENTS FOR ENERGY – POLICY CONTEXT

3.5.1. The draft revised NPSs for energy infrastructure were published by the UK Government for consultation in September 2021. As of the 30 March 2023, these have not been adopted and no date has been set for designation, although an updated version has been re-published for consultation which closes 25 May 2023.

3.5.2. The Applicant has been unable to incorporate the updated NPS EN-1 and EN-4 into this iteration of the Planning Statement given the date of issue but wishes to make the ExA aware that a review and assessment of compliance will be conducted .

3.5.3. While the current adopted suite of NPSs for energy infrastructure are of primary importance and relevance to SoS decision-making, the Applicant considers that the draft revised NPSs are still a matter that is important and relevant to the SoS's decision-making on the Application. This is primarily because the current NPS EN-1 reflects policy at the time of writing in 2011 which anticipated the use of CCS primarily for the production of low carbon electricity. In the decade since this was written, policy now reflects a cluster approach to the use of CCS technology, with it being used for industry, power generation and low carbon hydrogen production. The Draft NPS EN-1 now reflects this broader use case for the technology. The Draft NPSs are subject to changes until their adoption. Particularly as the enhanced support for CCS is reflective of current government strategies (outlined below); the support offered in the Draft NPSs is therefore an important and relevant material consideration to the consideration of the Application. The overall level of compliance of the DCO Proposed Development with the existing NPSs is considered in **Chapter 4** of this Planning Statement.

3.5.4. The following draft revised NPSs are of relevance to the DCO Proposed Development:

- Draft Overarching National Policy Statement for Energy (EN-1).
- Draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4).

DRAFT OVERARCHING NATIONAL POLICY STATEMENT FOR ENERGY (EN-1)

3.5.5. Draft EN-1 states that for any application accepted for examination before designation of the amendments to the NPS, the original suite of NPSs should have effect. Whilst it is anticipated that the DCO Proposed Development will therefore not be assessed against the emerging NPSs as a principal policy document, these are nonetheless an 'important and relevant' consideration for the purposes of section 105 of the PA2008.

3.5.6. Part 1 of EN-1 sets out the revised national policy for national energy infrastructure. It has effect for the decisions by the Secretary of State on applications for energy developments that are nationally significant under the PA2008.

3.5.7. Paragraph 1.3.2 states that the PA2008 sets out the thresholds for Nationally Significant Infrastructure Projects (NSIPs) in the energy sector. The act specifically defines that where:

"Cross-country gas and oil pipelines and Gas Transporter pipelines (meeting the thresholds and conditions set out in the Planning Act 2008). For this infrastructure EN-1 in conjunction with EN-4 (for natural gas only) will be the primary policy for Secretary of State decision making"

3.5.8. Paragraph 1.6.2 states that:

"Applications for development consent will have been prepared, and may already be in examination, in reliance upon the 2011 suite of NPSs (or for nuclear development based on the position set out in the Written Ministerial Statement of 7 December 2017)…. "The 2021 amendments will therefore have effect only in relation to those applications for development consent accepted for examination after the designation of those amendments."

3.5.9. Part 2 outlines the policy context for the development of nationally significant energy infrastructure. Paragraph 2.1.3 sets out the Government's commitment to delivering decarbonisation targets. It is also committed to Government putting the UK on the path to meeting its net zero emissions target by 2050 by taking steps to decarbonise the UK's power networks which together account for over two-thirds of the UK emissions – and take steps to adapt to the risks posed by climate change. There is an acknowledgement that to produce enough energy required for the UK and ensure it can be transported to where it is needed, a significant amount of infrastructure is needed at both local and national scale.

3.5.10. The DCO Proposed Development will deliver CO_2 transportation infrastructure and enable the wider HyNet North West Project will deliver industrial decarbonisation in accordance with emerging NPS EN-1.

3.5.11. The Government's legally binding target of achieving net zero in terms of greenhouse gas emissions by 2050 is set out in section 2.2:

"Transformation of the energy system is required, tackling emissions while continuing to ensure secure and reliable supply, and affordable bills for households and businesses. This includes increasing our supply of clean energy from renewables, nuclear and hydrogen manufactured using low carbon processes (low carbon hydrogen) and, where we still emit carbon, developing the industry and infrastructure to capture, transport and store it".

3.5.12. The DCO Proposed Development will enable the operation of the first Track 1 cluster, as per the Government overall targets. The transportation of CO_2

through the new and repurposed existing pipeline means that industry in the region will be able to reduce their emissions and a new low carbon hydrogen plant can be built with the majority of CO_2 captured. Without the CO_2 pipeline, the wider Project cannot be realised.

3.5.13. Draft EN-1 therefore identifies that Carbon Capture, Utilisation and Storage (CCUS) is a mechanism of achieving decarbonisation targets. These technologies have been specifically identified as having the ability to decarbonise the energy sector. The DCO Proposed Development will deliver carbon capture and transportation infrastructure which will accelerate the development of the wider HyNet Project. The Project has been designated by the UK Government as part of the 'Track 1' low carbon industrial clusters (alongside the East Coast Cluster) to be taken forward as part of its CCUS cluster sequencing process. The DCO Proposed Development will play a vital role in enabling the wider Project to be rolled out so that CCUS infrastructure is developed rapidly across a local scale (Cheshire and Flintshire), and a regional scale (North Wales and North West England) as well as support the national efforts to bring carbon emissions to Net-Zero as quickly as possible.

3.5.14. Part 3 of draft EN-1 establishes the urgent need for new nationally significant energy infrastructure projects. Paragraph 3.1.2 identifies that the SoS should give substantial weight to considerations of need. The Secretary of State is not required to consider separately the specific contribution of any individual project to satisfying the need established in this NPS.

3.5.15. The DCO Proposed Development has the potential to capture up to 10MtCO_2 per year by the early 2030s, this would align with the urgence shown in draft EN-1. Further details can be found in the Needs Case for the DCO Proposed Development **[APP-049]**.

3.5.16. Section 3.2 of draft EN-1 confirms that the SoS should assess all applications for development consent covered by the energy NPSs on the basis that the government has demonstrated that there is a need for those types of infrastructure. Paragraph 3.2.6 further notes that the SoS has determined that substantial weight should be given to this need when considering applications for development consent under the PA2008.

3.5.17. Paragraph 3.3.38 of draft EN-1 advises that "*Hydrogen could be a low carbon alternative for natural gas if production of that hydrogen is coupled with CCS, or through electrolysis powered by low carbon electricity. This would be capable of replicating the role of natural gas in the electricity system, providing low carbon 'peaking capacity' in the future*". The DCO Proposed Development would enable the delivery of the wider HyNet Project which will deliver this technology. CO_2 will be captured from existing industrial plants in the Ince and Stanlow areas, as well as CO_2 that is produced from the new low carbon hydrogen production plant at Stanlow.

3.5.18. Section 3.5 establishes the need for new nationally significant carbon capture and storage infrastructure. Paragraph 3.5.1 recognises that:

"CCS infrastructure will also be needed to capture and store carbon dioxide from hydrogen production from natural gas, industrial processes, the use of bioenergy (BECCS) and from the air (DACCS). CCS infrastructure could be new or repurposed infrastructure" and that *"The UK has one of the largest potential carbon dioxide (CO_2) storage capacities in Europe, with an estimated 78 billion tonnes of CO_2 storage capacity under the seabed of the UKCS. New onshore CO_2 pipelines over 16.093 kilometres in length are within scope of this NPS."*

3.5.19. As set out in Paragraph 3.5.1 of the draft EN-1 it is clear that it is the Government's intention to expand the reach of the overarching policy to demonstrate its support and need for onshore CO_2 pipelines, such as the DCO Proposed Development.

3.5.20. This is fundamental to both the DCO Proposed Development (which will capture, transport and store CO_2) as well as the wider HyNet Project which will produce hydrogen from natural gas.

3.5.21. The DCO Proposed Development has significant locational advantages due to its proximity to a number of existing industrial emitters around Ince and Stanlow Manufacturing Complex, and the repurposing of existing assets that will enable the delivery of significant CO_2 capture and storage to be realised. The North Wales and North West region is also ideally located from a geological perspective for the wider HyNet Project, given its proximity to current gas reservoir facilities in Liverpool Bay and salt caverns for potential low carbon hydrogen storage. The DCO Proposed Development is therefore well positioned to help the region and UK meet its energy objectives and contribute toward the transition to a Net Zero economy.

3.5.22. Paragraph 3.5.3 acknowledges that there do not appear to be any realistic alternatives to new CCS infrastructure for delivering Net Zero by 2050. Paragraphs 3.5.4 – 3.5.7 proceed to establish why CCS is needed. Of relevance to the DCO Proposed Development is the following:

- CCS is needed to enable domestic production of low carbon hydrogen from natural gas ('blue' hydrogen) as well as unlocking the potential use of biomass for low carbon hydrogen production with negative emissions.
- CCS is fundamental to the deep decarbonisation of energy intensive industries such as chemical and cement plants and refineries.

3.5.23. The DCO Proposed Development will be a keystone for the wider HyNet Project by ensuring that a resilient joined up regional network of CO_2 capture and low carbon hydrogen distribution can be delivered. The DCO Proposed Development will enable the benefits of CCS infrastructure to be delivered cost

effectively at scale, rapidly unlocking substantial carbon savings at a time when the climate crisis needs immediate action.

3.5.24. The assessment of the draft EN-1 NPS has been intended to highlight the shift in approach between the adopted and emerging NPS's, specifically with regard to drawing out a focus on the delivery of CCUS and achieving Net Zero targets. **Table B1** in **Appendix B** demonstrates compliance with the adopted and emerging NPS's in greater detail. The current position of national policy and further analysis can be found in **Chapter 4.**

DRAFT NATIONAL POLICY STATEMENT FOR GAS SUPPLY INFRASTRUCTURE AND GAS AND OIL PIPELINES (EN-4).

3.5.25. An updated suite of technology specific draft revised NPSs were published alongside draft NPS EN-1. This includes an update to EN-4 regarding gas supply infrastructure and gas and oil pipelines (Department for Business, Energy and Industrial Strategy, 2021).

3.5.26. Part 1 of draft EN-4 sets out the revised approach to delivery of this technology specific NPS stating that the efficient import, storage, and transmission of gas and oil products remains crucial to meeting our energy objectives. Paragraph 1.1.2 states that natural gas will also continue to be used in conjunction with CCUS infrastructure to produce low carbon electricity and as a feedstock for clean hydrogen production. Clean hydrogen, and the infrastructure that supports it, will be needed to help transition our energy system to Net-Zero by 2050, with the potential to help decarbonise vital UK industry sectors and provide flexible deployment across heat, power and transport.

3.5.27. Draft EN-4 should be taken together with the 'Overarching National Policy Statement for Energy' (EN-1). EN-1 provides the primary policy for decisions by the SoS on applications it receives for gas supply infrastructure and gas and oil pipelines.

3.5.28. Paragraph 1.6.2 of draft EN-4 recognises that pipelines could be carrying different types of gas but states that the NPS only has effect for those nationally significant infrastructure pipelines which transport natural gas or oil. Paragraph 1.6.5 states that while the guidance in the NPS does not have effect for CCS infrastructure, it may contain information that is important and relevant to the SoS's decision on applications for CCS infrastructure. This means that although the DCO Proposed Development is a CO_2 pipeline (and therefore the Draft EN-4 does not directly apply), there may still be some important and relevant considerations for the SoS to use in their decision making.

3.5.29. Part 2 of Draft EN-4, "Assessment of Technology Specific Information" is considered in conjunction with the assessment against EN-1 found in **Chapter 4** of this Planning Statement. It provides further considerations specific to the application of pipelines such as climate change adaption and good design.

3.6. UK AND WELSH ENERGY POLICY

3.6.1. The UK and Welsh Governments have produced a number of recent policy documents and strategies relating to CCS and climate change that are considered to be of both importance and relevance to the SoS's decision making for the DCO Proposed Development under s105 of the PA2008. These are considered in the section below.

UK Energy Policy

THE CLEAN GROWTH STRATEGY (APRIL 2018)

3.6.2. This Strategy was published by BEIS in October 2017 (then updated in April 2018) (HM Government, 2018). It was laid before Parliament to show how the UK Government aims to achieve national growth, whilst cutting greenhouse gas emissions to meet the fourth and fifth carbon budgets.

3.6.3. The Strategy discusses the aim of investing in CCS and declares that the Government will continue to work with ongoing initiatives to *"test the potential for development of CCUS industrial decarbonisation clusters"* including in the North West region (page 70). There are also many actions/milestones that involve CCS in the Strategy including the production of a deployment pathway for CCS.

3.6.4. The Strategy discusses the potential for hydrogen to be used for transport, industry and heating. The Strategy recognises that CCS can be used as part of a decarbonised production method for hydrogen.

3.6.5. The DCO Proposed Development is part of the HyNet industrial cluster which has been fast-tracked by Government to be part of the deployment pathway for CCS. It will actively contribute to Government's objectives for clean growth, supports the drive to significantly accelerate the pace of decarbonisation, and contribute to the achievement of carbon budgets. Therefore, the DCO Proposed Development is in accordance with the proposals set out in the Clean Growth Strategy.

NATIONAL INFRASTRUCTURE ASSESSMENT (JULY 2018)

3.6.6. Once per Parliamentary session (or every five years) the National Infrastructure Committee (NIC) releases the National Infrastructure Assessment which outlines a strategic vision over 30 years and recommends how these needs are met (National Infrastructure Commission, 2018). The first assessment was released in July 2018 and the next report is due to be published in Autumn 2023.

3.6.7. The 2018 report states that CCS can be used for the reduction of emissions from industrial processes and the *"most pressing reason to develop it at scale is likely to be for the manufacture of low carbon hydrogen"* (page 43).

3.6.8. The report goes on to state that "*removing and storing the carbon from natural gas as part of producing hydrogen is a simpler process than capturing it as it is burnt in a power station*".

3.6.9. The DCO Proposed Development will play a key role in scaling up the production of low carbon hydrogen as part of the wider HyNet Project whilst ensuring that carbon emissions from industrial processes are captured, transported and stored securely. It will therefore actively contribute to meeting the strategic vision and needs outlined in the National Infrastructure Assessment.

NATIONAL INFRASTRUCTURE STRATEGY (NOVEMBER 2020)

3.6.10. The National Infrastructure Strategy was produced by HM Treasury in response to the National Infrastructure Assessment, published by the NIC (HM Treasury, 2020). The Strategy aims to make the UK a world leader in new technologies including CCS and hydrogen production. The report states CCS *"will also be essential to decarbonising large parts of industry, producing low emissions hydrogen and in delivering greenhouse gas removal technologies, permanently locking away carbon dioxide"* (page 53).

3.6.11. The DCO Proposed Development is considered by the Applicant to deliver high-quality decarbonising infrastructure which will support economic growth, increase productivity and to create jobs and is therefore in accordance with the fundamental ambitions of the National Infrastructure Strategy.

PRIME MINISTER'S TEN POINT PLAN FOR A GREEN INDUSTRIAL REVOLUTION (NOVEMBER 2020)

3.6.12. The Prime Minister's Ten Point Plan for a Green Industrial Revolution outlines a vision for "*Building back better, supporting green jobs, and accelerating our path to net zero"* and includes aims for CCS and low carbon hydrogen in the UK (HM Government, 2020).

3.6.13. Point 2 of the plan is "*Driving the Growth of low carbon hydrogen*" which includes a target for 5GW of low carbon hydrogen production capacity by 2030 and the desire to see "Superplaces" which are hubs with renewable energy, CCS and hydrogen. Growth in the low carbon hydrogen sector could deliver support for 8,000 jobs and over £4bn of private investment by 2030 (pages 10-11).

3.6.14. Point 8 of the plan is *"Investing in Carbon Capture, Usage and Storage"* which has an ambition to capture 10Mt of CO_2 a year by 2030. It discusses SuperPlaces and will look to establish two industrial clusters by the mid-2020s (of which HyNet has been subsequently selected as one) and three to four clusters by 2030. These clusters could be the beginning of a new carbon capture industry for the UK which could support 50,000 jobs by 2030 (pages 22-23).

3.6.15. As noted above, HyNet has been chosen by Government to be one of the UK's first industrial clusters and the DCO Proposed Development enables this to come forward. The transportation of CO_2 through the new and repurposed existing pipeline means that industry in the region will be able to reduce their emissions and a new low carbon hydrogen plant can be built with the majority of CO_2 captured. Without the CO_2 pipeline, the wider Project cannot be realised.

3.6.16. The wider HyNet Project will have the potential to capture up to 10MtCO_2 per year by the early 2030s, the equivalent of taking 4 million cars off the road or the equivalent of heating 5 million households with natural gas boilers. (HyNet North West, 2021). The Project will, through until 2030, result in over £5 billion of capital investment and create over £3.7 billion GVA (Gross Value Added). This will create over 6000 jobs annually (Mace and The University of Chester , 2021).

3.6.17. As a result, the DCO Proposed Development will make a significant contribution to the targets and ambitions set out in the Prime Ministers' Ten Point Plan for a Green Industrial Revolution.

ENERGY WHITE PAPER - POWERING OUR NET ZERO FUTURE (DECEMBER 2020)

3.6.18. The Energy White Paper sets out the policies and commitments by the Government to put the UK on course to achieve Net-Zero (HM Government, 2020). The White Paper includes support for the development of CCS in four industrial clusters by 2030, two of these by the mid-2020's (of which HyNet has been subsequently selected as one). This includes an ambition to see 10 MtCO_2 captured per year by 2030. The White Paper states that Government will also work with industry to develop 5GW of low carbon hydrogen production capacity by 2030.

3.6.19. This is further captured within the emerging NPS EN-1 paragraph 4.1.2 which states that the Energy White Paper emphasises the importance of the Government's Net-Zero commitment and efforts to combat climate change. Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the SoS shall start with presumption in favour of granting consent to applications for energy NSIPs.

3.6.20. The DCO Proposed Development will support the delivery of the key Government policies and commitments on CCUS and hydrogen set out in the Energy White Paper. It will facilitate the expansion of CCUS at a commercial scale in North Wales and North West England, helping to foster economic growth and accelerate the ability of the region to meet the Government's Net-Zero target.

INDUSTRIAL DECARBONISATION STRATEGY (MARCH 2021)

3.6.21. The Industrial Decarbonisation Strategy aims to show how the UK can have an industrial sector that is successful but also aligned to Net-Zero preventing the pushing of emissions and business abroad (HM Government, 2021).

3.6.22. The Strategy states that clustered industrial sites produce 37.6 $MtCO_2e$ which is more than those emissions of dispersed sites which contribute 33.6 $MtCO_2e$. Merseyside cluster emissions in 2018 were $5MtCO_2e$.

3.6.23. The Strategy expects that emissions will need to fall by two-thirds by 2035 and to do this $3MtCO_2$ of primarily process emissions will be captured each year. Wider industrial decarbonisation of combustion emissions will be delivered through fuel-switching to low carbon fuels, including hydrogen.

3.6.24. The Strategy reiterates the Government's position on the development of two clusters by the mid-2020's (of which HyNet is one that benefits from this support) and four by 2030 with the goal of capturing $10MtCO_2$ per year by 2030.

3.6.25. The DCO Proposed Development will clearly contribute to the decarbonisation aims and the targets set in the Strategy. It will underpin the development of the wider Project which has the potential to capture up to $10MtCO_2$ per year by the early 2030s.

UK HYDROGEN STRATEGY (AUGUST 2021)

3.6.26. The UK Hydrogen Strategy looks to develop a thriving UK hydrogen sector and it set out the measures needed to enable the production, distribution, storage and use of hydrogen (HM Government, 2021).

3.6.27. The Strategy outlines the importance of low carbon hydrogen and outlines the ability of CCS to make the hydrogen production process low carbon.

3.6.28. The Strategy mentions the HyNet Project as looking at CCS and exploring the distribution and transmission of hydrogen within gas networks. The DCO Proposed Development is critical to the wider Project, as it provides the means to transport captured CO_2, which enables low carbon hydrogen production and distribution. The DCO Proposed Development is therefore a key part of building the future hydrogen network and accords with the aspirations in the UK Hydrogen Strategy.

NET-ZERO STRATEGY: BUILDING BACK GREENER (OCTOBER 2021)

3.6.29. This Strategy was presented to Parliament in October 2021 and sets out what the UK Government will do to meet the sixth carbon budget (HM Government, 2021). It confirms the HyNet Project as a Track-1 cluster in the Cluster Sequencing process. The Strategy states the Project and the East Coast Cluster *"will act as economic hubs for green jobs in line with our ambition to capture 20-30 $MtCO_2$ per year by 2030"* (page 21). It states that this puts the

region *"among the potential early SuperPlaces which will be transformed over the next decade"* (page 21). This Strategy increases the commitment from the Energy White Paper for the capture of 10 $MtCO_2$ to 20-30 $MtCO_2$ by 2030 using CCS (*"SuperPlaces" here being used to define the regions within the document which are identified for decarbonisation and regeneration)*.

3.6.30. The Strategy acknowledges the HyNet Project as a Track-1 cluster and its role in boosting economic growth and job creation alongside the drive to decarbonise the UK's energy infrastructure. The DCO Proposed Development is critical to the growth of this cluster as it enables the Project to produce low carbon hydrogen and to support the UK aims to fully decarbonise its power supply

WHITE PAPER - LEVELLING UP THE UNITED KINGDOM (FEBRUARY 2022)

3.6.31. This White Paper repeats the announcement made in the Net Zero Strategy that the North West / North Wales region is one of the first two industrial clusters where funding to support new investment in CCS will be given, and describes the clusters as *"the starting point for a new carbon capture industry"* (page 169) (Department for Levelling Up, Housing and Communities, 2022).

3.6.32. The document also mentions the UK Government's ambition for 5GW of hydrogen production capacity. The DCO Proposed Development will enable the development of a new low carbon hydrogen production plant at Stanlow Manufacturing Complex by transporting captured CO_2, making the plant low carbon and assisting the UK in meeting its Net-Zero targets.

BRITISH ENERGY SECURITY STRATEGY (APRIL 2022)

3.6.33. This document outlines proposed actions and ambitions of the UK Government to increase energy security and bring down energy bills (HM Government, 2022). The Strategy reiterates the Government's ambition for investing in CCS – this includes a 2025 ambition to see "*up to 1GW of CCUS-enabled [hydrogen] operational or in construction by 2025*" and an increased target to double the UK ambition for hydrogen production to up to 10GW by 2030, with at least half of this from electrolytic hydrogen. The strategy also highlights the need to reuse existing infrastructure and "*use … empty caverns for CO2 storage"*.

3.6.34. The DCO Proposed Development would support these ambitions with an operational date of the mid 2020s. This would facilitate both the use of existing reservoirs for CO_2 storage and the creation of a low carbon hydrogen energy network that will help move the UK away from reliance on oil and gas by the roll-out of domestic low carbon technologies and help increase national energy security.

THE GROWTH PLAN 2022 (SEPTEMBER 2022)

3.6.35. The Growth Plan lists "*infrastructure projects which will be accelerated as fast as possible*". The projects listed in the document "*may benefit from acceleration through planning reform, regulatory reform, improved processes or other options to speed up their development and construction, including through development consent processes*" (HM Government, 2022).

3.6.36. Within the Energy and CCS sections of the Plan – the HyNet Cluster is mentioned as one of these projects. This highlights the Government's recognition of the urgent need for particular infrastructure schemes (including the DCO Proposed Development) to be accelerated, particularly in light of the current economic situation and climate emergency. The critical importance of the DCO Proposed Development to the wider Project has been discussed both in this Planning Statement and the Needs Case **[APP-049].** The Growth Plan clearly acknowledges the need to expedite the decision-making process to enable key schemes like the DCO Proposed Development to come forward sooner so the benefits can be realised as early as possible.

Welsh Energy Policy

PROSPERITY FOR ALL: A LOW CARBON WALES (MARCH 2019)

3.6.37. This document set out how Wales would meet its first carbon budget (2016-2020) and recognises in Proposal 18 the need for collaboration on CCS across the border between North West England and North Wales (Welsh Government, 2019). This is directly relevant to the DCO Proposed Development which is the first cross-country pipeline NSIP crossing England and Wales.

A CARBON CAPTURE, UTILISATION, AND STORAGE NETWORK FOR WALES (MARCH 2021)

3.6.38. This sets out the approach that the Welsh Government would like to see regarding CCS. The document recognises CCS as *"a feasible technical option to support Wales in achieving its statutory emissions reduction targets"* (paragraph 1) (Welsh Government, 2021). The DCO Proposed Development will transport CO_2, once captured, from industrial processes. As recognised by this document, there will be opportunities for sites in North East Wales to connect to the Project, which will aid in the meeting of statutory targets in Wales.

3.6.39. The document also states that there is a dependency on North Wales for the DCO Proposed Development and refers specifically to the HyNet project, stating:

> *"The Welsh Government should enhance its collaboration with the HyNet project in North West England to secure sufficient capacity in the project to meet the needs of the CO2 emitters in North Wales" (page 9)*

3.6.40. The document outlines a proactive stance and support for collaboration between Welsh Government and the DCO Proposed Development.

NET ZERO WALES CARBON BUDGET 2 (2021-25) (OCTOBER 2021)

3.6.41. This document released by the Welsh Government focuses on how Wales will meet its second carbon budget which spans the years 2021-2025. However, the document also looks beyond this time period and builds the foundations for the third carbon budget and looking towards the target of Net-Zero by 2050 (Welsh Government, 2021). The document discusses industrial clusters using CCS in Proposal 18 (page 134) and states:

"*The HyNet project presents significant opportunities to businesses across North Wales to decarbonise existing industrial processes*."

3.6.42. The document discusses the reduced opportunity in South Wales for the storage of CO_2 *"due to the lack of suitable nearby geological stores"* (page 133). This further highlights the advantageous position in which HyNet is situated in with the geological environment around the Project.

WALES INFRASTRUCTURE INVESTMENT STRATEGY (DECEMBER 2021)

3.6.43. This document reinforces the argument *"that this must be the decade of action in terms of tackling climate change in Wales"* (paragraph 1, page 3) (Welsh Government, 2021). The strategy aligns with that of the Net Zero Wales Carbon Budget 2 document in its ambition to build *"a greener Wales for our future generations"* (paragraph 9, page 25).

3.6.44. The DCO Proposed Development is one of the key drivers in enabling clean energy to come forward in North Wales and to enable the Net Zero Wales Carbon Budget 2 targets to be met.

3.6.45. Section 3.3 of the Needs Case for the DCO Proposed Development **[APP-049]** summarises the other non-policy documents and support for CCS and low carbon hydrogen by the UK Government.

3.7. NATIONAL PLANNING POLICY

3.7.1. National planning policy may be considered by the SoS as important and relevant to its decision making under s105 of the PA2008. This section of the Planning Statement will assess the DCO Proposed Development against the relevant national policy frameworks in England and Wales. A more detailed appraisal of policy compliance is provided in **Table B2 and B3 of Appendix B**.

England

NATIONAL PLANNING POLICY FRAMEWORK (JULY 2021)

3.7.2. The National Planning Policy Framework (NPPF) was originally published on 27th March 2012 and was most recently updated on 20th July 2021 (HM

Government, 2021). This sets out the UK Government's planning policies for England and how these are expected to be applied.

3.7.3. From December 2022 to March 2023, the Department for Levelling Up, Housing and Communities issued a revised draft NPPF for consultation, which emphasised the requirement to deliver homes in the right places with the right infrastructure, ensuring the environment is protected and giving local people a greater say on where and where not to place new, beautiful development. The following changes were included:

- make clear how housing figures should be derived and applied so that communities can respond to local circumstances;
- address issues in the operation of the housing delivery and land supply tests;
- tackle problems of slow build out;
- encourage local planning authorities to support the role of community-led groups in delivering affordable housing on exception sites;
- set clearer expectations around planning for older peoples' housing;
- promote more beautiful homes, including through gentle density;
- make sure that food security considerations are factored into planning decisions that affect farm land;
- and enable new methods for demonstrating local support for onshore wind development.

3.7.4. These changes have not been formally adopted into the NPPF and therefore currently have limited weight. Notwithstanding this, given the nature and manner of the proposed changes outlined in Section 3.7.3, they are not considered by the Applicant to be of relevance to the DCO Proposed Development.

3.7.5. The NPPF replaced the majority of Planning Policy Statements and Planning Policy Guidance Notes. The policies contained within the NPPF are expanded upon and supported by the Planning Practice Guidance (PPG), which was published in March 2014 and each section is updated independently periodically.

3.7.6. Paragraph 8 outlines the three pillars to sustainable development, which are the objectives which the planning system must pursue in mutually supportive ways:

''An economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed,

beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

An environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy".

3.7.7. These objectives should be delivered through the preparation and implementation of plans and the policies in the NPPF, not as criteria against which every decision can or should be judged. Planning Policies play an active role in guiding development, but there is a requirement to take in further information regarding site characteristics, local circumstances and function needs.

3.7.8. The DCO Proposed Development will facilitate the delivery of sustainable development by supporting the UK's transition to zero carbon. This will be achieved though the provision of infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector. It will also generate employment opportunities and provide a positive contribution to socio-economic wellbeing.

3.7.9. Specific NPPF Policies set out the Government's targets for England; how these are to be applied and forms a material consideration in planning decisions. Paragraph 5 of the NPPF makes it clear that the document does not contain specific policies for NSIP's which:

"Are determined in accordance with the decision-making framework in the Planning Act 2008 (as amended) and relevant national policy statements for major infrastructure, as well as any other matters that are relevant (which may include the National Planning Policy Framework). National policy statements form part of the overall framework of national planning policy and may be a material consideration in preparing plans and making decisions on planning applications".

3.7.10. However, paragraph 5 goes on to confirm that the NPPF may be a matter that is both important and relevant for the purposes of assessing DCO applications.

3.7.11. Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The policies that are set out in the NPPF paragraphs 19 – 20, taken as a whole, constitute the Government's view of what sustainable development in England means in practice.

3.7.12. Paragraph 152 outlines that the:

"planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure".

3.7.13. Paragraph 215 of the NPPF states; *"Mineral Planning Authorities should encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility".*

3.7.14. The DCO Proposed Development constitutes sustainable development in the context of the NPPF, delivering economic, social and environmental benefits. It therefore accords with the main principles of the NPPF, and in applying the NPPF approach to decision-making, there will be no adverse impacts significantly and demonstrably outweighing the benefits when assessed against the policies in the NPPF taken as a whole.

3.7.15. Specific policies of particular relevance have been included above to illustrate how the DCO Proposed Development satisfies the principles found within the NPPF such as sustainable development and meeting the challenge of climate change. Additional assessments against sustainable transport; requiring good design; promoting healthy communities; conserving and enhancing the natural and historic environment can be reviewed in **Table B2 of Appendix B** which assesses the DCO Proposed Development against these policies.

Wales

3.7.16. For development in Wales, the principal strategic policy documents are the National Development Framework – Future Wales: The National Plan 2040, Planning Policy Wales Edition 9 (2016), and Technical Advice Notes. This Planning Statement also considers the Well-being of Future Generations (Wales) Act 2015. Together, these comprise the national planning policy framework informing the preparation of local development plans.

NATIONAL DEVELOPMENT FRAMEWORK – FUTURE WALES: THE NATIONAL PLAN 2040 (JULY 2021)

3.7.17. The National Development Framework (NFD) is a 20-year national Development Plan that covers the whole of Wales (Welsh Government, 2021). It has been produced by the Welsh Government and covers the period up to 2040. The document was most recently updated on 24 February 2021.

3.7.18. The NDF seeks to provide a strategy for addressing key national priorities for Wales through the planning system and has been revised with consideration for the Well Being of Future Generations (Wales) Act 2015.

3.7.19. Policy 1 drives the delivery of the Future Wales Outcomes and ensures Future Wales' policies and the planning system in general are committed to their achievement. Key issues, including decarbonisation, health, prosperity and the Welsh language, are core elements of Policy 1 and are common threads underpinning all Future Wales policies.

3.7.20. Policy 17 recognises the wealth of current and emerging renewable energy technologies that can contribute towards our energy and decarbonisation targets. It also demonstrates the Welsh Government's support in principle for all renewable energy projects and technologies. The DCO Proposed Development seeks to ensure there are no significant unacceptable detrimental impacts on the surrounding natural environment and local communities and that the development delivers positive social, environmental, cultural and economic benefits in accordance with NDF.

3.7.21. As established in Policy 21, the North of Wales has been identified to play a role in decarbonising society and supports the realisation of new infrastructure projects. Specific policies of particular relevance have been included above to illustrate how the DCO Proposed Development satisfies the principles found within the NDF such as sustainable development and meeting the challenge of climate change. Additional assessments against sustainable transport; requiring good design; promoting healthy communities; conserving and enhancing the natural and historic environment can be reviewed in **Table B3 in Appendix B** which considers how the DCO Proposed Development conforms with these policies.

PLANNING POLICY WALES AND ASSOCIATED TECHNICAL ADVICE NOTES (TANS)

3.7.22. Planning Policy Wales (PPW) sets out the land use planning policies of the Welsh Government (Welsh Government, 2021). The guidance provided by the PPW is supplemented by a series of TANs. Together, the PPW and TANs set out the Welsh Government's national policies and principles on different aspects of planning and sustainable development. Some of these TANs are not relevant to the DCO Proposed Development whilst others provide recent and relevant guidance which may therefore be important and relevant for the purposes of the SoS's decision.

3.7.23. The TANs which post-date the relevant NPSs include: TAN5 Nature Conservation and Planning, TAN11 (Noise) TAN12 (Design) TAN15 (Development and Flood Risk), TAN18 (transport) TAN20 (Planning and the Welsh language) TAN21 (Waste), TAN23 (Economic Development) and TAN24 (The Historic Environment).

3.7.24. The DCO Proposed Development is considered to accord with the TANs as listed above.

WELL-BEING OF FUTURE GENERATIONS (WALES) ACT 2015

3.7.25. The Well-Being of Future Generations (Wales) Act (2015) is a statutory instrument which requires public bodies to pursue economic, social, environment and cultural well-being of Wales in a way which accords with sustainable development principles (National Assembly for Wales, 2015).

3.7.26. Sustainable development is defined under the act as "*the process of improving the economic, social, environmental and cultural well-being of Wales by taking action, in accordance with the sustainable development principle aimed at achieving the well-being goals".* Achieving sustainable development means that public bodies must act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs.

3.7.27. There are seven Well-Being goals defined within the Act; the most applicable to the DCO Proposed Development being "*A Prosperous Wales" – "An innovative, productive and low carbon society which recognises the limits of the global environment and therefore uses resources efficiently and proportionately (including acting on climate change); and which develops a skilled and well-educated population in an economy which generates wealth and provides employment opportunities, allowing people to take advantage of the wealth generated through securing decent work."* and *"A Globally Responsible Wales" - A nation which, when doing anything to improve the economic, social, environmental and cultural well-being of Wales, takes account of whether doing such a thing may make a positive contribution to global well-being.*

3.7.28. Local Bodies will make decisions which reflect the overall ambition of the act to achieve sustainable development.

3.7.29. The DCO Application is submitted in conjunction with a Welsh Language Statement **[APP-050]** which explains how the Applicant has considered Welsh language speakers as part of the DCO Proposed Development and pre-application process. No significant impact is considered likely.

3.8. OTHER MATTERS OF IMPORTANCE AND RELEVANCE

LOCAL DEVELOPMENT PLANS

3.8.1. EN-1 states that consideration may be given to planning policy outside the NPSs where it is important and relevant to the SoS's decision. Paragraph 4.1.5 of EN-1 confirms that these may include development plan documents or other documents in the local development framework.

3.8.2. Whilst Local Policy will not be determinative; it may be an important consideration that defines local and regional mitigation measures where considered relevant. NPS advises that the SoS should take into account

environmental, social and economic benefits and adverse impacts at a local level. These may be identified in NPS (EN-1), the application, or elsewhere.

3.8.3. A detailed appraisal of policy compliance is provided in **Appendix B** of the Planning Statement which assesses the DCO Proposed Development against the relevant local Development Plans in England for Cheshire West and Chester Council (CWCC); and also in Wales for Flintshire County Council (FCC).

England

CHESHIRE WEST AND CHESTER LOCAL PLAN (PART 1) STRATEGIC POLICIES

3.8.4. CWCC have an adopted Local Development Plan that forms the basis for local decision making. Therefore, the Local Plan, as up to date local planning policy, may be a relevant and important matter to be considered in decision making for the DCO Proposed Development under S105(2) of the PA2008.

3.8.5. The Local Plan for CWCC is split as follows:

- Cheshire West and Chester Local Plan (Part 1) Strategic Policies (Adopted 2015) and
- Cheshire West and Chester Local Plan (Part 2) Land Allocations and Detailed Policies (Adopted 2019).

3.8.6. **Table B4 in Appendix B** of this Planning Statement sets out the compliance of the DCO Proposed Development with the relevant CWCC local development plan policies.

3.8.7. Section 2.4 of this Planning Statement considers the relevant planning policy allocations for the DCO Proposed Developments, as well as environmental designations.

Wales

3.8.8. The associated and relevant local policy for FCC consists of;

- The Flintshire Local Development Plan (LDP) (Adopted 2023).

FLINTSHIRE LOCAL DEVELOPMENT PLAN 2015 – 2030 (ADOPTED PLAN 24TH JANUARY 2023)

3.8.9. As of 24 January 2023, FCC formally adopted a new Local Development Plan (LDP) which sets out the planning strategy in Flintshire until 2030. The LDP may be a relevant and important matter to be taken into account in decision making for the DCO Proposed Development, in line with S105(2) of the PA 2008.

3.8.10. The Flintshire LDP is intended to be read alongside Future Wales: The National Plan and covers a period of 15 years ending on 31 March 2030.

3.8.11. The LDP includes various strategic policies, development management policies, and monitoring. The policies are related to creation of sustainable places, building prosperous economy, respecting the environment and meeting the housing needs.

3.8.12. **Table B5 in Appendix B of this Planning Statement** sets out the compliance of the DCO Proposed Development with the relevant policies from the extant UDP.

3.8.13. **Section 2.4** of this Planning Statement considers the relevant planning policy allocations for the DCO Proposed Developments, as well as environmental designations.

3.8.14. **Table B6 in Appendix B of this Planning Statement** sets out the compliance of the DCO Proposed Development with the relevant policies from the Flintshire adopted LDP.

NEIGHBOURHOOD PLANS

3.8.15. The Order Limits of the DCO Proposed Development transect the area covered by an emerging neighbourhood plan at Ince.

3.8.16. **Table B7** in Appendix B of this Planning Statement sets out the compliance of the DCO Proposed Development with the relevant policies from the emerging Neighbourhood Plan which is intrinsically linked to the CWCC Local Plan (Part 1 and 2).

3.9. SUMMARY

3.9.1. The application for the DCO Proposed Development will be decided under section 105 of the PA2008 so is therefore not solely decided in line with the Energy NPSs. This means the SoS must consider other 'important and relevant' matters that should be afforded substantial weight in decision-making. It is considered by the Applicant this should also include UK and Welsh Energy policy, National planning policy frameworks, as well as the Local Development Plans for CWCC and FCC.

3.9.2. This Planning Statement has considered each of these matters and the Applicant has drawn the following conclusions:

NPS EN-1 and EN-4

3.9.3. The need for urgent action on reducing carbon emissions and tackling the climate emergency in the UK is well-established within the Adopted (and emerging Draft) Energy NPS EN-1 and EN-4.

3.9.4. The UK Government has set a legally binding target to reach Net-Zero by 2050 which requires substantial efforts to decarbonise the power and industrial sectors. Part 3 of EN-1 confirms it is established that the need for new forms of energy infrastructure is urgent and not open for deliberation.

3.9.5. The DCO Proposed Development will support the delivery of a carbon capture and transportation system, being part of a CCS chain, which will enable the wider HyNet Project and regional industrial cluster to expand rapidly. The DCO Proposed Development would therefore play a key role in supporting the UK's transition to a low carbon economy and contributing to achieving the Government's Net Zero 2050 target.

3.9.6. The emerging Draft NPS has been updated to now reflect a cluster approach to the use of CCS technology to be used more broadly for industry, power generation and low carbon hydrogen production. This aligns with the DCO Proposed Development which is part of the HyNet Track-1 industrial cluster which has been fast-tracked by Government to be part of the deployment pathway for CCS. It will actively contribute to Government's objectives for clean growth, supports the drive to significantly accelerate the pace of decarbonisation, and contribute to the achievement of carbon budgets.

UK and Welsh Energy policy

3.9.7. The Applicant considers that the DCO Proposed Development strongly aligns with the objectives and policy ambitions of recent UK and Welsh Energy policy.

3.9.8. The DCO Proposed Development will support the delivery of the key Government policies and commitments on CCUS and hydrogen. It will facilitate the expansion of CCUS at a commercial scale in North Wales and North West England. It will underpin the development of the wider Project which has the potential to capture up to 10MtCO_2 per year by the early 2030s. This is the equivalent of taking 4 million cars off the road or the equivalent of heating 5 million households with natural gas boilers (HyNet North West, 2021).

3.9.9. The Project will, through until 2030, result in over £5 billion of capital investment and create over £3.7 billion GVA (Gross Value Added). This will create over 6000 jobs annually (Mace and The University of Chester , 2021).

3.9.10. The importance of the DCO Proposed Development is recognised in specific UK and Welsh energy policies that directly refer to the importance of HyNet to achieving decarbonisation of industry in North Wales and North West England:

- The Net Zero Strategy: Building Back Greener (2021) acknowledges the HyNet Project as a Track-1 cluster and its role in boosting economic growth and job creation alongside the drive to decarbonise the UK's energy infrastructure;
- CCUS network for Wales (2021) states the Welsh Government should enhance its collaboration with the HyNet Project "*to secure sufficient capacity in the project to meet the needs of the CO2 emitters in North Wales*" (page 9);
- Net Zero Wales Carbon Budget 2 (2021) states "*the HyNet project presents significant opportunities to businesses across North Wales to decarbonise*

existing industrial processes" and acknowledges the lack of suitable geological stores in other locations

3.9.11. This demonstrates there is sufficient policy support in both UK and Welsh energy policy for the DCO Proposed Development and the wider HyNet Project which should be considered of relevance and importance to the SoS in their decision-making.

National Planning policy

3.9.12. The DCO Proposed Development will facilitate the delivery of sustainable development by supporting the UK's transition to zero carbon. This will therefore directly support the main principles of the NPPF in England. The Applicant thinks it can be shown that there will be no significant adverse impacts that significantly and demonstrably outweigh the benefits of the DCO Proposed Development when assessed against the policies in the NPPF taken as a whole.

3.9.13. The DCO Proposed Development will accord with the principles set out in the National Development Framework: Future Wales (2040). The Applicant considers that the DCO Proposed Development will deliver positive benefits in accordance with the NDF and ensure there are no significant unacceptable detrimental impacts on the wider environment. The Applicant has assessed and concluded that the DCO Proposed Development accords with the TANs. It also supports one of the key goals in the Well-Being of Future Generations (Wales) Act 2015 to deliver a 'Prosperous Wales' to support '*an innovative, productive and low carbon society*.

Local planning policy

3.9.14. The DCO Proposed Development has been assessed in line with the Adopted CWCC Local Plan and the adopted Flintshire LDP. The Applicant considers the DCO Proposed Development complies with local planning policy as described in **Section 3.8** and a detailed policy analysis is provided in **Appendix B** of this Planning Statement.

4. PLANNING ASSESSMENT AGAINST NATIONAL POLICY STATEMENTS

4.1. INTRODUCTION

4.1.1. This chapter considers the application proposals as a whole against the policies identified in **Chapter 3** to provide a project-wide planning assessment. The sub-heading below broadly follows the arrangement in National Policy Statements (NPS) EN-1 and EN-4 where relevant. The assessment should be considered in accordance with **Appendix B** (**Table B1)** which provides a compliance assessment of the relevant and important policy.

4.1.2. For the purposes of Section 105, matters contained within the NPSs are likely to be important and relevant to the decision.

4.1.3. Where further consideration of the policy headings in NPSs EN-1 and EN-4 is necessary, sub-headings broadly corresponding with those in the NPSs are used.

4.1.4. Further reference is given to the relevant sections of the ES and supporting document as and when appropriate. The ES has therefore sought to define the principles of the DCO Proposed Development in sufficient detail to allow the likely significant effects on the environment to be assessed, and the mitigation measures to be identified.

4.1.5. The Applicant has adopted the principles of the 'Rochdale Envelope' and has assessed through the EIA maximum 'worst case' dimensions and design parameters.

4.1.6. The focus of this section is principally upon conformity with the adopted NPSs and will cross reference between EN-1 and EN-4 accordingly. The Applicant has also considered compliance with the draft emerging NPSs EN-1 and EN-4 where they are considered of importance and relevance to the DCO Proposed Development.

4.2. NPS EN-1 AND EN-4 ASSESSMENT PRINCIPLES

GENERAL POINTS

4.2.1. The majority of the assessment principles in EN-1 are of relevance to most types of nationally significant energy infrastructure. Paragraph 4.1.2 of EN-1 states that the SoS should start with a presumption in favour of granting consent to applications for energy NSIPs. This is because of the level and urgency of need for energy infrastructure. This presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused.

4.2.2. The presumption is also subject to the provisions of the PA2008, section 104(4) to (8) and referred to in paragraph 1.1.2 of EN-1.

4.2.3. Paragraph 4.1.3 provides the general assessing criteria the SoS should apply when weighing impacts against benefits:

- "*Its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and*
- *its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts."*

4.2.4. This Planning Statement provides an assessment of the key benefits and dis-benefits of the DCO Proposed Development in **Chapter 6**, demonstrating that it will have a number of substantial benefits and that these clearly outweigh its dis-benefits. The ES provides a further assessment of likely significant environment impacts posed by the DCO Proposed Development with thorough mitigation leading to an overall betterment; again, demonstrating that the DCO Proposed Development will have a number of substantial benefits and that these clearly outweigh any dis-benefits.

4.2.5. The Applicant has included a number of Requirements within **Schedule 2** of the Draft DCO **[AS-016]** to appropriately mitigate and manage adverse effects during construction and operation. The requirements within the draft DCO are intended to control the detailed design of the DCO Proposed Development and ensure best practice through construction and operation. Relevant guidance has been adhered too; notably that contained within the NPPF (paragraphs 55 - 58), the PPG ('Use of planning conditions') and the PINS Advice Note 15 'Drafting Development Consent Orders' (July 2018).

4.2.6. In addition, the Needs Case for DCO Proposed Development **[AS-049]** demonstrates the clear need for the DCO Proposed Development highlighting the contribution towards the decarbonisation agenda, delivering energy infrastructure, job creation and other short and long term benefits.

4.2.7. Paragraph 4.1.9 of EN-1 requires applicants to have made a judgement as to the financial and technical feasibility of their proposed development, within the market framework and taking account of Government interventions. Where financial and technical feasibility have been properly assessed by the applicant, these are unlikely to be relevant to the SoS's decision-making. Given the requirement to seek agreements with relevant landowners for acquisition, the DCO application is submitted with a Funding Statement **[APP-029]** and Statement of Reasons **[AS-021]** which explain the viability of delivery. The Applicant considers that this in accordance with EN-1.

Conclusion with regards to EN-1 **– General Points**

The Applicant has taken commercial and financial matters into consideration when deciding to proceed with the DCO Proposed Development. Further justification is provided within the Needs Case for the DCO Proposed Development [APP-049], Funding Statement [APP-029] and Statement of Reasons [AS-021].

The Applicant has provided sufficient information to enable the delivery and viability of the DCO Proposed Development.

ENVIRONMENTAL STATEMENT

4.2.8. Paragraph 4.2.1 of EN-1 establishes the requirement for the submission of an ES stating that:

"*All proposals for projects that are subject to the European Environmental Impact Assessment Directive, must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically refers to effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. The Directive requires an assessment of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects*."

4.2.9. The DCO Proposed Development has been submitted with an ES **[APP-053 to APP-072] except [AS-026 and AS-025]** including relevant appendices **[APP-073 to APP-173 except AS-027, AS-028, AS-029, AS-030, AS-031, AS-032, AS-033, AS-034, AS-035, AS-036, AS-037, AS-038, AS-039, AS-040, AS-041, AS-042, AS-043, AS-044, AS-045, AS-046, AS-047, AS-048, AS-049, AS-050, AS-051, AS-052]** and figures **[APP-174 to APP-221]** in accordance with the EIA Regulations 2017. The Applicant submitted a scoping report **[APP-073 and APP-074]** and received a scoping opinion from the SoS **[APP-075]** which have been appended accordingly. Chapter 5 of the ES **[APP-057]** sets out the methodology and approach to delivery.

4.2.10. The Applicant notified the Inspectorate and SoS under the 2017 EIA Regulations – Regulation 8(1)(b) 'Notification of Intention to Provide an Environmental Statement' and Regulation 10(1) 'Request for a Scoping Opinion' on 3 June 2021.

4.2.11. The ES provides consistency and transparency on assessing the likely significant effects of the DCO Proposed Development having taken account of included mitigation. The Register of Environmental Actions and Commitments

(REAC) **[AS-053]** submitted with the DCO Application sets out the proposed mitigation measures in detail.

4.2.12. Paragraphs 4.2.2 - 4.2.11 of EN-1 provide further guidance on the matters the ES needs to address.

4.2.13. For ease of review, each ES chapter is separated into three phases: Construction, Operation and Decommissioning. This allows for a clear assessment of the intra and inter-project cumulative effects. This shows consistency with the front end policies of 4.2 of EN-1.

4.2.14. Paragraph 4.2.7 of EN-1 acknowledges that it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the EN-1 advises that the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case. In line with the Rochdale Envelope approach, the EIA reported in the ES is based on likely worst-case assumptions about the construction and operation of the DCO Proposed Development. As a result, the assumptions for assessment may be different for each technical topic as described. This approach will ensure that the final detailed design and construction methodology will not require or inhibit further environmental impacts (though design approvals will be required to confirm compliance with the assessed parameters). This approach is set out within ES Chapter 5 of the ES **[APP-057]** and shows accordance with both paragraph 4.2.7 and 4.2.8 of Part 2 of EN-1.

4.2.15. All works to construct and operate the DCO Proposed Development take place within the Order Limits, but final routing within the Order Limits has not been determined. The design included within the DCO Proposed Development submission represents a preliminary design that will be progressed and refined by the construction contractor(s) at the detailed design stage; this allows sufficient scope for value engineering through innovative design and / or construction techniques.

4.2.16. This approach is set out within the Draft DCO **[AS-016]** and illustrated within the Land Plans **[AS-010]** and Works Plans **[AS-012].** The level of flexibility is controlled by the Draft DCO. The works packages in Schedule 1 of the Draft DCO can only be constructed within the corresponding areas of the works plans. It also includes a requirement for the approval of the detailed design of the DCO Proposed Development.

Conclusion with regards to EN-1 and EN-4

The above assessment demonstrates compliance with the criteria set out within sections 4.2 and 4.3 of EN-1 and the general environmental principles of EN-4 as a whole.

The information provided in support of the DCO Proposed Development demonstrates that an EIA has been undertaken in accordance with the EIA Regulations 2017. It is evidenced that an EIA Scoping Report has been submitted to the Inspectorate prior to the submission of the DCO Application, and that the ES has been based on the Inspectorate's EIA Scoping Opinion received in response. This is appended within the ES.

In accordance with the Inspectorate's guidance the application has retained flexibility in conformity with the Rochdale Envelope approach. This allows for a precautionary approach to project delivery. The ES provides sufficient detail where available and justification as to why this may not have been included, this in accordance with paragraph 4.2.7 of EN-1. Further to this, the ES has adopted a "worst case" baseline approach which enables a broader assessment.

The ES considers likely significant effects at all stages of the DCO Proposed Development, with appropriate mitigation set out within the individual chapters themselves and further details within the REAC.

The Applicant considers that the DCO Proposed Development accords with the above paragraphs of section 4.2 of EN-1

HABITATS AND SPECIES REGULATIONS

4.2.17. EN-1 (paragraph 4.3.1) confirms that prior to granting development consent, the SoS must, under the Habitats Regulations, consider whether the DCO Proposed Development may have a likely significant effect on the conservation objectives of a European site, or any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans and Proposed Developments. It is also advised to collaborate with Natural England to provide the SoS with the information to assess accordingly.

4.2.18. In accordance with section 4.3 of EN-1, the ES is appended with a Habitats Regulations Assessment ('HRA') Report **[APP-226]** to determine, in view of a site's conservation objectives and qualifying interests, whether a plan, either in isolation and / or in-combination with other plans or projects, could lead to adverse effects on the integrity of a protected Habitats site.

4.2.19. The DCO Proposed Development is located within 1 km of the Dee Estuary/Aber Dyfrdwy Special Area of Conservation (SAC), The Dee Estuary SPA and Ramsar and the Mersey Estuary SPA (Special Protection Area) and Ramsar, which are designated for their bird assemblages. There are nine European Sites within 10km of the Newbuild Infrastructure Boundary of the DCO Proposed Development which are listed within the HRA.

4.2.20. As likely significant effects on the SPA/Ramsar cannot be ruled at the screening stage, the HRA Report includes an appropriate assessment and considers in

combination effects. To address potential effects mitigation is proposed in the REAC **[AS-053]**and would be secured and implemented within the consolidated CEMP **[AS-055]**. The HRA and the scope of the HRA assessment has been discussed with statutory consultees during the development of the DCO Proposed Development and preparation of the Environmental Statement.

4.2.21. Following the implementation of the above mitigation measures, it is concluded that the DCO Proposed Development would not adversely affect the integrity of the European Sites either alone or in-combination.

Conclusion with regards to EN-1 and EN-4

The above assessment demonstrates compliance with the criteria set out within sections 4.3 of EN-1 and the general environmental principles of EN-4 as a whole. The HRA [APP-226] provides an appropriate assessment of the in combination and cumulative likely impacts.

The Applicant considers that the DCO Proposed Development accords with the above paragraphs of section 4.3 of EN-1 and with the general environmental principles in EN-4.

ALTERNATIVES

4.2.22. Applicants are obliged to include in a section regarding "alternatives" in the ES, as a matter of fact, information about the main alternatives they have studied. Paragraph 4.4.1 of EN-1 confirms that the NPS scope "*does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option*".

4.2.23. However, the EN-1 does include a policy requirement to consider alternatives (Sections 5.3, 5.7 and 5.9) in relation to avoiding significant harm to biodiversity and geological conservation interests, flood risk and development within nationally designated landscapes. Additionally, the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (DCO EIA Regulations) state that an Environmental Statement (ES) should include *"a description of the reasonable alternatives studied by the applicant, which are relevant to the proposed development and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the effects of the development on the environment".*

4.2.24. Information relating to the main alternatives that the Applicants have considered in relation to the DCO Proposed Development are set out at Chapter 4 of the ES **[APP-056]**. To accord with the DCO EIA Regulations, the following alternatives have been considered to reduce environmental effects of the DCO Proposed Development.

- Do nothing;

- Alternative options;
- Mitigation by design

4.2.25. Paragraph 5.3.7 of EN-1 states that as a general principle, development should aim to avoid significant harm to biodiversity and geological conversation interests, including through mitigation and consideration of reasonable alternatives; where significant harm cannot be avoided, then appropriate compensation measures should be sought.

4.2.26. The "*Do Nothing"* alternative was concluded to mean that following the end of life of the natural gas reserves in the Liverpool Bay Gas Field, the gas pipeline and existing infrastructure would be decommissioned. The DCO Proposed Development which is also a key component of the low carbon hydrogen network in the region would not be progressed. As an integral part of the Project, this would mean that carbon emissions from industrial sources in North Wales and the North West of England region would remain unabated. This would be contrary to the UK's goal to achieve Net- Zero carbon emissions by 2050, the Industrial Decarbonisation Strategy, the British Energy Security Strategy and the UK Hydrogen Strategy.

4.2.27. Regarding pipeline routing, there were two main considerations:

- To deliver a pipeline capable of transporting CO_2 from new hydrogen production facilities at Stanlow Manufacturing Complex and other local process emitters to a CO_2 Storage location within Liverpool Bay;
- To maximise the opportunity to substantially reduce CO_2 emissions from industry within North West England and North Wales - by ensuring any pipeline provides the opportunity for all major emitters to connect.

4.2.28. The design and location of the Newbuild CO_2 Pipeline was developed to consider the requirements and phasing of the wider Project. This included exploring opportunities to modify existing infrastructure to reduce the need for constructing additional pipelines, which avoids potential environmental impacts and provides programme and cost efficiencies.

4.2.29. A three-stage appraisal process was adopted which sought to avoid, minimise and manage impacts upon the environmental and local amenity in addition to ensuring the transportation of CO_2 is undertaken safely and securely. The Order Limits show the 100m corridor which has been applied to the preferred route to enable more detailed consideration of specific planning, land use, environmental and social criteria and to identify engineering, cost and constructability issues. This route was considered optimal to deliver the Project goals. A detailed analysis is found in Chapter 4 of the ES **[APP-056].**

4.2.30. The Order Limits show an indicative arrangement to be considered until consolidated through detailed design. For this reason, it has been necessary to incorporate a degree of flexibility within the Application and therefore the

Applicant has adopted the principles of the 'Rochdale Envelope' and assessed through the EIA maximum 'worst case' dimensions and design parameters for the DCO Proposed Development.

Conclusion with regards to EN-1 and EN-4

The above assessment demonstrates compliance with the criteria set out within sections 4.4 of EN-1 and the general environmental principles of EN-4 as a whole.

The consideration of alternatives in relation to the DCO Proposed Development, as set out in the ES, is therefore considered to be both appropriate and proportionate in accordance with EN-1 and EN-4.

CRITERIA FOR 'GOOD DESIGN' FOR ENERGY INFRASTRUCTURE

4.2.31. Paragraph 4.5.1 of EN-1 states that the functionality of an object — be it a building or other type of infrastructure — including fitness for purpose and sustainability, is equally important. Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetics as far as possible.

4.2.32. Paragraph 4.5.2 elaborates that good design is also a means by which many policy objectives in the NPS can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies can help mitigate adverse impacts such as noise.

4.2.33. EN-4 further confirms that applicants should demonstrate good design, in particular where mitigating the impacts relevant to the infrastructure.

4.2.34. During assessment, Paragraph 4.5.3 sets out that the SoS needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable and adaptable (including taking account of natural hazards such as flooding) as they can be. Further to this, Paragraph 4.5.4 of EN-1 requires applicants to demonstrate in their application how the design process was conducted and how the proposed design evolved. The SoS should, however, take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements, which the design has to satisfy.

4.2.35. As such, this section sets out how the design of the DCO Proposed Development has evolved in the lead up to the submission of the DCO Proposed Development and sets out any landscape and visual impacts whilst explaining the embedded mitigation measures proposed. Chapter 4 of the ES

[APP-056] considers the alternatives that have been examined for the DCO Proposed Development, including alternative technologies, locations, sites and connection routing and corridors.

4.2.36. It should be noted that once construction is completed, the pipeline itself will be below ground with only the above ground infrastructure visible with impacts mitigated accordingly.

4.2.37. Design and Access Statements are not a requirement for NSIPs and due to the nature of the DCO Proposed Development and the Site, the Applicant considers that a separate Design and Access Statement is not necessary for this Application.

4.2.38. Design evolution is apparent as documented within the Consultation Report **[APP-031]** which demonstrates comprehensive consultation with the public, local councils and stakeholders and how these views were taken into account of numerous rounds of consultation. Please refer to the following appendices of the report for full comments with response:

- **Appendix A – Meetings with Stakeholders**
- **Appendix D – Statement of Community Consultation**
- **Appendix F – Section 42(1)(a)(b)(c) and (d) Letters and Responses**
- **Appendix L – Targeted Consultation**

4.2.39. Further to this, Chapter 12 of the ES **[APP-064]** provides a conclusive assessment of likely significant environmental effects arising from the DCO Proposed Development on Landscape Character and Visual Amenity. The most visually prominent components of the DCO Proposed Development will be the permanent above ground infrastructure along the pipeline corridor which will be integrated into the existing landscape through embedded mitigation.

4.2.40. In planning terms, the land within the Order Limits is rural by nature, though in some locations falls in proximity to small urban areas. Primarily the visual impacts of the DCO Proposed Development will only occur during the construction period, and it is the intention of the Applicant to return land to its former use following construction where possible. Where above ground infrastructure is required for the delivery of the DCO Proposed Development, it is screened appropriately. Mitigation measures are included in the REAC **[AS-053]** and the OCEMP **[AS-055]**.

4.2.41. The DCO Proposed Development is therefore considered by the Applicant to be appropriate for the context within which it is proposed to be located (i.e. underground). However, it is acknowledged that in some locations, where the rural topography provides a difference in levels, some of the above ground infrastructure will be visible to some premises.

Conclusion with regards to EN-1 and EN-4

Where a visual impact may be longer standing given the above ground infrastructure, the Applicant has sought to ensure embedded mitigation is provided which responds to the existing and historic site context, so as to deliver the best possible outcomes in terms of landscape and visual mitigation and integration.

The above demonstrates that sufficient design evolution evidence has been provided within the submission to accord with the policies of EN-1 and EN-4. The DCO Proposed Development has demonstrated "good design".

CARBON CAPTURE AND STORAGE (CCS)

Carbon Capture and Storage (CCS)

4.2.42. The initial paragraphs of Paragraph 4.7.1 of EN-1 identify the technological processes involved within Carbon Capture and Storage (CCS). The text acknowledges that CCS is an emerging technology that enables CO_2 that would otherwise be released to the atmosphere to be captured and permanently stored. It can be applied to any large point source of CO_2, such as fossil fuel power stations or other industrial processes that are high emitters. Carbon capture technologies are able to remove up to 90% of the CO_2 that would otherwise be released to the atmosphere and offers the opportunity for fossil fuels to continue to be an important element of a secure and diverse low carbon energy mix.

4.2.43. The DCO Proposed Development falls as Post-Combustion Capture, as defined in paragraph 4.7.2 of EN-1:

"Post-combustion capture: this uses solvents to scrub CO_2 out of flue gases. The CO2 is then released as a concentrated gas stream by a regeneration process. Post-combustion capture is applicable to pulverised coal generating stations"

4.2.44. The fundamentals of the engineering for the DCO Proposed Development see captured CO_2 be compressed, transported and will facilitate the permanent storage deep geological formations (depleted oil and gas fields in Liverpool Bay). Typically, in the UK, the majority of locations thought to be best suited to storage of CO_2 are located offshore.

4.2.45. As set out within **Section 1.5** of this Planning Statement, the transport and storage developments will be the subject of separate consent applications by third parties, as part of the wider HyNet Project. Paragraph 4.7.7 of EN-1 states that the most likely method for transporting the captured CO_2 is through pipelines. These will be located both onshore and offshore. This paragraph goes onto state:

"*There are currently no carbon dioxide pipelines in the UK and considerable future investment in pipelines will be required for the purpose of the demonstration programme"*

4.2.46. This paragraph further states that in considering applications the SoS should therefore take into account that the Government wants developers to bear in mind foreseeable future demand when considering the size and route of their investments and may therefore propose pipelines with a greater capacity than necessary for the project alone.

4.2.47. The DCO Proposed Development therefore aligns with the Government's encouragement of CCS technology and will seek the establishment of a wider CCS network in the North West and North Wales.

Carbon Capture Readiness ('CCR')

4.2.48. Paragraphs 4.7.10 to 4.7.17 of EN-1 relate to Carbon Capture Readiness (CCR). The DCO Proposed Development is a carbon capture and transportation pipeline and is itself part of the development of a wider CCUS cluster to enable the capture and storage of captured CO_2 from other emitters (including industrial emitters).

4.2.49. The DCO Proposed Development will seek to repurpose an existing pipeline which currently runs from Connah's Quay to the PoA Terminal; this with the installation of three BVSs on the route. The compression and transportation of CO_2 is included within the DCO submission assessment.

Conclusion with regards to EN-1

The DCO Proposed Development seeks the installation, CO_2 capture and transport technology which has been designed to support the delivery of the wider HyNet Project. There is potential reduction of 10 million tonnes of carbon emissions a year by the early 2030s or equalling 50% of Net Zero targets. The technology therefore has the potential to exceed the assumed figures set out in paragraph 4.7.1 above.

The DCO Proposed Development aligns with the Government's encouragement of CCS technology, and therefore accords with the paragraphs of EN-1 noted above.

CLIMATE CHANGE ADAPTATION

4.2.50. Paragraph 4.8.1 of EN-1 sets out the how applicants and the SoS should take the effects of climate change into account when developing and consenting infrastructure. While climate change mitigation is essential to minimise the most dangerous impacts of climate change, previous global greenhouse gas

emissions have already committed us to some degree of continued climate change for at least the next 30 years.

4.2.51. Paragraph 4.8.5 of EN-1 further elaborates and specifies that when considering the long-term nature of new energy infrastructure, applicants must consider the impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure. This stance is echoed within EN-4 which further notes that the SoS should expect the delivery of climate change resilience measures as part of the relevant impact assessment in the ES.

4.2.52. EN-4 paragraph 2.2.2 establishes that given the changing climate, pipeline construction and operation should develop: resilience to increased risk of flooding; effects of rising sea levels and increased risk of storm surge; higher temperatures; increased risk of earth movement or subsidence from increased risk of flooding and drought; and any other increased risks identified in the applicant's assessment.

4.2.53. Chapter 7 of the ES **[APP-059]** determines the vulnerability of the DCO Proposed Development to climate change and reports on the resilience to the likely significant effects from climate change. This document is further supported by a climate resilience preliminary assessment in Appendix 7.1 **[APP-083].** Climate resilience mitigation measures during the construction phases are included within the OCEMP **[AS-055].** It is concluded that there will be no residual significant effects from construction once embedded mitigation has been provided.

4.2.54. Chapter 7 concludes that once embedded mitigation has been implemented, it is anticipated that the only remaining potential significant effects will be regarding the shrinking / cracking of soils due to the unknown results of any ground investigation works. This can be mitigated through additional ground investigations which will be undertaken as required to help inform the geotechnical and geo-environmental baseline.

4.2.55. Chapter 18 **[APP-070]** and Chapter 10 **[APP-062]** of the ES and their associated appendices consider the likely significant effects of the DCO Proposed Development on climate change in conjunction with their individual assessments. Assessments are considered during the operational stage only. In summary, the BVSs and AGIs will be served by a drainage system which is designed to accommodate climate change. The pipeline is below ground and therefore not at risk of climate change effects on the water environment and flood risk.

Conclusion with regards to EN-1 and EN-4

The above demonstrates that the DCO Proposed Development is compliant with both EN-1 and EN-4.

The DCO Proposed Development will not result in or be affected by significant climate changes effects. Climate resilience mitigation measures during the construction phase have been integrated into the design and it is concluded that there will be no residual significant effects from construction once embedded mitigation has been provided. In addition to this, the ES considers the in-combination climate change impacts of the DCO Proposed Development during operation, concluding a negligible impact.

GRID CONNECTION

4.2.56. Paragraph 4.9.1 of EN-1 states that the connection of a generating station to the electricity network is an important consideration for applicants. It is for the applicant to ensure there will be the necessary infrastructure and capacity within the transmission and distribution network to accommodate the electricity generated.

4.2.57. It is not necessary for an applicant to have received or accepted a formal grid connection offer at the time of submitting an application for a DCO. The SoS will however want to be satisfied that there is no reason this would not be deliverable.

4.2.58. The selected contractor will be responsible for undertaking the detailed design work for and the installation and works regarding grid connection.

Conclusion with regards to EN-1 and EN-4

The Applicant consider that there is no impediment to the grid connection being provided.

The above demonstrates that the DCO Proposed Development is compliant with both EN-1 and EN-4.

POLLUTION CONTROL AND OTHER ENVIRONMENTAL REGULATORY REGIMES

4.2.59. Paragraph 4.10.1 of EN-1 states that issues relating to discharges or emissions from a proposed project which affect air quality, water quality, land quality and the marine environment, or which include noise and vibration may be subject to separate regulation under the pollution control framework or other consenting and licensing regimes.

4.2.60. In considering an application for development consent, paragraph 4.10.3 further states that the SoS should focus on whether the development itself an

acceptable use of the land and on the impacts of that use, rather than the control of processes, emissions or discharges themselves. This is further elaborated stating that:

"The IPC should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. It should act to complement but not seek to duplicate them."

4.2.61. The DCO Proposed Development is considered to accord with the relevant text of the NPS and in seeking other required consents, the Applicant is not aware of any reason these would not be acquired.

4.2.62. Paragraph 4.10.6 specifies that applicants are advised to make early contact with relevant regulators, including the Environment Agency (EA) and MMO (Marine Management Organisation), to discuss their requirements for environmental permits and other consents. Appendix A of the Consultation Report **[APP-032]** provides a conclusive list of meetings with stakeholders including statutory environmental bodies including the EA (note the MMO were consulted but no further meetings were required due to the location of the CO_2 pipeline outside of the Marine area). The potential pollution effects and impacts of the DCO Proposed Development in terms of air quality, water quality, land quality and noise and vibration have been fully assessed within the ES.

4.2.63. The provision of this information helps to ensure that the DCO Proposed Development takes account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the SoS.

4.2.64. Finally, paragraph 4.10.8 of EN-1 states that the SoS should not refuse consent on the basis of pollution impacts unless it has good reason to believe that any relevant necessary operational pollution control permits, or licences or other consents will not subsequently be granted.

Conclusion with regards to EN-1

The Applicant has provided the relevant information to ensure that consultation has taken place with the relevant bodies and control authorities. The DCO Proposed Development can adequately manage any pollution risk through the acquisition of relevant consents which are managed by the relevant control bodies. The Applicant is not aware of any reasons why any permits, consents or licenses would not be granted, where required.

The DCO Proposed Development is considered to accord with the relevant paragraphs within EN-1.

SAFETY

4.2.65. Paragraph 4.11.1 of EN-1 provides the basis for assessment against safety for the DCO Proposed Development. The Health and Safety Executive (HSE) is the responsible body for enforcing a range of occupational health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. The HSE has published a number of applicable guidance notes, including in relation to carbon capture technology and the transport of CO_2 by pipeline.

4.2.66. Section 4.11 advises that Applicants should consult with the HSE on matters relating to safety. This has been completed in conformity with EN-1 and a summary of which can be found within Appendix A of the Consultation Report **[APP-032].**

4.2.67. Chapter 13 of the ES **[APP-065]** provides an assessment of the vulnerability of the DCO Proposed Development to the risk of Major Accidents and/or Disasters (MA&D) during construction, operation, and decommissioning. The inclusion of this assessment is required by virtue of the EIA Regulations 2017. The chapter concludes that there would be no increased likelihood of a major accident or disaster as a result of the DCO Proposed Development.

4.2.68. CO_2 is not flammable and will not support combustion and compared with many other materials conveyed via major pipelines in the UK. The risks to human health, increased likelihood of accidents and the environment from impacts are relatively low.

4.2.69. Paragraphs 4.11.2 and 4.11.3 of EN-1 provide legislative background for energy infrastructure projects, noting how some aspects of development will be subject to the Control of Major Accident Hazards (COMAH) Regulations 1999 which aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. Paragraph 2.5.1 of EN-4 reiterates that gas storage and supply infrastructure sites are specifically subject to the COMAH Regulations 1999. The DCO Proposed Development is not anticipated to be subject to the COMAH Regulations 2015, however the Applicant is required to notify the competent authority.

4.2.70. The Other Consents and Licences Document **[APP-046]** submitted with the DCO Application includes an indicative list of expected consents and licences required outside of the DCO. These consents will be applied for directly to the relevant bodies (e.g HSE, EA, NRW) as and when appropriate during the construction phase.

4.2.71. The works to deliver the pipeline within the Order Limits during the construction phase are raised as having potential to expose the general public to contaminants or a MA&D. This relates primarily to the potential to strike existing

underground utilities or third-party pipelines. Accordingly, mitigation is provided in accordance with general practice standards and systems.

4.2.72. The Construction Contractor will ensure compliance with the relevant legislation, guidance and best practice during the construction phase. Construction works would be undertaken in accordance with all relevant legislation, guidance and best practice and will include, for example, COSHH assessments and the wearing of appropriate Personal Protective Equipment (PPE) and other applicable apparatus/equipment associated with the underlying ground conditions.

Conclusion with regards to EN-1 and EN-4

The Applicant considers that the DCO Proposed Development accords with the parameters set out within EN-1 and EN-4 regarding Safety and the Control of Major Accident Hazards.

Through the supporting documents and overarching health and safety legislation which will be adhered to by a highly specialised contractor the Applicant has taken all relevant matters into account to provide appropriate safety provisions.

HAZARDOUS SUBSTANCES

4.2.73. Paragraph 4.12.1 of EN-1 clarifies that all establishments wishing to hold stocks of certain hazardous substances above a threshold need Hazardous Substances Consent (HSC). Applicants should consult the HSE at pre-application stage. Section 2.4.1 of EN-4 echoes this by setting parameters for an application:

"All establishments wishing to hold stocks of certain hazardous substances, which include oil and gas, above a threshold quantity must apply to the Hazardous Substances Authority (HSA) for hazardous substances consent".

4.2.74. Where hazardous substances consent is applied for, the SoS will consider whether to make an order directing those hazardous substances consent shall be deemed to be granted alongside making an order granting development consent.

4.2.75. The Applicant has consulted with HSE and other relevant bodies. A summary of which can be found within Appendix A of the Consultation Report **[APP-031].**

4.2.76. As set out in the Other Consents and Licences Document **[APP-046]** submitted with the Application, the DCO Proposed Development may require the Applicant to prepare a HSC application for submission to the hazardous substances authority.

4.2.77. The proposed pipeline would be constructed to the relevant safety and industry standards in accordance with the Pipeline Safety Regulations 1996. A

notification under the Pipeline Safety Regulations 1996 would be made to the HSE.

4.2.78. Embedded mitigation for the DCO Proposed Development includes the measures set out in the Outline CEMP **[AS-055]**. The final CEMP would be implemented during the construction phase.

Conclusion with regards to EN-1 and EN-4

The Applicant considers that the DCO Proposed Development accords with the parameters set out within EN-1 and EN-4 regarding Hazardous Waste.

The supporting documents within the application submission outline the requirement to obtain the relevant permits, co-ordination with the relevant bodies and appropriate mitigation where required.

HEALTH

4.2.79. Paragraph 4.13.1 of draft EN-1 states that energy production has the potential to impact on the health and well-being ("health") of the population. This is further elaborated on by stating that energy is clearly beneficial to society and to our health as a whole. However, the production, distribution and use of energy may have negative impacts on some people's health.

4.2.80. Regarding energy production, "health" is a broad topic. Paragraph 4.13.2 notes that where the proposed project has an effect on human beings, the ES should assess these effects for each element of the project, identifying any adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. Examples are given in Paragraph 4.13.3 which states that the direct impacts on health may include increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests.

4.2.81. The ES includes an appropriate assessment on a topic-by-topic basis, in particular the following chapters:

- Chapter 6 – Air Quality **[APP-058];**
- Chapter 11 – Land and Soils **[APP-063]**;
- Chapter 12 – Landscape and Visual **[APP-064]**;
- Chapter 13 – Major Accidents and Disasters **[APP-065]**;
- Chapter 15 – Noise and Vibration **[APP-067];**
- Chapter 16 – Population and Human Health **[APP-068]**; and
- Chapter 17 – Traffic and Transportation **[APP-069].**

4.2.82. Paragraph 4.13.4 further states that new energy infrastructure may also affect the composition, size and proximity of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport or the use of open space for recreation and physical activity.

4.2.83. Paragraph 4.13.5 summarises that generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation. The draft NPS concludes by stating that it is unlikely that health concerns will either constitute a reason to refuse consents or require specific mitigation under the PA2008.

4.2.84. Notwithstanding this, the Applicant, as reported in Chapter 16 of the ES **[APP-068]**, has sought to implement embedded nature-based or technological solutions to mitigation to offset the potential impacts of construction and decommissioning; this has been sub-divided between the seven construction sections.

4.2.85. Mitigation measures are included in the REAC **[AS-053]** and the OCEMP **[AS-055]** submitted with the ES.

4.2.86. Chapter 6 of the ES **[APP-058]** concludes that there are no likely significant effects on air quality from the operation or decommissioning stages of the DCO Proposed Development. During the construction stage, the primary effect being dust pollution which can be offset through appropriate mitigation and will be removed as an impact following the conclusion of each phase of construction. These impacts are therefore well within the air quality objectives set in UK regulations for the protection of health. These levels are set to be protective and, as such, where concentrations are within the objectives no adverse effects will occur.

4.2.87. Chapter 15 of the ES **[APP-067]** and its relevant appendices reports the outcome of the assessment of likely significant environmental effects arising from the DCO Proposed Development on noise and vibration during the construction, operation and decommissioning stages. Significant impacts caused from likely noise effects arising from the DCO Proposed Development's construction activities will be accordingly mitigated as part of the development of the Detailed Design through consolidation of the OCEMP **[AS-055]**.

4.2.88. Chapter 11 of the ES **[APP-063]** contains an assessment of the impacts of the DCO Proposed Development on land and soils. This chapter acknowledges that there will be a loss of soil quality in some areas due to the construction of the pipeline, and a reduction of agricultural land on a minor scale due to permanent infrastructure integration.

4.2.89. Chapter 12 of the ES **[APP-064]** regarding the landscape and visual impacts concludes that primarily the impacts will fall within the construction and

operation phases due to changes to the landscape character within the Order Limits alongside changes to the visual amenity of those surrounding sensitive visual receptors. The DCO Proposed Development will introduce new permanent above ground structures, primarily the AGIs and BVSs, that will affect the existing (and future) baseline landscape character.

4.2.90. Chapter 19 of the ES **[APP-071]**concludes that the DCO Proposed Development will not result in combined effects on human health.

Conclusion with regards to draft EN-1

The Applicant considers that the DCO Proposed Development accords with the Part 4.13 of draft EN-1 as the Applicant has taken all applicable matters into account to provide appropriate mitigation for potential impacts to human health and wellbeing.

This assessment has been given in co-ordination with the construction, implementation and operation of the delivery of the DCO Proposed Development and takes consideration of wider factors relating to human health and population.

COMMON LAW NUISANCE AND STATUTORY NUISANCE

4.2.91. In accordance with APFP Regulation 5(2)(f), paragraph 4.14.2 of EN-1 states that it is very important that, at the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the Environmental Protection Act 1990 ('EPA'), and how they may be mitigated or limited, are considered by the SoS so that appropriate requirements can be included in any subsequent order granting development consent.

4.2.92. The DCO Application is supported by a Statutory Nuisance Statement **[APP-047]** to address these requirements. This Statement considers is prepared in respect of statutory nuisance and considers if the DCO Proposed Development could result in a nuisance and the measures, where relevant, to prevent and mitigate such nuisance occurring. The matters considered include Air Quality, Materials and Waste, Noise and Vibration, Traffic and Transport and Water Resource.

4.2.93. A number of matters are not relevant to the DCO Proposed Development and are more relevance to other forms of infrastructure.

4.2.94. Within the Statutory Nuisance Statement, it is concluded that the only matters which has been assessed by the ES as likely to be significant for the DCO Proposed Development (and which may have a bearing on the EPA) are noise and vibration. However, it is demonstrated that the DCO Proposed Development would implement mitigation to minimise the impact and duration of high noise generating construction and decommissioning activities, as far as practicably possible to aim to avoid a nuisance being created.

4.2.95. Furthermore, the operation of the DCO Proposed Development would be regulated by the EA through environmental permitting and would undergo regular monitoring and reporting.

Conclusion with regards to EN-1

The Applicant considers that the DCO Proposed Development accords with the parameters set out within Part 4.14 of EN-1 regarding Statutory Nuisance.

SECURITY CONSIDERATIONS

4.2.96. Paragraph 4.15.1 of EN-1 states that national security considerations apply across all national infrastructure sectors. Overall responsibility for security of the energy sector lies with BEIS.

4.2.97. This is further elaborated upon in paragraph 4.15.2 of EN-1 which explains that Government policy is to ensure that, where possible, proportionate protective security measures are designed into new infrastructure projects at an early stage in the project development. Where applications for development consent for infrastructure covered by this NPS relate to potentially 'critical' infrastructure, there may be national security considerations.

4.2.98. Paragraph 4.15.3 states that if the relevant consenting bodies are satisfied that security issues have been adequately addressed in the project when the application is submitted to the SoS, it will provide confirmation of this to the SoS. The SoS should not need to give any further consideration to the details of the security measures in its examination.

4.2.99. Paragraph 4.15.4 further states:

"The applicant should only include sufficient information in the application as is necessary to enable the IPC to examine the development consent issues and make a properly informed decision on the application."

4.2.100. The DCO Proposed Development is linear and construction is proposed to be phased allowing for adequate security measures to be implemented. Once construction in each location is completed this will be removed. A description of the construction methodology is briefly provided in **section 1.8** of this Planning Statement. Further details of the approach to construction can be found within Volume I of the ES **[APP-051 and APP-052]** with impacts assessed within Volume II of the ES **[APP-053 to APP-072 except AS-025 and AS-026]** .

4.2.101. Measures relating to security of construction areas will be secured through the OCEMP **[APP-055]**.

Conclusion with regards to EN-1

The above demonstrates that sufficient information regarding security is provided at this stage, and detailed measures are secured through the OCEMP [APP-055].

The DCO Proposed Development is therefore considered by the Applicant to accord with the above paragraphs of Part 4.15 of EN-1.

4.3. NPS EN-1 AND EN-4 GENERIC AND SPECIFIC IMPACTS

4.3.1. Part 5 of EN-1 sets out the "Generic Impacts" of energy infrastructure. A high-level assessment is provided within the following section of the Planning Statement.

4.3.2. The DCO Proposed Development is cross referenced to Part 2 of EN-4 (Specific Impacts) where relevant. The draft emerging NPSs EN-1 and EN-4 are referred to where they are considered of importance and relevance to the DCO Proposed Development.

AIR QUALITY AND EMISSIONS

4.3.3. Paragraph 5.2.1 of EN-1 states that infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside. Paragraphs 5.2.6 states that where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the ES.

4.3.4. Chapter 6 of the ES **[APP-058]** is provided to outline any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project. The Applicant therefore considers that the DCO Proposed Development complies with EN-1.

4.3.5. Chapter 6 concludes that with the application of mitigation measures, the DCO Proposed Development will have no significant adverse effect on air quality during the construction, operation and decommissioning stages. The predominant impacts coming within the construction phase.

4.3.6. The ES is supported by a Construction Dust Assessment **[APP-081]** which informs mitigation within the REAC **[AS-053].** Other supporting documentation, such as the OCEMP **[AS-055]** and the OCTMP **[APP-224]** provide additional considerations towards air quality and emission mitigation.

4.3.7. This position is also outlined within Chapter 7 of the ES **[APP-059]** which determines that the DCO Proposed Development will not impact the local or wider climate; concluding no climate resilience impacts following mitigation.

Conclusion with regards to EN-1

During the construction, operational and decommissioning phases of the DCO Proposed Development, there will be no significant effects on local air quality with respect to air quality and emissions; where potential impacts have been raised, embedded mitigation is proposed accordingly. This has been demonstrated within the ES and supporting documents.

The DCO Proposed Development is therefore compliant with relevant policies within EN-1.

BIODIVERSITY AND GEOLOGICAL CONSERVATION

4.3.8. Paragraph 5.3.1 in EN-1 states that Biodiversity is the variety of life in all its forms and encompasses all species of plants and animals and the complex ecosystems of which they are a part. Geological conservation relates to the sites that are designated for their geology and/or their geomorphological importance.

4.3.9. Paragraph 5.3.2 furthers this by explaining that the wide range of legislative provisions at the international and national level that can impact on planning decisions affecting biodiversity and geological conservation issues are set out in a Government Circular.

4.3.10. Chapters 9 **[AS-025]** and Chapter 11 of the ES **[APP-063]** contain the biodiversity and ground conditions assessments undertaken for the DCO Proposed Development and therefore comply with the policy provision.

4.3.11. Paragraph 5.3.3 of EN-1 further states that where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity Accordingly, the submission is supported with a Habitats Regulations Assessment (HRA) Report **[APP-226].**

4.3.12. Chapter 9 of the ES **[AS-025]** concludes that during the operational phase, given it will be primarily underground, there is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild CO_2 pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate

ground to access the Newbuild CO_2 pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised.

4.3.13. During the Construction Phase, it is concluded that if mitigation and compensation measures are incorporated into DCO Proposed Development that significant effects can be avoided. These are further identified within the submitted REAC **[AS-053].** Mitigation Land has been identified throughout the design appraisal and is indicated on the Landscape and Mitigation Plans **[APP-178].**

4.3.14. Paragraph 2.21.2 of EN-4 concludes that long term impacts upon the landscape for pipelines are likely to be limited, as once operational the main infrastructure is usually buried, this therefore shows support for the DCO Proposed Development.

4.3.15. Paragraph 2.21.5 states that mitigation measures to protect the landscape and ecology could include reducing the working width required for the installation of the pipeline in order to reduce the impact on the landscape where it will not be possible to fully reinstate the route.

4.3.16. Chapter 11 of the ES **[APP-063]** contains an assessment of the impacts of the DCO Proposed Development on land and soils. This chapter acknowledges that there will be a loss of soil quality in some areas due to the construction of the pipeline but this impact is not considered to be significant.

Conclusion with regards to EN-1 and EN-4

The above assessment demonstrates that the DCO Proposed Development is compliant with relevant policies of both EN-1 and EN-4.

It is concluded that during the operational phase, given it will be underground, there is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. During construction it is concluded that mitigation and compensation measures are incorporated into DCO Proposed Development so that significant effects can be avoided

CIVIL AND MILITARY AVIATION AND DEFENCE INTERESTS

4.3.17. Paragraph 5.4.1 of EN-1 states that civil and military aerodromes, aviation technical sites, and other types of defence interests (both onshore and offshore) can be affected by new energy development.

4.3.18. The DCO Proposed Development falls adjacent to Ministry of Defence (MoD) land in Saughill, England. A construction compound will be located in an adjacent land parcel. The Applicant does not consider that any impact will occur on this land. This is confirmed through the EIA Scoping Report **[APP-073 and**

APP-073] and response received which concluded that the MoD had no objections to the DCO Proposed Development.

4.3.19. The EIA Scoping Report response provides a summary of the consultees consulted in accordance with paragraph 5.4.11 of EN-1. Any additional discussions are outlined within the Appendix A of the Consultation Report **[APP-031].**

4.3.20. There is an Airbus Aerodrome located in proximity to the Order Limits with FCC. Correspondence and meetings have been held with Airbus and this can be found within Appendix A of the Consultation Report **[APP-031].** The Applicant does not consider that the construction, operation or decommissioning of the DCO Proposed Development will impact the setting or operation of the Airbus facility. Where mitigation (such as lighting or height limitations) may be required, it will be secured accordingly.

4.3.21. The consultation process demonstrates that an appropriate engagement exercise was undertaken, in line with paragraph 5.4.11 of EN-1.

Conclusion with regards to EN-1**–**

Based on the consultation undertaken and location of the DCO Proposed Development, in addition to consultation with relevant local airfields, the Applicant considers that the DCO Proposed Development fully accords with the policy requirements set out in Part 5.4 of EN-1.

The DCO Proposed Development is therefore considered by the Applicant to accord with Part 5.4 of EN-1.

DUST, ODOUR, ARTIFICIAL LIGHT, SMOKE, STEAM AND INSECT INFESTATION

4.3.22. Paragraph 5.6.1 of EN-1 states that during the construction, operation and decommissioning of energy infrastructure, there is potential for the release of a range of emissions such as odour, dust, steam, smoke, artificial light and infestation of insects. All have the potential to have a detrimental impact on amenity or cause a common law nuisance or statutory nuisance under Part III, Environmental Protection Act 1990.

4.3.23. Accordingly, the DCO Proposed Development is submitted with a Statutory Nuisance Statement **[APP-047]** which concludes that with appropriate and embedded mitigation, any adverse impacts can be removed.

4.3.24. Regarding dust emissions, Chapter 6 of the ES **[APP-058]** concludes that with the application of mitigation measures, the DCO Proposed Development will have no significant adverse effect on air quality during construction, operation and decommissioning. The Construction Dust Assessment **[APP-081]** provides further detail regarding the approach to mitigation.

4.3.25. Other supporting documentation, such as the OCEMP **[AS-055]** and the OCTMP **[APP-224]** provide additional considerations towards dust emissions and use of artificial lights specifically during the construction phase.

4.3.26. As per paragraph 5.6.10, the SoS should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke and artificial light from the development. The Applicant considers they have provided sufficient information to be compliant with the policies within EN-1.

4.3.27. It is not anticipated that there will be any effects associated with odour, or insect and vermin infestation as a result of the DCO Proposed Development.

4.3.28. All mitigation proposed to be embedded as part of the DCO Proposed Development is outlined within the REAC **[AS-053].**

4.3.29. Paragraph 2.19.8 of EN-4 regarding route selection states that applicants should research relevant constraints including proximity of existing and planned residential properties, schools and hospitals, railway crossings, major road crossings, below surface usage and proximity to environmentally sensitive areas, main river and watercourse crossings. The; route selection for the DCO Proposed Development is explained within Chapter 4 of the ES **[APP-056].** Route selection therefore can therefore minimise potential impacts during construction, operation and decommissioning by ensuring the most optimal route against a set of defined criteria is selected.

Conclusion with regards to EN-1 and EN-4

Based upon the above assessment and conclusions of the supporting documentation, the DCO Proposed Development is considered by the Applicant to show compliance with the relevant paragraphs set out within Part 5.6 of EN-1 and 2.19 of EN-4.

FLOOD RISK

4.3.30. Paragraph 5.7.3 of EN-1 states that the aims of planning policy on development and flood risk are to ensure that flood risk from all sources of flooding is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new energy infrastructure is, exceptionally, necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and, where possible, by reducing flood risk overall.

4.3.31. Chapter 18 of the ES **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during the construction phase and operational stage with decommissioning likely to have effects which are concordant with the

construction phase. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk.

4.3.32. A moderate adverse impact to the Alltami Brook waterbody is considered due to the construction crossing technique and potential impacts on the hydrological and hydromorphological processes regarding the bedrock. Mitigation measures have been outlined in detail in D-WR-047 and D-WR-046 of the REAC **[AS-053].** Accordingly, the application is submitted within a Water Framework Directive (WFD) Assessment Report **[APP-165]** which demonstrates compliance with the WFD, ensuring a good status in the waterbody.

4.3.33. Paragraph 5.7.4 of EN-1 states that applications for energy projects of 1 hectare or greater in Flood Zone 1 in England or Zone A in Wales and all proposals for energy projects located in Flood Zones 2 and 3 in England or Zones B and C in Wales should be accompanied by a flood risk assessment (FRA).

4.3.34. Accordingly, the DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166 and APP-167]** for England and a Flood Consequences Assessment (FCA) **[AS-004 to AS-006]** for Wales. These documents are considered by the Applicant to be in accordance with paragraph 5.7.5 of EN-1 which sets out the minimum requirements in addition to supplementary guidance documents Planning Policy Statement 25 (PPS25), TAN15 for Wales (or the latest versions since the adoption of EN-1).

4.3.35. Both the FRA and FCA conclude that given that the proposed pipeline is classed as “Essential Infrastructure”, it therefore complies with the requirements for development within the floodplain. The flood risk for the DCO Proposed Development to the various potential sources including sewers, fluvial, tidal, and reservoir has been assessed as negligible. Where Above Ground Infrastructure has been noted as having a potential risk, mitigation is proposed accordingly.

Conclusion with regards to EN-1**–**

The DCO Proposed Development has demonstrated that where flood risk is required to be managed, mitigation is required and embedded accordingly to manage impacts on the land. Mitigation is secured in accordance with the relevant surface water drainage systems. The supporting FRA and FCA conclude a negligible impact on Flood Risk.

Where it has been raised that the DCO Proposed Development has the potential to impact a waterbody, mitigation is proposed to reduce the significance of the impact.

The DCO Proposed Development is therefore considered by the Applicant to accord with the above paragraphs of Part 5.7 of EN-1.

HISTORIC ENVIRONMENT

4.3.36. Paragraph 5.8.2 of EN-1 establishes the importance of the historic environment and acknowledges that the construction, operation and decommissioning of energy infrastructure has the potential to result in adverse impacts on the historic environment.

4.3.37. The SoS is advised within paragraph 5.8.13 to consider the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution they can make to sustainable communities and economic vitality. Though paragraph 5.8.15 concludes that any harmful impact on the significance of a designated heritage asset should be weighed against the public benefit of development, recognising that the greater the harm to the significance of the heritage asset the greater the justification will be needed for any loss.

4.3.38. Chapter 8 of the ES **[AS-025]** contains the cultural heritage assessment undertaken for the DCO Proposed Development. The focus of the assessment is on buried heritage assets (archaeological remains and paleoenvironmental deposits) and above ground heritage assets (buildings, structures, monuments and landscapes of heritage interest), including the character and setting of designated heritage assets

4.3.39. The primary significant effect raised in relation to construction is the potential to impact previously unrecorded archaeological remains. The Applicant considers that monitoring and recording through the construction phase in accordance with EN-1 paragraphs 5.8.19 to 5.8.22 is sufficient to address any predicted effects. The Applicant seeks to ensure that appropriate procedures are in place for the identification and treatment of such assets discovered during construction.

4.3.40. Aston Hill is an asset of high heritage value and its setting makes a major contribution to its significance, it is located within 300m to a BVS. There is potential here for a visual impact and alteration to setting. Accordingly, mitigation is proposed through landscaping which significantly reduces the impact on the heritage asset. This visual impact to the landscape is considered further within Chapter 12 of the ES **[APP-064]** which further concludes that through the use of sufficient mitigation, the impacts of the new above ground infrastructure can be mitigated.

4.3.41. No other significant residual effects are anticipated on any other heritage assets or their settings as a result of the construction or operation works.

Conclusion with regards to EN-1

The DCO Application is supported by sufficient information to assess the potential impacts on the Historic Environment and has included the

provision of sufficient mitigation. The additional delivery of a scheme of investigation, monitoring and recording further shows adherence with the principles of the NPS.

The Applicant considers the DCO Proposed Development accords with the parameters set out within Part 5.8 of EN-1 regarding the Historic Environment.

LANDSCAPE AND VISUAL

4.3.42. Paragraph 5.9.1 of EN-1 states that the landscape and visual effects of energy projects will vary on a case-by-case basis according to the type of development, its location and the landscape setting of the proposed development. Paragraph 5.9.8 further elaborates that landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape.

4.3.43. Chapter 12 of the ES **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA **[APP-139].** Chapter 12 concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development.

4.3.44. Notwithstanding this, the impact during the construction phase is temporary as the pipeline will be embedded underground upon completion of construction. The effects predicted are considered by the Applicant to be typical of a construction landscape.

4.3.45. During operation, above ground infrastructure will be a more permanent fixture on the landscape. Mitigation is proposed as outlined within the REAC **[AS-053]** such as landscape planting. Whilst this will take time to fully screen any infrastructure, it is considered that it will reduce the impact of the DCO Proposed Development over time.

4.3.46. Paragraph 2.21.3 of EN-4 states that the ES should include an assessment of the biodiversity and landscape and visual effects of the proposed route and of the main alternative routes considered; the ES considers alternative route options within Chapter 4 **[APP-056].** Further to this, the paragraph states that the application should also include proposals for reinstatement of the pipeline route as close to its original state as possible and take into account any requirements for agreements with the landowner to access areas for aftercare and management work.

Conclusion with regards to EN-1 and EN-4

The DCO Proposed Development has been carefully designed to minimise any landscape and visual impacts as far as practicable, including through the proposed layout and the inclusion of mitigation measures, such as mitigation planting.

In the context of the site and in light of the DCO Proposed Developments significant benefits the Applicant considers it accords with the above paragraphs of EN-1 and EN-4.

LAND USE (INCLUDING OPEN SPACE, GREEN INFRASTRUCTURE AND GREEN BELT)

4.3.47. The following assessment should be considered in conjunction with **Chapters 5** of this Planning Statement which have a more detailed assessment of Green Belt Policy.

4.3.48. The following ES Chapters in Volume II should be considered in conjunction with this section:

- Chapter 11 (Land and Soils) **[APP-063]**;
- Chapter 12 (Landscape and Visual) **[APP-064]**;
- Chapter 16 (Population and Human Health **[APP-068]**;

4.3.49. Paragraph 5.10.1 of EN-1 states that an energy infrastructure project will have direct effects on the existing use of the proposed site and may have indirect effects on the use, or planned use, of land in the vicinity of other types of development. Specifically, regarding Green Belts, paragraph 5.10.4 explains that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Green Belt land can play a positive role in providing access to sport and recreation facilities or access to the open countryside.

4.3.50. The NPS states in paragraph 5.10.5 that Applicants, in the ES, should: '*identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan'*

4.3.51. Paragraphs 5.10.6 – 5.10.7 stress the requirement to consult with both local communities and the Local Planning Authority. This to identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements.

4.3.52. It is acknowledged in Paragraph 5.10.19 that although in the case of much energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some at least of that use can still be retained post project construction), applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project.

4.3.53. The Order Limits provide an indicative overview of the proposed pipeline route, the main impacts potentially caused by the project on open spaces were assessed. Consideration has been given to the scale and impact on the space, the total amount of space impacted, the use within space and any likely mitigation which is required.

4.3.54. The environmental constraints mapping in ES Figure 3.3 Environmental Features **[APP-177]** provides an overview of the linear scheme and existing land constraints which need to be considered for potential impacts.

4.3.55. Paragraph 5.10.8 of EN-1 states that Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations.

4.3.56. Sections 1, 2 and 3 fall within CWCC, England. The land within the Order Limits is predominately rural and passes through agricultural land, the majority of which is classified as Grade 3; around the M56 crossing (Stoak, Wimbolds Trafford) there is a small area of Grade 2 classification. The pipeline will only have a temporary impact upon existing agricultural uses, this during the construction period. In majority, the land will be reinstated back to its former agricultural use following the completion of construction. Where the DCO Proposed Development seeks to introduce BVSs and AGIs there will be a requirement for permanent change of land use.

4.3.57. Within sections 1, 2 and 3; the Order Limits do not conflict with the setting of any community receptors, green infrastructure or impact any designated Special Category Land (SCL) and therefore the DCO Proposed Development shows compliance with the relevant polices of the NPS in this regard.

4.3.58. The pipeline construction work will cross existing Public Rights of Way (PRoWs) in Section 1, 2 and 3. The level of disturbance to footpath users will be kept to a minimum and all footpaths will be fully reinstated at the end of the construction period.

4.3.59. The Order Limits fall with land designated for the Cheshire West and Chester Green Belt. This land is recognised under the policies of the Local Plan for its

intrinsic character. Paragraph 5.10.17 states that, regarding development within Green Belts that:

"The IPC will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is outweighed by other considerations. In view of the presumption against inappropriate development, the IPC will attach substantial weight to the harm to the Green Belt when considering any application for such development while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation."

4.3.60. An assessment of the DCO Proposed Development against national Green Belt policy is contained within Chapter 5 of this Planning Statement.

4.3.61. Sections 4 to 7 of the DCO Proposed Development fall within Flintshire, Wales. Sections 4 and 5 fall in a predominately urban setting, passing through Sandycroft, Deeside and Ewloe. Sections 6 and 7 are predominately rural, passing through agricultural land. Predominately the Order Limits in Wales pass through Grade 3 (a, b) agricultural land classification, though in some locations there are small amounts of Grade 5. Again, given the nature of the DCO Proposed Development, the Applicant considers there is not likely to be a permanent impact on this land, and it will be reinstated following construction.

4.3.62. The pipeline construction work will cross existing Public Rights of Way (PRoWs) in Section 4, 5, 6 and 7. The level of disturbance to footpath users will be kept to a minimum and all footpaths will be fully reinstated at the end of the construction period. In cases where there is a potential impact on a community receptor, the initial mitigation is designated through the preferred construction technique, which is open cut trenching (the quickest construction technique). Any impact on land use in these areas will not be permanent in nature and impacts will be mitigated as set out in the REAC **[AS-053]** and secured through DCO Requirements in addition to the OCEMP **[AS-055].**

4.3.63. In accordance with section 5.10 of NPS EN-1, Chapter 11 of the ES **[APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified.

4.3.64. Chapter 16 of the ES (Population and Health) **[APP-068]** summarises that there will be a residual impact associated with the DCO Proposed Development during construction on community receptors, such as PRoW's. This is considered to be temporary and limited to the construction stage alone. Chapter 16 also acknowledges a permanent removal of agricultural land through acquisition for above ground infrastructure and delivery of mitigation areas (as

identified in **Chapter 9** of the ES). Mitigation is proposed in **Chapter 16** to reduce the significance of the loss.

4.3.65. In addition to this, Chapter 12 of the ES (Landscape and Visual) **[APP-064]** provides a detailed assessment of the visual impacts of the DCO Proposed Development. This chapter concludes that through appropriate mitigation, the magnitude of the construction can bring a reduction to potential impacts notwithstanding an acknowledgement of a permanent change.

Conclusion with regards to EN-1

The DCO Proposed Development has demonstrated compliance with Part 5.10 of EN-1 through the good practice measures set out in the OCEMP, to include mitigation set out in the REAC and secured through DCO Requirements.

.

NOISE AND VIBRATION

4.3.66. Paragraph 5.11.1 of EN-1 acknowledges that excessive noise can have wide-ranging impacts on the quality of human life, health (for example owing to annoyance or sleep disturbance) and use and enjoyment of areas of value such as quiet places and areas with high landscape quality. Paragraph 5.11.2 further states that this can also have adverse impacts on wildlife and biodiversity.

4.3.67. The Government's policy on noise is set out in the Noise Policy Statement for England. It promotes good health and good quality of life through effective noise management. Similar considerations apply to vibration, which can also cause damage to buildings. In this section, in line with current legislation, references to "noise" below apply equally to assessment of impacts of vibration (paragraph 5.11.1).

4.3.68. Paragraph 5.11.8 states that the project should demonstrate good design through: containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission.

4.3.69. EN-4 paragraph 2.20.1 furthers this by noting, "In addition there are specific noise and vibration considerations which apply to gas and oil pipelines during the pre-construction and construction phases. The applicant will need to identify all the noise and vibration sensitive receptors likely to be affected during these phases". Chapter 15 of the ES **[APP-067]** assess potential noise and vibration impacts and accordingly identified receptors. This chapter also considers the implications of above ground infrastructure in accordance with paragraph 2.20.4.

4.3.70. Chapter 15 of the ES **[APP-067]** and its relevant appendices reports the outcome of the assessment of likely significant environmental effects arising from the DCO Proposed Development on noise and vibration during the construction, operation and decommissioning stages. In most part, significant impacts caused from likely noise effects arising from construction activities will be adequately mitigated through measures detailed in the Noise and Vibration Management Plan**.** The production of a Noise and Vibration Management Plan and agreement with the Local Authorities will be secured as part of the consolidated CEMP.

4.3.71. Notwithstanding this Chapter 15 of the ES also concludes that certain construction and decommissioning activities will result in residual significant noise effects.

Conclusion with regards to EN-1 and EN-4

Whilst in most part the construction of the DCO Proposed Development would accord with the objectives of Part 5.11 of EN-1 and Part 2.20 of EN-4, in some localised areas along the route the construction and (potential) decommissioning activities will give rise to residual noise effects which would conflict with Part 5.11 of EN-1 and Part 2.20.

SOCIO-ECONOMIC IMPACTS

4.3.72. Paragraph 5.12.1 of EN-1 states that the construction, operation and decommissioning of energy infrastructure may have socio-economic impacts at local and regional levels. Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (paragraph 5.12.2).

4.3.73. Chapter 16 of the ES **[APP-068]** and its relevant appendices provides an assessment of the likely significant effects of the DCO Proposed Development on Population and Human Health. **Table 16-1** within the ES chapter provides a summary of the residual effects associated with the DCO Proposed Development during construction. Given the linear nature of the DCO Proposed Development through both rural and urban settings, there is a likely significant effect upon the setting of community receptors and local agricultural businesses.

4.3.74. Permanent acquisition of agricultural land is required for the following reasons; to enable delivery of permanent above ground infrastructure and to allow of the delivery of mitigation land. In limited instances, and without mitigation, some agricultural business interests of landowners could be affected by the proposed DCO development both during construction and during operation. Mitigation measures will include compensation payments to landowners. Furthermore,

discussions with landowners where their agricultural businesses could be adversely affected.

4.3.75. This mitigation is provided in accordance with paragraph 5.12.9 of EN-1 which states that the SoS should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.

4.3.76. The Needs Case for the DCO Proposed Development **[APP-049]** provides an assessment of the environmental, economic and social benefits of both the DCO Proposed Development and wider HyNet Project. The DCO Proposed Development is anticipated to have a positive economic impact through the generation of employment opportunities, including direct and indirect through the construction, operation and decommissioning stages.

Conclusion with regards to EN-1

The above assessment demonstrates the DCO Proposed Development is compliant with the policies contained with Part 5.12 of EN-1.

Through good practice measures and mitigation provided within the ES and REAC, the DCO Proposed Development is able to reduce the significance of potential impacts and demonstrate benefits to the local, regional and national economy.

TRAFFIC AND TRANSPORT

4.3.77. Paragraph 5.13.1 of EN-1 states that the transport of materials, goods and personnel to and from a development during all project phases can have a variety of impacts on the surrounding transport infrastructure and potentially on connecting transport networks. Impacts may include economic, social and environmental effects. Environmental impacts may result particularly from increases in noise and emissions from road transport. Disturbance caused by traffic and abnormal loads generated during the construction phase will depend on the scale and type of the proposal.

4.3.78. Paragraph 5.13.3 states that if a project is likely to have significant transport implications, the applicant's ES should include a transport assessment. The Transport Assessment **[APP-161]** is submitted accordingly which assesses likely impacts from the DCO Proposed Development.

4.3.79. Chapter 17 of the ES **[APP-069]** and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the environment in respect of Traffic and Transport. This chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent

effects likely. Some temporary effects would be likely to last longer than others and it is considered appropriate to reflect the predicted duration of effects when determining the likelihood of significant effects.

4.3.80. Paragraph 5.13.6 clarifies that new energy NSIP's may give rise to substantial impacts on the surrounding transport infrastructure and the SoS should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development.

4.3.81. Mitigation measures are outlined in the OCTMP **[APP-224].** Traffic management will be used to mitigate any residual constraints identified along construction traffic routes, as set out in the OCTMP**.** This includes the use of restrictions such as speed limit reductions, one-way systems, and traffic signals. The need for these measures has been determined on a case-by-case basis to address identified local risks.

4.3.82. Trenchless crossing techniques will be utilised to restrict the disturbance to major public highways. Construction compounds will also be used to manage construction traffic and delivery of materials and resources. These facilities will allow works to progress smoothly without reliance on peak time deliveries of staff and materials.

4.3.83. Chapter 4 of the ES **[APP-056]** provides an assessment on the consideration of alternatives and route selection. A key consideration was to avoid and/or reduce adverse environmental effects, maintain operational efficiency and cost-effective design solutions, and consideration of other relevant matters such as available land planning policy. A three-stage appraisals process was developed to identify the preferred route option, which included development of strategic corridors, then route options and then finally, refinement of the preferred route option and siting which best achieves the appraisal criteria.

Conclusion with regards to EN-1

The above assessment demonstrates that the DCO Proposed Development is compliant with Part 5.13 of EN-1.

Through the implementation of mitigation measures which are identified within the OCTMP [APP-224] and will be further consolidated at detailed design, the DCO Proposed Development will ensure there are no likely significant effects on traffic and transport during the construction, operational and decommissioning phases.

RESOURCE AND WASTE MANAGEMENT

4.3.84. Paragraph 5.14.1 of EN-1 states that the Governments policy on hazardous and non-hazardous waste is intended to protect human health and the environment by producing less waste and by using it as a resource wherever possible. Where this is not possible, waste management regulation ensures that waste is

disposed of in a way that is least damaging to the environment and to human health. Paragraph 5.14.3 further confirms that all large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA's Environmental Permitting (EP) regime incorporates operational waste management requirements for certain activities.

4.3.85. Accordingly, the application is submitted with a supporting Other Consents and Licences Document **[APP-223]** which sets out other environmental licences, consents and permits (that sit outside the DCO) including waste, that would be required to build, operate and maintain the DCO Proposed Development.

4.3.86. Paragraph 5.14.6 states that the applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome.

4.3.87. Chapter 14 of the ES **[APP-066]** and its relevant appendices reports the outcome of the assessment of the likely significant environmental effects of the DCO Proposed Development on Material Assets and Waste. This chapter concludes that the assessment of material resource consumption and waste generation and disposal to landfill demonstrates that the DCO Proposed Development will have no significant adverse environmental effects. As such, no additional mitigation measures are required.

4.3.88. Notwithstanding this, OCEMP **[AS-055]** and REAC **[AS-053]** will incorporate mitigation on a precautionary basis to be implemented.

Conclusion with regards to EN-1

The above assessment demonstrates that the DCO Proposed Development is compliant with Part 5.14 of EN-1.

During the construction, operation and decommissioning phases best practice will be accorded to in line with the policies contained within the NPS.

WATER QUALITY AND RESOURCES

4.3.89. Paragraph 5.15.1 of EN-1 states that infrastructure development can have adverse effects on the water environment, including groundwater, inland surface water, transitional waters and coastal waters. During the construction, operation and decommissioning phases, it can lead to increased demand for water, involve discharges to water and cause adverse ecological effects resulting from physical modifications to the water environment.

4.3.90. Paragraph 5.15.2 further confirms that where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of the proposed project on, water quality, water

resources and physical characteristics of the water environment as part of the ES or equivalent.

4.3.91. EN-4 2.22.2 states that:

"Constructing pipelines creates corridors of surface clearance and excavation that can potentially affect watercourses, aquifers, water abstraction and discharge points, areas prone to flooding and ecological receptors. Pipeline impacts could include inadequate or excessive drainage, interference with groundwater flow pathways, mobilisation of contaminants already in the ground, the introduction of new pollutants, flooding, disturbance to water ecology, pollution due to silt from construction and disturbance to species and their habitats. Impacts during construction should be avoided as far as possible through route selection or mitigated if unavoidable and ground should be reinstated after construction."

4.3.92. Chapter 18 of the ES **[APP-070]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during the construction phase, rather than operation or decommissioning. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk and this is outlined in the REAC **[AS-053].**

4.3.93. Paragraph 5.15.5 states that the SoS will generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework Directive (WFD).

4.3.94. A moderate adverse impact to the Alltami Brook waterbody is predicted due to the construction crossing technique and potential impacts on the hydrological and hydromorphological processes regarding the bedrock. Accordingly, the application is submitted within a WFD Assessment Report **[APP-165]** which demonstrates compliance with the WFD, ensuring a good status in the waterbody.

4.3.95. A Groundwater Management and Monitoring Plan (GWMMP) will be produced alongside the CEMP (produced by Construction Contractor) as part of the Environmental Management Plans. The GWMMP will detail the groundwater monitoring strategy where any dewatering activities are proposed and ensure all groundwater abstracted through construction is appropriately managed.

4.3.96. Paragraph 5.15.9 discusses mitigation, stating that the risk of impacts on the water environment can be reduced through careful design to facilitate adherence to good pollution control practice. Whilst paragraph 5.22.6 of EN-4 states that mitigation measures to protect the water environment may include techniques for crossing rivers and managing surface water before and after

construction, including restoring vegetation and using sustainable drainage systems to control run-off. Some slight adverse effects are expected during the construction phase, it is considered the DCO Proposed Development has proposed mitigation accordingly.

Conclusion with regards to EN-1 and EN-4

The above assessment is considered to demonstrate compliance with Part 5.15 of EN-1 and Part 2.22 of EN-4.

The DCO Proposed Development has provided an assessment of the impacts in line with the polices above with mitigation measures to protect the water environment included.

4.4. SUMMARY

4.4.1. This chapter has assessed the proposals against the primary framework of the EN-1 and EN-4. Further detailed assessment regarding the impact on Green Belt and designated Open Space can be found in **Chapter 5** of this Planning Statement. The assessment has concluded that there will be impacts primarily from the construction phase. However, the construction impacts will be temporary and where appropriate, specific measures are set out in the REAC and will be secured through the DCO Requirements.

4.4.2. As such, there will be no permanent effects on the wider environment that will outweigh the benefit of the provision of the DCO Proposed Development. The DCO Proposed Development has demonstrated that there is no conflict with the relevant technology specific considerations set out in the NPSs.

5. PLANNING ASSESSMENT FOR GREEN BELT, GREEN WEDGES AND OPEN SPACE

5.1. GREEN BELT OVERVIEW

5.1.1. The Order Limits in Sections 1, 2 and 3 fall within land designated as the Cheshire West and Chester Green Belt (Refer to **Figure 3**). Green Belt policy is broadly covered at the Local (Local Development Plans) and National level (NPPF, NPS) which seek to ensure the safeguarding of the countryside from encroachment. Noting the age of EN1 and the references within it to PPG2: Green Belts, the most up to date national policy on Green Belt policy is contained within the NPPF. Accordingly, the assessment below notes key statements within EN-1, but principally considers the DCO proposed development against the wording in the NPPF.

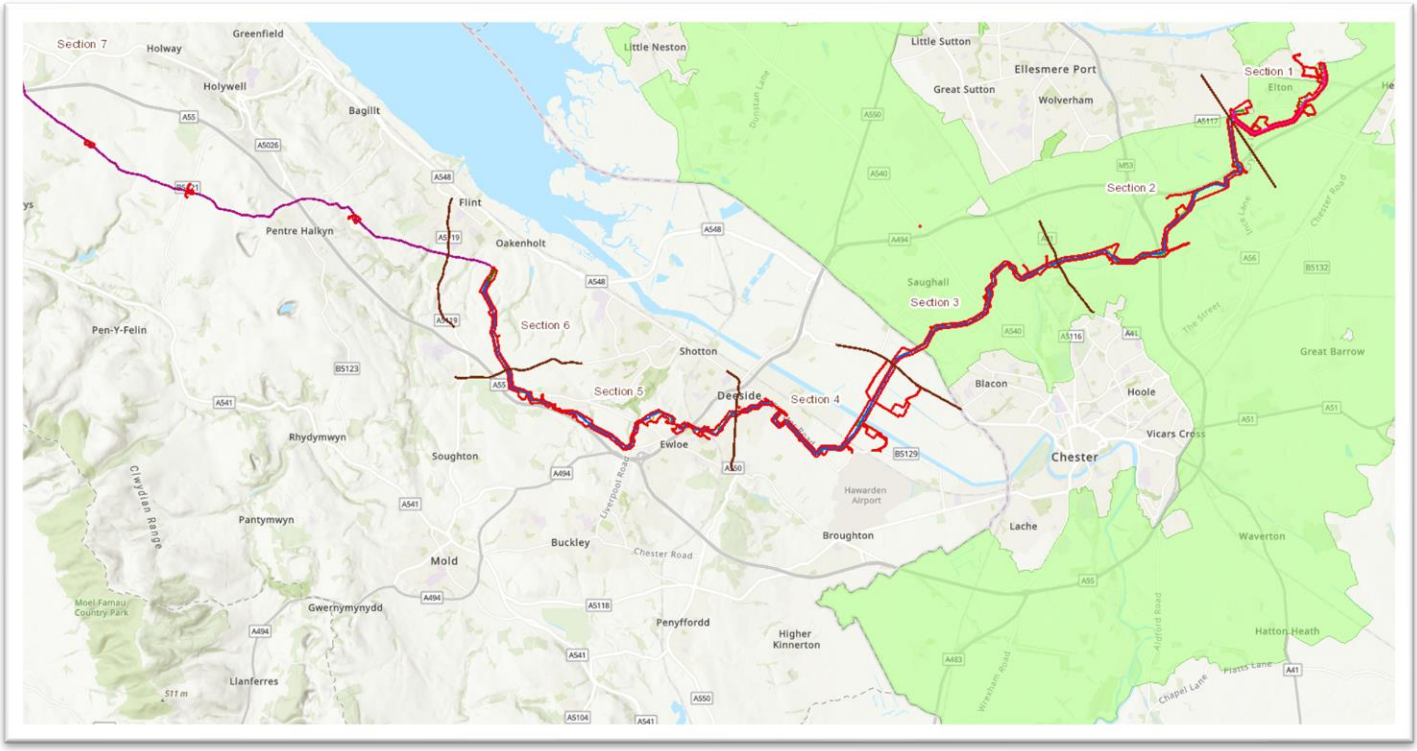


Figure 3: Proposed DCO Development Passing through Cheshire West and Chester Green Belt (Not to Scale) [*Contains OS Data © Crown Copyright and data base right 2020*]

5.1.2. Paragraph 138 of the NPPF states that the Green Belt serves five purposes:

- "to *check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*

- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land".*

5.1.3. Paragraph 147 of the NPPF states that *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances."* The general planning policy presumption against 'inappropriate development' applies with equal force in relation nationally significant energy infrastructure projects.

5.1.4. Paragraph 149 of the NPPF sets out in most part *"new buildings"* will be seen as inappropriate development within the Green Belt, to which there are limited exclusions.

5.1.5. NPPF Paragraph 150 confirms the other forms of development that are generally not considered inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This definition extends to include "*engineering operations".*

O GREEN WEDGES OVERVIEW

5.1.1. The Order Limits in Sections 4, 5, 6 and 7 transect land designated within the Flintshire LDP as Green Wedges (Refer to Figure 4 below).

5.1.2. Green Wedge policy is broadly similar to Green Belts wherein the same level of protection is afforded, but Green Wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process. Use of Green Wedges ensures continuing proximity of green space and its relevance to adjoining urban populations. Green Wedges can expand alongside growth corridors, which in turn benefit from a range of accessible, open space services.

5.1.3. Under EN11 of the Flintshire LDP, the DCO Proposed Development is located within the Green Wedges of:

1. Gronant, Talacre, Gwespyr at Talacre;
5. Flint – Flint Mountain;
11. Connah's Quay – Northop Hall / Ewloe / Shotton;
12. Shotton – Mancot – Hawarden – Ewloe;
13. Hawarden – Mancot – Hawarden Airport – Saltney (S of R. Dee); and
15. Sealand – Cheshire Border (N of R. Dee).

5.1.4. EN-1 Paragraph 5.10.18 states that there is a presumption against inappropriate development and the SoS should assess whether there are very special circumstances to justify any proposed inappropriate development.

5.1.5. Figure 4 below illustrates the location of the Green Wedges with the area of the DCO Proposed Development.

5.1.6. Due to the strategic, linear nature of the DCO Proposed Development it is necessary for the pipeline and associate infrastructure to pass through the FCC Green Wedges to avoid settlements and unnecessary conflicts with other developments.

Figure 4: Proposed DCO Development Passing through Flintshire County Council Green Wedge Allocation (Not to Scale) [*Contains OS Data © Crown Copyright and data base right 2020*]

5.2. ASSESSMENT OF COMPLIANCE

INAPPROPRIATE DEVELOPMENT ASSESSMENT

PPW advises LPAs to consider establishing green belts and making local designations, such as green wedges. Both green belts and green wedges must be ‘soundly based’ and should only be employed where there is a demonstrable need to protect the urban form and alternative policy mechanisms, such as settlement boundaries, would not be sufficiently. The following section provides an assessment of how the DCO Proposed Development is compliant with both Green Belt and Green Wedge Policy.

5.2.1. Due to the strategic, linear nature of the DCO Proposed Development it is necessary for the pipeline and associate infrastructure to pass through the Cheshire West and Chester Green Belt and Green Wedges within FCC to avoid settlements and unnecessary conflicts with other developments.

5.2.2. Within the Cheshire West and Chester Green Belt, the DCO Proposed Development comprises of the following:

- The underground pipeline (Permanent);
- The AGI at Ince (Permanent); and
- BVS at Rock Bank and Mollington (Permanent)

5.2.3. Within the FCC Green Wedges, the DCO Proposed Development comprises of the following:

- The underground pipeline (Permanent);
- BVS at Aston Hill (Permanent)

5.2.4. In addition to the above, in order to safely, securely and efficiently construct the DCO Proposed Development temporary construction compounds will be needed along the route. It is anticipated that approximately four temporary construction compounds will be needed within the Cheshire West and Chester Green Belt and four within Flintshire County Councils Green Wedges to facilitate the construction.

5.2.5. The following sections discuss the nature of the elements of the DCO Proposed Development within the Green Belt and Green Wedges and considers whether these elements should be considered appropriate or whether there is a need for a case for very special circumstances to be made.

BELOW GROUND INSTALLATIONS (INCLUDING PIPELINE)

5.2.6. As set out in Paragraph 5.1, by its very nature, it is considered that the DCO Proposed Development would principally be classed as an ‘engineering operation’ which would mean it is likely to be excluded from the definition of inappropriate development within the Green Belt and Green Wedge. This approach is consistent with other similar gas pipeline schemes and confirmed by the statement in paragraph 5.10.12 of EN-1:

“An applicant may be able to demonstrate that a particular type of energy infrastructure, such as an underground pipeline, which, in Green Belt policy terms, may be considered as an “engineering operation” rather than a building is not in the circumstances of the application inappropriate development.”

5.2.7. There are two sections of pipeline which are proposed to be laid below ground for the entire length falling within the Green Belt, this includes:

- 20” Pipeline (Ince to Stanlow)

- 24” Pipeline (Stanlow to Flint)

 Within FCC, the affected Green Wedges listed above in Section 5.2 will see the 24” pipeline buried underground.

5.2.8. As these sections of pipeline are part of an engineering operation and will be buried underground, this element of the development is considered appropriate development within the Green Belt and Green Wedge, for which there will be no harm to the open character of the Green Belt and Green Wedge or conflict with the purposes of including land within it.

ABOVE GROUND FACILITIES

5.2.9. There will be one AGI (Ince) and two BVS’s (Rock Bank, Mollington) sited within the Green Belt. Within FCC, there will be one BVS at Aston Hill located within a Green Wedge.

5.2.10. AGI’s are designed specifically for each location and the local emitter tie-ins. They generally contain the following features within the fenced area:

- Individual blast walls behind pig launcher/receiver end closures.
- Provision for future pig launchers/receivers if required.
- Isolation joints.
- Paved area accommodating an E&I kiosk and fenced transformer.
- Site flood lighting on concrete pad foundations.
- Chain link boundary fence with gates.
- CP transformer cabinet.
- Plant road suitable for vehicular access (outside fenced area)

5.2.11. BVSs are provided at Rock Bank, Mollington and Aston Hill are of a standard design, and contain the following main features in addition to the equipment listed:

- Paved area accommodating an E&I kiosk and fenced transformer.
- Site flood lighting on concrete pad foundations.
- Chain link boundary fence with gates.
- Plant road suitable for vehicular access (outside fenced area).

5.2.12. The AGI at Ince and the BVSs are engineering operations essential to the operation of the DCO Proposed Development. Due to their scale and the nature of the development, it is unlikely that these facilities would preserve the open character of the Cheshire West and Chester Green Belt, nor the open character of the Green Wedge. It is therefore assumed that these elements of the DCO Proposed Development would be classed as ‘inappropriate development’.

5.2.13. Whilst these elements are considered to impact the open character of the Green Belt and Green Wedge, as the development being proposed is necessary to efficiently and safely operate a gas pipeline, the presence of these elements within the Green Belt and Green Wedge is not considered to conflict with the purposes of it as set out in Paragraph 138 of the NPPF.

5.2.14. Accordingly, for the AGI's and the BVSs only, the Applicant considers it necessary to set out the "very special circumstances" that exist which outweigh the outweigh the harm to the Green Belt and Green Wedge.

TEMPORARY CONSTRUCTION EFFECTS

5.2.15. As with any development of the scale and nature of the DCO Proposed Development, in order to safely, securely and efficiently construct the pipeline there will be a need for construction compounds and other smaller facilities along the route of the pipeline.

5.2.16. There are four construction compounds proposed along the route of the pipeline that are located within the Green Belt. These are at the following locations:

- Stanlow Construction Compound (Approximately 66,000 m^2);
- Picton Lane Construction Compound (Approximately 32,000 $m^{2)}$;
- Chorlton Lane Construction Compound (Approximately 41,000 m^2); and
- Sealand Road Construction Compound (Approximately 48,000 m^2).

There are four construction compounds within FCC, with only the Sealand Road Compound and River Dee Compound falling within a Green Wedge.

5.2.17. These compounds are expected to remain in place for the duration of the construction phase of the project and contain the following:

- Security cabin;
- Material laydown areas and yards;
- Warehouse;
- Workshops;
- Offices / meeting rooms;
- Workers welfare facilities; and
- Power generation.

5.2.18. Smaller local facilities will be required at specific locations, such as crossings and above ground works. These will be mobilised according to the construction programme and demobilised upon completion of the respective activities. The compounds will support construction activities, as well as commissioning and landscaping. These areas will be sited to avoid clearing vegetation and trees as far as reasonably practicable.

5.2.19. Neither EN-1, PPW, nor the NPPF set out how temporary effects on the openness of the Green Belt associated with development, should be considered. Within the NPPF, it is clear that the emphasis of any assessment on the Green Belt is on the nature and scale of the development as would be built rather than on an assessment of any temporary facilities essential for to facilitate its safe, secure and efficient construction.

5.2.20. Whilst the NPPF is silent on how temporary effects of construction on Green Belt should be considered, the Applicant acknowledges that during the construction phase there will be a temporary, short-term impact on the openness of the Green Belt, particularly in locations where construction compounds are necessary.

5.2.21. However, once construction is completed, these compounds will be removed, the pipeline will be no longer be visible and the land above it will be restored to its former use. It is therefore considered that there would be no long-term harm to the openness of the Green Belt, and the installation of a pipeline in the Green Belt would not conflict in anyway with the purposes of including land within it.

 It is considered that the same test and conclusions can be applied to the affected Green Wedges.

5.2.22. Such an approach is considered consistent with the Examining Authorities recommendation within the Knottingley Power Project, Examining Authority Recommendation Report. Paragraph 4.206 of which states:

"The underground pipelines for both cooling water and gas could be considered engineering operations, as set out in paragraph 5.10.12 of NPS EN-1. Paragraph 90 of the National Planning Policy Framework states that engineering operations are not inappropriate development provided they preserve the openness of the Green Belt. Whilst there might be some temporary harm to the Green Belt from the pipeline works in terms of openness, there would be no long term harm to the openness of the Green Belt and the proposal would not conflict with the purposes of including land in the Green Belt."

5.2.23. In summary, the associated construction works would not result in long term harm to the openness of the Green Belt and Green Wedges, nor would the construction works conflict with the purses of including land within it.

THE CASE FOR VERY SPECIAL CIRCUMSTANCES

5.2.24. As it has been concluded that the AGI at Ince and the BVSs at Rock Bank, Mollington and Aston Hill would affect the openness of the Green Belt and Green Wedge, a case for 'very special circumstances' for these elements of the DCO Proposed Development must be made.

5.2.25. Paragraph 148 of the NPPF confirms that *"'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*

5.2.26. Given the nature of the DCO Proposed Development, a core routing objective has been to avoid settlements and unnecessary conflicts with other developments so far as is reasonably practicable.

5.2.27. Given the strategic, linear nature of the DCO Proposed Development, it would therefore not be practicable for the pipeline and associate infrastructure to avoid the Cheshire West and Chester Green Belt, nor the Green Wedges within Flintshire County. This is illustrated clearly in **Figure 3** which shows the AGI at Ince (a terminus of the DCO Proposed Development) completely surrounded by Green Belt.

5.2.28. Chapter 4 of the ES **[APP-056]** sets out the alternatives considered. All route corridor options considered were unable to practically avoid the Green Belt and Green Wedges.

5.2.29. As set out already, in most part, the DCO Proposed Development, being a buried pipeline, would not affect the openness of the Green Belt and Green Wedge, or conflict with the purposes of its designation. For operational and safety reasons it is however essential that there are above ground elements to the development in the form of AGIs and BVSs, which must be located on or adjacent to the pipeline. It therefore follows that if the only practicable solution is to run a pipeline through the Green Belt and Green Wedge, then essential, above ground facilities will have to be located there also.

5.2.30. In terms of the siting and location of the Ince AGI, its location was selected to ensure it is as close as practicable to a hub of local industrial emitters, notably CF Fertilisers and the Peel NRE 'Protos' development. Its location was agreed in consultation with these interested parties, notably the landowner (Peel NRE), to ensure the DCO Proposed Development avoids conflicts with development proposals and aspirations in and around its facilities.

5.2.31. The BVS locations along the whole of the DCO Proposed Development have been chosen to divide the new build and existing pipelines into shorter sections to allow sections of the pipeline to be isolated for maintenance or in the unlikely event of a loss of pipeline containment. The individual sites have been selected taking into account the relative distance from the previous block-valve, topography and population density along the route.

5.2.32. The Needs Case for the DCO Proposed Development **[APP-049]** outlines the environmental, economic and socio-economic benefits the DCO Proposed Development can deliver and therefore forms the case for very special circumstances justifying the harm to the Green Belt and Green Wedge. Whilst

the Needs Case in its entirety forms the case for very special circumstance, the core elements of it have been summarised below.

5.2.33. Given the current climate emergency the UK Government has set out its over-riding support for new CCS projects to come forward to help significantly reduce CO_2 emissions in as quick a timeframe as possible. This general support for CCS is articulated clearly in many documents and policies but, most recently, the UK Government has made its commitment to bringing forward the Project absolutely clear in 'The Growth Plan 2022' published in September 2022 (HM Government, 2022).

5.2.34. The Project will support the UK in its energy transition through capturing CO_2 and producing low carbon hydrogen which will help meet both National and Local Government ambitions and policies for Net-Zero. The DCO Proposed Development forms part of the Government's vision and strategic objectives for improving the UK's CCUS and Net Zero Targets. The HyNet Project forms one of four identified clusters which will be essential to decarbonising large parts of industry, producing low emissions hydrogen and in delivering greenhouse gas removal technologies, permanently locking away CO_2.

5.2.35. The Project is an innovative CCS and low carbon hydrogen energy project that will unlock a low carbon economy for the North West of England and North Wales, and put the region at the forefront of the UK's drive to Net-Zero.

5.2.36. From the mid 2020s, the Project will capture and store CO_2 from industry in the North West of England and North Wales and produce, store and distribute low carbon hydrogen. The Project will use state-of-the-art technology to build new infrastructure whilst also upgrading and reusing existing infrastructure which is currently involved in fossil fuel production.

5.2.37. This project has the potential to reduce CO_2 emissions by up to 10 million tonnes every year by the early 2030s – the equivalent of taking 4 million cars off the road, and produce enough low carbon hydrogen (4GW) to meet 40% of the UK's Net-Zero targets (noting that the UK hydrogen target was increased to 10GW in April 2022) (HyNet North West, 2021).

5.2.38. The Project will, through until 2030, result in over £5 billion of capital investment and create over £3.7 billion GVA (Gross Value Added). This will create over 6000 jobs annually (Mace and The University of Chester , 2021).

5.3. GREEN BELT AND GREEN WEDGES ASSESSMENT CONCLUSION

5.3.1. As the DCO Proposed Development is an engineering operation, in most part it should be regarded as appropriate development within the Green Belt and Green Wedges.

5.3.2. To be effective in its objective the DCO Proposed Development begins at Ince where it will be served by local emitters. This means that the DCO Proposed Development cannot reasonably avoid the Green Belt or Green Wedges.

5.3.3. The AGI at Ince and BVSs at Rock Bank, Mollington and Aston Hill are essential components of the DCO Proposed Development and it is not possible to locate these elements outside of the Green Belt as they are integral to the operational and maintenance requirements of the CO_2 pipeline.

5.3.4. These above ground facilities, by their very scale and nature, will affect the openness of the Green Belt and Green Wedge but would not conflict with the purposes of including land within it.

5.3.5. The clear over-riding benefits from the DCO Proposed Development that are set out within the Needs Case **[APP-049]** represent very special circumstances that outweigh any harm to the openness of the Green Belt and Green Wedges in the locations where the Ince AGI and the BVSs are proposed.

5.4. OPEN SPACE

5.4.1. This section addresses the potential impacts of the installation of the DCO Proposed Development on Open Space. For the purposes of this assessment Open Space is considered primarily within the policies of the Local Development Plans and NPPF. NPS EN-1 is considered where relevant, with a more detailed analysis of the environmental principles located in **Chapter 4.**

5.4.2. The Order Limits have been designed to avoid built development and proposed development allocations, in adopted and emerging local plans, including allocated Open Space. Further detailed analysis of the respective policies associated with Open Space can be found in **Appendix B** of this Planning Statement.

5.4.3. Of note, within section 5 of the Order Limits, the DCO Proposed Development crosses land used as a playground to the northeast of Aston Hill BVS.

5.4.4. Within the adopted Local Development Plan of FCC, the status of the playground will be protected by:

- It being outside the settlement boundary and;
- A criteria-based policy in EN1 of the LDP.

5.4.5. The wider area also falls within an allocated Green Wedge within the LDP (EN11).

5.4.6. Whilst the DCO Proposed Development will pass underneath the playground with the designated area of open space, as a trenchless crossing technique will be used in this location (refer to the illustrative representation of this is shown in **Figure 5)**, the playground will remain in use during the construction and there will be no conflict with FCC's Development Plan.

5.4.7. In relation to the potential impact of the pipeline on the public open space, within which the playground is located, it is necessary for the pipeline and associated infrastructure to pass through open space to avoid settlements and unnecessary conflicts with other developments. As the pipeline will be buried underground, whilst there might be some short-term disturbance while the pipeline is being constructed in this location, there will be no material impact on the area of public open space in the long term. Once construction is completed the land will be restored to its former state. The DCO Proposed Development will therefore comply with Policies EN1 and EN11 of the Local Development Plan of FCC.

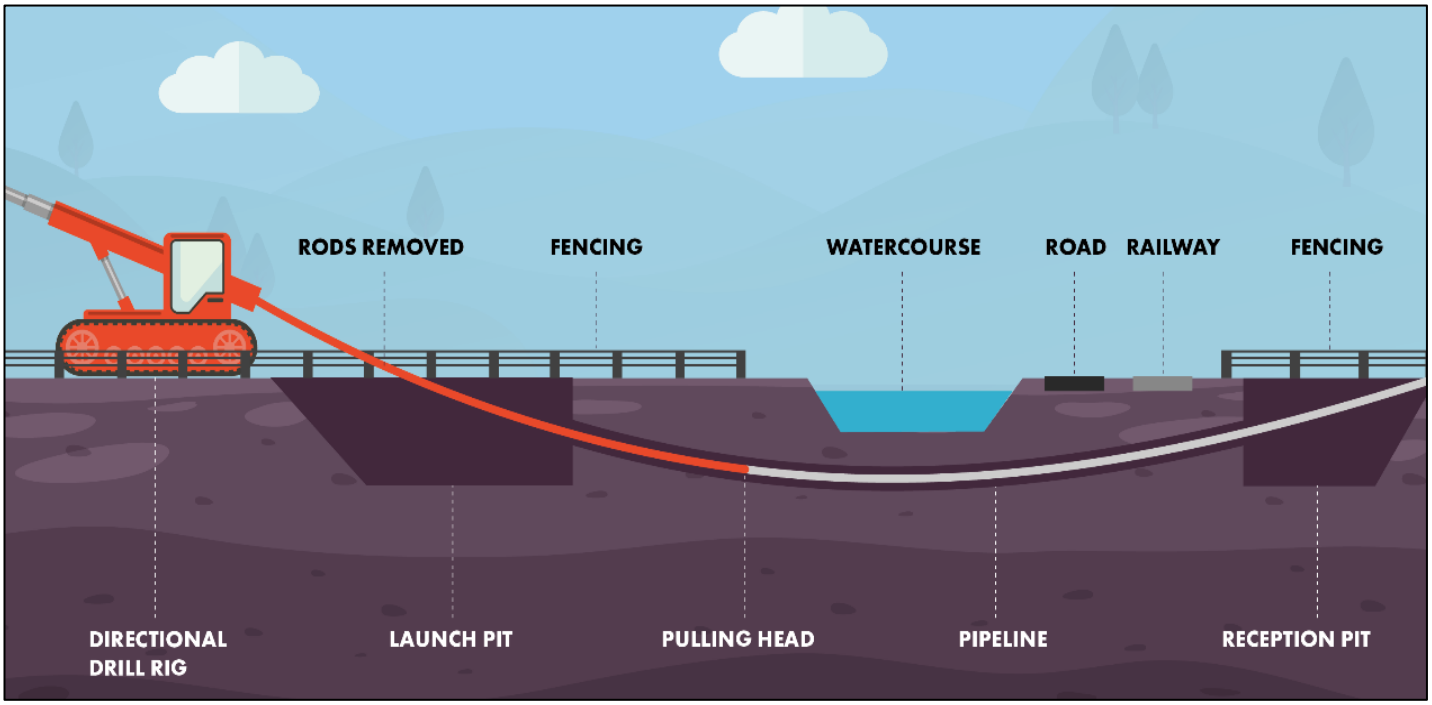


Figure 5: Illustration of Trenchless Crossing Drilling Technique *(HyNet North West)*

6. LIKELY BENEFITS AND DIS-BENEFITS

6.1. CONSIDERATIONS OF BENEFITS AND DIS-BENEFITS

6.1.1. An assessment of the balance of benefits and dis-benefits of the DCO Proposed Development is set out in this chapter, and within the Needs Case for the DCO Proposed Development **[APP-049].** This is in recognition of the decision-making framework set out in section 105 of the PA2008.

6.1.2. Section 105 applies where no national policy statement has effect in relation to development of the description to which the application relates.

6.1.3. In deciding the application, the SoS must have regard to:

- *any local impact report (within the meaning given by section 60(3)) submitted to the before the deadline specified in a notice under section 60(2),*
- *any matters prescribed in relation to development of the description to which the application relates, and*
- *any other matters which the SoS thinks are both important and relevant to SoS decision".*

6.1.4. The matters that are considered by the Applicant to be important and relevant for the SoS's decision-making on the DCO Proposed Development have been demonstrated in **Chapters 3** and assessed in **Chapters 4, 5 and 6** and **Appendix B** of this Planning Statement.

6.1.5. EN-1 consolidates the Governments approach to energy infrastructure, adopting a presumption in favour of granting consent to applications for energy NSIPs. Paragraph 4.1.3 of Part 4 of EN-1 states:

"In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account: Its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and Its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts".

6.1.6. This chapter of the Planning Statement therefore outlines the key benefits of the DCO Proposed Development in acknowledgement of potential impacts as a result.

6.2. LIKELY BENEFITS OF THE PROPOSED DEVELOPMENT

6.2.1. The DCO Proposed Development is considered by the Applicant to deliver clear and substantial benefits on a local, regional and national level. These are further detailed in the Needs Case for the DCO Proposed Development **[APP-049]** and are summarised in the following section.

6.2.2. **Chapters 3, 4 and 5** and **Appendix B (Table B.1)** of this document have provided an assessment of compliance with key policies found within NPS EN-1 and NPS EN-4 (referencing any draft EN-1 and EN-4 policies if considered important and relevant').

6.2.3. The DCO Proposed Development will transport CO_2 from GHG emitting industries and the production of hydrogen. It will also deliver onward capacity for future emitters to 'tie-in' to the wider HyNet Project, this overall contributing to the reduction of CO_2 in the atmosphere and making a significant contribution to the international, national and local effort against the climate emergency.

6.2.4. The key benefit therefore is the delivery of onward infrastructure associated with HyNet North West. The timing of the DCO Proposed Development will help the Government meet its targets for carbon capture and low-carbon hydrogen production and will lead to a decarbonised economy more quickly.

6.2.5. HyNet has the potential to capture 10MtCO_2 per year by the early 2030s, the equivalent of taking 4 million cars off the road or the equivalent of heating 5 million households with natural gas boilers for a year. This will meet the 2026 goal set by the CCC a year early and contributing significantly to the target of 20-30 MtCO2 captured and stored per year.

6.2.6. The importance of taking the DCO Proposed Development forward has been recognised in the Government's choice in taking forward the project in Track-1 of its Cluster Sequencing process (BEIS, 2021). This project will be key to meet the ambitious but critical targets set by The Climate Change Act 2008 (as amended) and sets the way forward for other industrial clusters in the UK and abroad to decarbonise industry and the economy. The parameters within the Draft DCO **[AS-016],** as assessed within Volume II of the ES **[APP-053 to APP-072 except AS-025 and AS-026]** and the DCO Application, provide an appropriate degree of flexibility, allowing for the delivery of the cluster.

6.2.7. Significant beneficial local and regional impacts will result from the direct, indirect and induced employment created by the construction phase of the DCO Proposed Development. Employment opportunities generated by the programme for the bulk of construction activity relating to hydrogen production, CCUS and network distribution will fall into the following sectors:

- General construction and civil engineering;
- Mechanical, electrical and process engineering construction; and
- Pipeline network construction and connection.

6.2.8. The provision of the CO_2 pipeline also retains the benefit of consistent delivery and supply. Underground pipelines are necessarily resilient to road transport delays, adverse weather or industrial action.

6.2.9. There are clear benefits to the UK economy as a whole through increasing the resilience of significant oil pipelines.

6.2.10. The Applicant is also seeking to deliver plus 10% BNG as part of the DCO Proposed Development and are exploring how this may best be delivered. Habitat creation and enhancement will be delivered both within and outside of the Order Limits. The BNG Report **[APP-231]** provides further analysis in conjunction in with the REAC **[AS-053]**.

6.2.11. Requirements proposed in draft DCO **[AS-016]** and the mitigation proposed in the REAC **[AS-053]** provide the relevant controls to ensure that DCO Proposed Development is constructed, operates and is decommissioned in accordance with the measures which will not give rise to significant adverse effects.

6.3. LIKELY DIS-BENEFITS OF THE PROPOSED DEVELOPMENT

6.3.1. There are inevitable adverse impacts which will arise throughout the implementation of the DCO Proposed Development, primarily during the construction phase. These are identified within Chapter 20 of the ES **[APP-072]**.

6.3.2. The ES has noted an impact on Soil Quality (moderate adverse) with a loss of quality agricultural land. This is to facilitate the delivery of above ground infrastructure and is considered to be unavoidable. Though, the total loss is considered to be minimal given the overall scale of the project.

6.3.3. A change in landscape character receptors on the Site fabric (moderate adverse) is considered to the following during the construction period alone:

- Dee coastal levels (FLNTVS076);
- Shotton farmland fringe (FLNTVS072);
- Estuary Edge and Valleys (FLNTVS014); and
- Limestone Plateau (FLNTVS004)

6.3.4. Landscape mitigation proposals to reduce landscape effects, including landscape planting and retention, micro-siting of construction compounds and the detailed design alignment of the pipeline, where relevant and practicable, to reduce the proximity to landscape receptors are proposed within the REAC **[AS-053]**.

6.3.5. Further visual impacts to those located in close proximity to the AGI's and BVS's of nearby residents and PRoW users are likely (identified as being moderate adverse). All adverse effects will be temporary, direct, and short term (during the construction phase of the DCO Proposed Development only). Mitigation is proposed in the form of planting to enhance screening, this illustrated on the relevant work plans and within the REAC **[AS-053]**. Additional landscaping and mitigation is shown within **[APP-178]**.

6.3.6. Anticipated likely noise impacts are raised in the ES as significant. Effects arise from the DCO Proposed Development's construction and decommissioning activities, this established in Chapter 15 of the ES **[APP-067]**. In the most part, significant impacts caused from noise effects arising from construction activities will be adequately mitigated through measures detailed in the Noise and Vibration Management Plan. The production of a Noise and Vibration Management Plan and agreement with the Local Authorities will be secured as part of the consolidated CEMP as a DCO requirement. This considered to reduce the overall impact.

6.3.7. There will also be some localised impacts to community receptors on a temporary basis during the construction period which fall within proximity to the Order Limits. Thornton Manor Care Centre and Nursing Home, St Oswald's School, 2 Sisters Food Group and Greenacres Animal Park are all considered to be impacted (large adverse) by the Construction phase. There will be disturbances to access during this time which will be mitigated through additional consultation and application of the CEMP, CTMP and Dust Management Plan (DMP).

6.3.8. The Planning Statement acknowledges that there will be an impact on the Green Belt. The AGI at Ince and BVSs at Rock Bank and Mollington are essential components of the DCO Proposed Development and it is not possible to locate these elements outside of the Green Belt as they are integral to the operational and maintenance requirements of the CO_2 pipeline. **Chapter 5** has demonstrated compatibility and that special circumstances apply in the case of the DCO Proposed Development.

6.3.9. Finally, there are anticipated impacts to hydrological and hydromorphological processes from open cut crossings of Alltami Brook watercourse during construction and operation (moderate adverse). Mitigation includes the use of biotextiles to stabilise bank material after the watercourses are reinstated, relevant permits to be obtained for work on ordinary watercourses and main rivers, and channel and banks to be reinstated to mimic the baseline conditions, including reinstatement of an appropriate vegetation assemblage. Further mitigation measures include turbidity monitoring, minimal working width to be adopted as far as practicable, detailed design alignment of the pipeline to be determined to minimise potential impacts, and where practicable, removed habitats to be replaced. Contractors are proposed to undertake further engagement with NRW and the Lead Local Flood Authority Planning and the Applicant during Detailed Design to determine the need for any additional assessment.

6.3.10. The cumulative impact has also been considered. During the construction phase, there is the potential for inter-project residual effects (moderate adverse (significant) for landscape and visual in relation to 'Other Development'. Other

developments have been identified within **Appendix A** of this Planning Statement. The Applicant will engage with the developer of any 'Other Development' in order to coordinate the construction of the development and DCO Proposed Development to avoid significant inter-project effect.

6.3.11. However, in summary the benefits associated with the DCO Proposed Development outweigh the limited harm. The Applicant considers that the DCO Proposed Development is acceptable in planning terms and that a DCO should therefore be made.

7. OVERALL PLANNING BALANCE AND CONCLUSIONS

7.1. CONCLUSION

7.1.1. The DCO Proposed Development will see the installation of carbon capture and transportation infrastructure to facilitate the delivery of the wider HyNet North West Project. The use of this technology is encouraged by the Government, as set out in Part 4.7 of EN-1.

7.1.2. The DCO Proposed Development supports the UK's urgent need for carbon reduction infrastructure and will result in an overall reduction in GHG emissions. It will support the UK Government's commitment to achieve net zero by 2050 and will deliver CCS infrastructure which the CCC identified as a 'necessity' to achieving net zero and decarbonisation of the energy sector; the project is recognised in the Government's ambitions for delivery as Track-1 of its Cluster Sequencing process (Department for Business, Energy and Industrial Strategy, 2021).

7.1.3. Through this Planning Statement, the Applicant has demonstrated compliance of the DCO Proposed Development with the specific technical considerations of NPS EN-1 and EN-4, as well as the relevant policies of the NPPF and Local Development Plan. While NPSs may not have effect in relation to schemes determined under section 105, matters incorporated within them are nonetheless likely to constitute important and relevant considerations in determining such applications and have therefore been considered where applicable in this Planning Statement.

7.1.4. This is of particular relevance to this proposed form of development, as Draft EN-1 provides enhanced support for CCS compared to the existing EN-1.

7.1.5. The DCO Proposed Development will enable the delivery of the social, environmental and economic benefits as outlined in the Needs Case for the DCO Proposed Development **[APP-049]** There is use of innovative technology which will positively impact UK carbon emissions, whilst setting the foundation for local emitters to tie-in.

7.1.6. The Applicant has demonstrated through the DCO Proposed Development submission that the design evolution has incorporated measures to minimise both environmental and social impacts. This assessment can be found within Chapter 4 of the ES **[APP-056]** Route determination and appraisal has been imperative to reducing environmental impacts and minimising the impact of community receptors, local plan designations and committed developments.

7.1.7. Embedded mitigation has been proposed and consolidated throughout the ES. This is set out within the REAC **[AS-053]**. The ES quantifies the significance of impact both with and without mitigation. The current OCEMP **[AS-055]** will be

developed into a CEMP and implemented during the construction of the DCO Proposed Development by the construction contractor.

7.1.8. The draft DCO **[AS-016]** includes all appropriate requirements that would control and support the delivery the detailed design for the DCO Proposed Development and its construction, operation and future decommissioning in order to ensure that impacts arising from the development do not give rise to significant effects.

7.1.9. The DCO Proposed Development has highlighted and acknowledged the potential adverse impacts which may arise as a result of project delivery, as highlighted in **Chapter 6** of this Planning Statement and within Chapter 20 of the ES **[APP-072]** Whilst this is confined predominately to the construction phase, there will be the delivery of permanent infrastructure throughout operation. Part 9 of EN-1 acknowledges that all proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The Applicant has sought to deliver a scheme of mitigation appropriate to the impacts of the DCO Proposed Development.

7.1.10. The DCO Proposed Development falls within the Cheshire West and Chester Greenbelt within its Order Limits in Sections 1,2 and 4. The benefits of the DCO Proposed Development have been demonstrated and are considered by the applicant to outweigh the potential harm to the openness of the Green Belt caused by some of its above ground elements.

7.1.11. The issue of Special Character Land in terms of the impacts that the DCO Proposed Development may have the justification for why compulsory acquisition powers are sought is outlined in the Statement of Reasons **[AS-021].**

7.1.12. The Applicant therefore considers that the benefits associated with the DCO Proposed Development outweigh the limited harm. The Applicant considers that the DCO Proposed Development is acceptable in planning terms and that a DCO should therefore be made.

8. REFERENCES

Cheshire West and Chester Council. (2019). Cheshire West and Chester Local Plan (Part 2) Land Allocations and Detailed Policies (Adopted).

Council, C. W. (2015). Cheshire West and Chester Local Plan (Part 1) Strategic Policies (Adopted).

Department for Business Energy and Industrial Strategy. (2021). Draft Overarching National Policy Statement for Energy (EN-1). London: BEIS.

Department for Business, Energy and Industrial Strategy. (2021). Draft National Policy Statement for gas supply infrastructure and Gas and Oil Pipelines (EN-4). London: BEIS.

Department for Business, Energy and Industrial Strategy. (2021). *October 2021 update: Track-1 clusters confirmed.* London: Department for Business, Energy and Industrial Strategy.

Department for Energy and Climate Change. (2011). Overarching National Policy Statement for Energy (EN-1). London: DECC.

Department for Levelling Up, Housing and Communities. (2022). Levelling up the United Kingdom. London: DLUHC.

Department of Energy and Climate Change. (2011). National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4). London: DECC.

Flintshire County Council. (2011). Flintshire Unitary Development Plan (Adopted).

Flintshire County Council. (2020, October). Emerging Flintshire Local Development Plan (Submission).

HM Government. (2017). The Clean Growth Strategy. London: HM Government.

HM Government. (2018). Clean Growth - The UK CCUS Deployment Pathway. London: HM Government.

HM Government. (2020). Energy White Paper - Powering our Net Zero Future. London: HM Government.

HM Government. (2020). Prime Miniser's Ten Point Plan for a Green Industrial Revolution. London: HM Government.

HM Government. (2021). Industrial Decarbonisation Strategy. London: HM Government.

HM Government. (2021). National Planning Policy Framework. London: HM Government.

HM Government. (2021). Net Zero Strategy: Build Back Greener. London: HM Government.

HM Government. (2021). UK Hydrogen Strategy. London: HM Government.

HM Government. (2022). British Energy Security Strategy. London: HM Government.

HM Government. (2022). The Growth Plan. London: HM Government.

HM Treasury. (2020). National Infrastructure Strategy. London: HM Treasury.

HyNet North West. (2021). *HyNet Vision Statement.* HyNet North West.

HyNet North West. (2021). *Vision Statement.* HyNet North West.

Inspectorate, P. (2018). Advice Note Nine: Rochdale Envelope .

Mace and The University of Chester . (2021). *HyNet UK North West Workforce Development Study.*

National Assembly for Wales. (2015). Well-Being of Future Generations (Wales) Act 2015. Cardiff: National Assembly for Wales.

National Infrastructure Commission. (2018). National Infrastructure Assessment 1. London: National Infrastructure Commission.

UK Parliament. (1962). Pipe-Lines Act 1962.

UK Parliament. (2008). Planning Act 2008. London.

UK Parliament. (2008). The Climate Change Act 2008.

UK Parliament. (2019). The Climate Change Act 2008 (2050 Target Amendment Order).

UK Parliament. (n.d.). Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. *2017*.

Welsh Government. (2019). Prosperity for All: A Low Carbon Wales. Cardiff: Welsh Government.

Welsh Government. (2021). A Carbon Capture, Utilisation and Storage Network for Wales. Cardiff: Welsh Government.

Welsh Government. (2021). National Development Framework - Future Wales: The National Plan 2040. Cardiff: Welsh Government.

Welsh Government. (2021). Net Zero Wales Carbon Budget 2 (2021-25). Cardiff: Welsh Government.

Welsh Government. (2021). Planning Policy Wales. Cardiff: Welsh Government.

Welsh Government. (2021). Wales Infrastructure Investment Strategy. Cardiff: Welsh Government.

APPENDIX A: RELEVANT PLANNING HISTORY

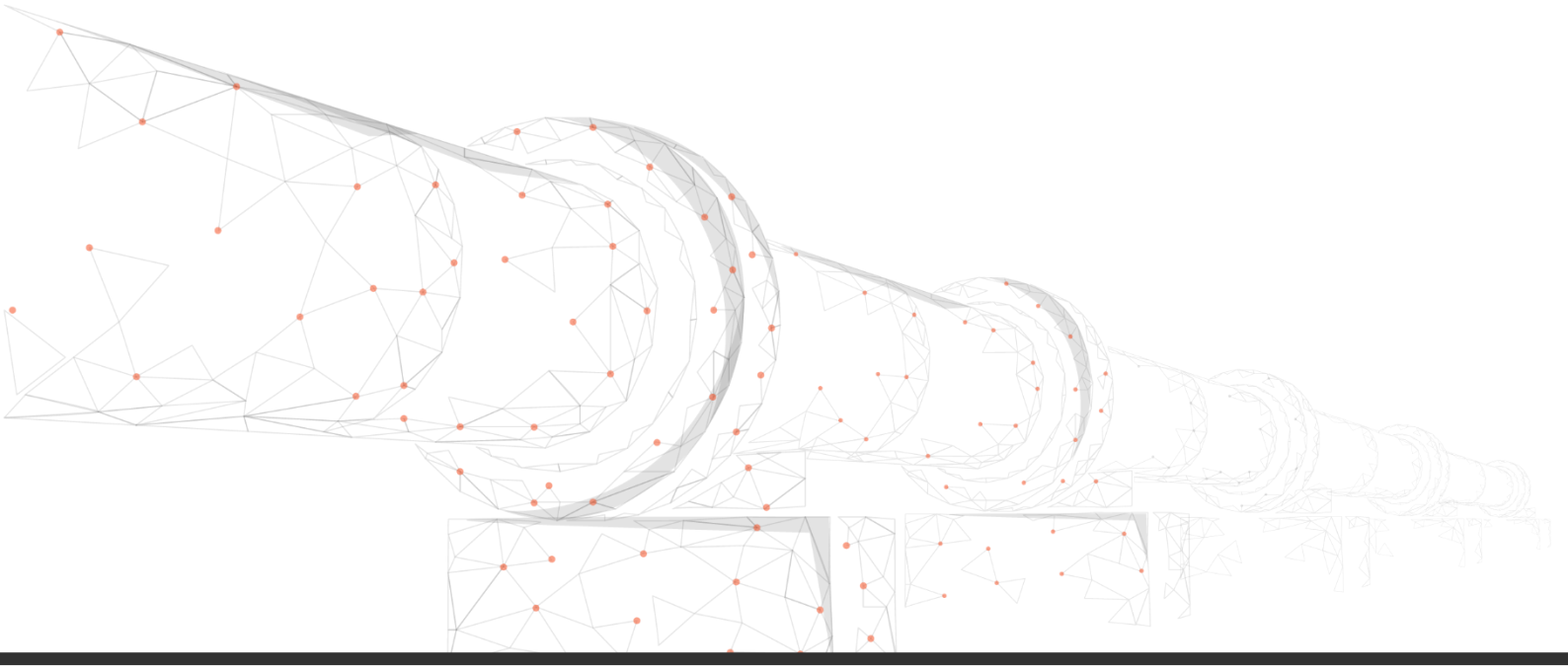


Table A1: Planning History of the Site and Wider Area

Committed Development Reference	Local Authority	Location	Description of Development	Status	Date of Approval (if applicable)	Relationship with the Order Limits
063975	FCC	Glanrafon Old Mold Road, Ewloe, Deeside, Flintshire. CH5 3AU	Demolition of existing Trentham house and rear out buildings and the construction of 3no.attached blocks accommodating 2 retail A1 use units and 15no. self contained apartments-(11no. 2bed, 2no. 3 bed and 2no. 1bed)	Under Consideration	N/A	Located within 500m of Order Limits but outside. Not considered to be impacted by the DCO Proposed Development.
063061	FCC	The Ridings Babell, Holywell, CH8 8PZ	Erection of prefabricated holiday lodge with associated enabling works for services and access track	Approved	01.04.2022	Located within 500m of Order Limits but outside, near the Babell BVS. Not considered to be impacted by the DCO Proposed Development. Discharge of Conditions application currently under consideration.
062820	FCC	1 Liverpool Road Ewloe Deeside CH5 3AR	Erection of 130no dwellings comprising bungalows, houses and two storey apartments with own access, new access road, associated external works and landscaping.	Refused	N/A	Located within the Order Limits. An access from the public highway is currently proposed through the committed development site. The design of the Order Limits has evolved to allow the development proceed in parallel with the DCO Proposed Development. In summary, an indicative re-routing design change was delivered east of Church Lane. Further design methodology can be found with ES Chapter 4 **[APP-056]** with the design change considered in the Consultation Report **[APP-031].** A record of engagement has been submitted in the Schedule of Negotiations **[APP-028].** Statements of Common Ground are to be submitted post submission. This Application has been refused following an additional review of committed developments with 500m of the Order Limits. The Application will be monitored for any appeal.
058296	FCC	Boars Head Inn Holywell Road Ewloe Deeside CH5 3BS	Erection of 28 No. 2 and 1 Bedroom Apartments (over 55's), and 3 No. Houses (total scheme 100% affordable housing), associated access and parking, including demolition of former public house	Approved	01.08.2019	Located within 500m of Order Limits but outside. Not considered to be impacted by the DCO Proposed Development.

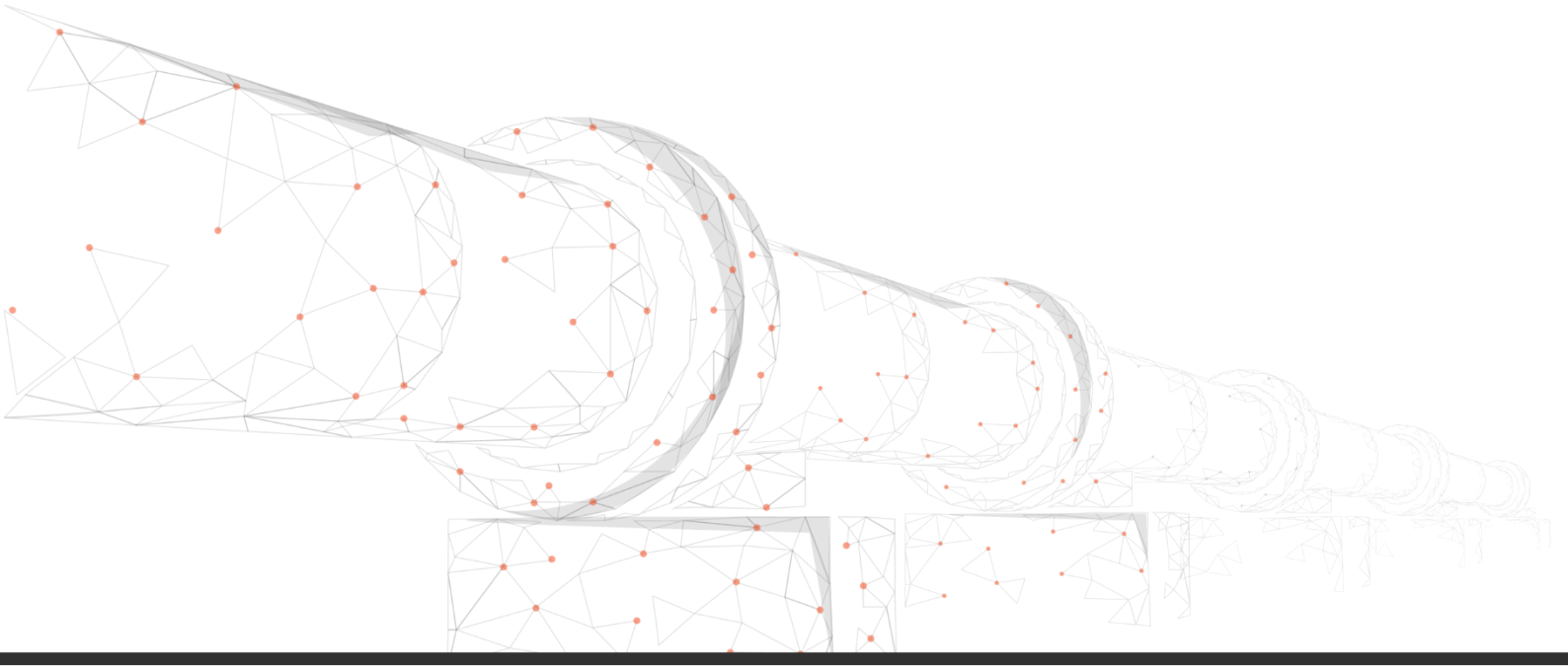
Committed Development Reference	Local Authority	Location	Description of Development	Status	Date of Approval (if applicable)	Relationship with the Order Limits
061790	FCC	150 Mancot Lane Mancot Flintshire	Proposed residential development for 25 no. affordable dwellings, public open space with new pedestrian links, landscaping, means of highway access, pumping station and schemes for biodiversity net gain and surface water attenuation	Refused – Appeal Lodged and Ongoing	25.05.2021	Appeal Lodged – Ongoing Located within 500m of Order Limits but outside. Not considered to be impacted by the DCO Proposed Development.
61368	FCC		Change of use of land to residential (Gypsy Traveller community). The site to contain one static caravan, one touring caravan, a water treatment plant, and parking for two cars with associated hardstanding and infrastructure.	Refused	22.09.2022	Located within the Order Limits to the East of the Church Lane Crossing. Notwithstanding the application has been refused, the Applicant has been made aware that occupation of the site has already taken place. Accordingly, the design of the Order Limits has shown consideration for this. The location of this site does not co-inside with the indicative route of the pipeline. A record of engagement has been submitted in the Schedule of Negotiations **[APP-028]**. Statements of Common Ground are to be submitted post submission.
064114	FCC		Local Authority Consultation made under Section 42 of the Planning Act 2008. Pre-application statutory consultation made by Liverpool Bay CSS Limited for an Order granting Development Consent for the HyNet North West Carbon Dioxide Pipeline	Under Consideration	N/A	Associated with the DCO Proposed Development as identified in Chapter 1 of this Planning Statement.
063104	FCC	Weighbridge Road Sealand Flintshire	Erection of an advanced gasification plant and associated development	Approved	22.03.2022	Located within 500m of Order Limits but outside. Not considered to be impacted by the DCO Proposed Development. This site falls south of the A55 at Northop Hall, there is a clear separation between this site and the Order limits.

Committed Development Reference	Local Authority	Location	Description of Development	Status	Date of Approval (if applicable)	Relationship with the Order Limits
FUL/000111/23	FCC	Newbridge Farm, Holywell Road, Ewloe, Deeside, CH5 3BS	(RETROSPECTIVE) Construction of a slurry tower with cover	Under Consideration	N/A	Located within the Order Limits. The Planning Application falls outside of the methodology for committed development searches as detailed in [**APP-172**]. The Application relates to Change 2 (Applicant's references PS02a and PS02b) within the Notification of Intention to Submit a Change Request **[AS-060]**. The Applicant is in ongoing communication with the landowner regarding the siting of the slurry tank and options for integration of the pipeline without sterilising the agricultural land.
FUL/000763/22	FCC	Land on Village Road, Halkyn, Flintshire, CH8 8HW	Erection of 3no. dwellings (renewal of 050282)	Under Consideration	N/A	Located within 500m of Order Limits but outside. Not considered to be impacted by the DCO Proposed Development.
21/04076/FUL	CWCC	Plots 9b, 10a, 11 and 12 Protos Grinsome Road Ellesmere Port CH2 4RB	Materials recycling facility, two plastics recycling facilities, a polymer laminate recycling facility and a hydrogen refuelling station	Approved	14.09.2022	Located within the Order Limits. The committed development includes the DCO Proposed Developments access at Ince AGI. Co-ordination with the Developer agreed and ongoing. A record of engagement has been submitted in the Schedule of Negotiations **[APP-028]** Statements of Common Ground are to be submitted post submission.
19/03489/FUL	CWCC	Area 10B Ince Resource Recovery Park Grinsome Road Ellesmere Port	Development of a hydrogen production facility and electricity generating plant, comprising of a waste reception and handling building, gasification facility, hydrogen production facility with associated/ ancillary infrastructure which includes access roads, weighbridge, fencing / gates, lighting, surface water drainage, and electricity distribution plant	Approved	18.09.2019	Variation of Conditions approved 03.11.2021. Located within 500m of Order Limits but outside. Not considered to be impacted by the DCO Proposed Development.

Committed Development Reference	Local Authority	Location	Description of Development	Status	Date of Approval (if applicable)	Relationship with the Order Limits
21/04091/FUL	CWCC	Stanlow Manufacturing Complex PO Box 3 Ellesmere Port CH65 4HB	Hybrid planning application for a hydrogen production plant, storage and distribution facility comprising full planning permission for the demolition of existing structures and erection of facilities including a Flare Stack, Phase 1 Process Area (containing main combustion plant), Natural Gas Let-down Area and Pipeline Reception Area for Phase 1 and Phase 2, and Pipe Racks, Utilities Area, new site access and internal access roads including new Gate House and Weighbridge Shelter, Surface Water Drainage System, landscaping and other associated infrastructure, and outline planning permission (matters of appearance, layout and scale reserved) for a Phase 2 Process Area, and Phase 1 and Phase 2 Air Separation Units, Oxygen and Nitrogen Storage Tanks, and other associated infrastructure Natural Gas Let-down Area for Phase 1 and Phase 2.	Under Consideration	N/A	Located within the Order Limits. The committed development includes the DCO Proposed Developments access at Stanlow AGI. Co-ordination with the Developer agreed and ongoing. A record of engagement has been submitted in the Schedule of Negotiations **[APP-028].** Statements of Common Ground are to be submitted post submission.
20/04396/FUL	CWCC	Area 13 Ince Resource Recovery Park Grinsome Road Ellesmere Port	Resource recovery facility (Plastics Recycling Facility)	Approved	12.05.2021	Located within 500m of Order Limits but outside. Not considered to be impacted by the DCO Proposed Development.
22/03592/REQ	CWCC	Land From Ince to Davenham	Hydrogen Pipeline	Under Consideration	N/A	Notification by Cadent of Pilot Way, Ansty CV7 9JU of intention to make an application to the Secretary of State for Business, Energy and Industrial Strategy (BEIS) (now Department for Energy Security and Net Zero) under Section 37 of the Planning Act 2008 for development consent (the “Application”). The Applicant is in ongoing discussion with Cadent with regard to the DCO Proposed Development and this Project. The Applicant intends to submit a Statement of Common Ground with Cadent at Deadline 1.
22/03693/FUL	CWCC	Encirc Glass Ltd Ash Road Elton Chester CH2 4LF	Full Planning permission for the erection of an automated warehouse (Use Class B2/B8), ancillary office space, an automated link	Under Consideration	N/A	Located within 500m of Order Limits but outside. Not considered to be impacted by the DCO Proposed Development.

Committed Development Reference	Local Authority	Location	Description of Development	Status	Date of Approval (if applicable)	Relationship with the Order Limits
			between the automated warehouse and existing facility, a driver welfare building, HGV marshalling yard, security building and other associated works.			

APPENDIX B: PLANNING POLICY COMPLIANCE ASSESSMENT



8.1. INTRODUCTION

8.1.1. This Appendix has been produced to provide an overview of all important and relevant national policy. It only includes policy relevant to the DCO Proposed Development.

8.2. TABLE B1: PLANNING POLICY COMPLIANCE ASSESSMENT: NATIONAL POLICY STATEMENTS

8.2.1. The adopted NPSs EN-1 and EN-4 are assessed below against the DCO Proposed Development. A summary is provided within **Chapter 4** of this Planning Statement. The 'assessment principles' and 'generic impacts' policies in EN-1 and EN-4 are also considered.

8.2.2. The current NPS EN-1 reflects policy at the time of writing in 2011 which anticipated the use of CCS primarily for the production of low carbon electricity. In the decade since this was written, policy now reflects a cluster approach to the use of CCS technology, with it being used for industry, power generation and low carbon hydrogen production. It is therefore not considered to be entirely defined for the DCO Proposed Development, it is therefore considered relevant to include an assessment of conformity as outlined below.

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
4.1 General points	4.1.2 Given the level and urgency of need for infrastructure of the types covered by the energy NPSs set out in Part 3 of this NPS, the IPC should start with a presumption in favour of granting consent to applications for energy NSIPs. That presumption applies unless any more specific and relevant policies set out in the relevant NPSs clearly indicate that consent should be refused. The presumption is also subject to the provisions of the Planning Act 2008 referred to at paragraph 1.1.2 of this NPS. 4.1.3 In considering any proposed development, and in particular when weighing its adverse impacts against its benefits, the IPC should take into account: • its potential benefits including its contribution to meeting the need for energy infrastructure, job creation and any long-term or wider benefits; and • its potential adverse impacts, including any long-term and cumulative adverse impacts, as well as any measures to avoid, reduce or compensate for any adverse impacts. 4.1.4 In this context, the IPC should take into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. These may be identified in this NPS, the relevant technology-specific NPS, in the application or elsewhere (including in local impact reports). 4.1.9 In deciding to bring forward a proposal for infrastructure development, the applicant will have made a judgement on the financial and technical viability of the proposed development, within the market framework and taking account of Government interventions. Where the IPC considers, on information provided in an application, that the financial viability and technical feasibility of the proposal has been properly assessed by the applicant it is unlikely to be of relevance in IPC decision making (any exceptions to this principle are dealt with where they arise in this or other energy NPSs and the reasons why financial viability or technical feasibility is likely to be of relevance explained).	The DCO Proposed Development is considered to have demonstrated the financial and technical viability required within this policy. The Funding Statement **[APP-029]** demonstrates the DCO Proposed Development is financially viable and funding is not an impediment to delivery. The Applicant has taken into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. **Chapter 6** of the Planning Statement **[APP-048]** sets out the likely benefits and dis-benefits of the DCO Proposed Development. The Planning Statement also sets out the overall planning balance and policy support for the CO_2 pipeline. The urgent need for the DCO Proposed Development and its role in facilitating the wider HyNet Project is explained in the Needs Case **[APP-049]**. Please also refer to the supporting Statement of Reasons **[AS-021]**. **This demonstrates that the Applicant has complied with Part 4.1 of EN-1.**
4.2 Environmental Statement	4.2.1 All proposals for projects that are subject to the European Environmental Impact Assessment Directive must be accompanied by an Environmental Statement (ES) describing the aspects of the environment likely to be significantly affected by the project. The Directive specifically refers to effects on human beings, fauna and flora, soil, water, air, climate, the landscape, material assets and cultural heritage, and the interaction between them. The Directive requires an assessment	The DCO Proposed Development is considered to be Schedule 1 development under **paragraph 23** of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (‘the EIA Regulations 2017’). It falls under the category of ‘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’.

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	of the likely significant effects of the proposed project on the environment, covering the direct effects and any indirect, secondary, cumulative, short, medium and long-term, permanent and temporary, positive and negative effects at all stages of the project, and also of the measures envisaged for avoiding or mitigating significant adverse effects. 4.2.2 To consider the potential effects, including benefits, of a proposal for a project, the IPC will find it helpful if the applicant sets out information on the likely significant social and economic effects of the development, and shows how any likely significant negative effects would be avoided or mitigated. This information could include matters such as employment, equality, community cohesion and well-being. 4.2.3 For the purposes of this NPS and the technology-specific NPSs the ES should cover the environmental, social and economic effects arising from pre-construction, construction, operation and decommissioning of the project. In some circumstances (for example, gas pipe-lines) it may be appropriate to assess effects arising from commissioning infrastructure once it is completed but before it comes into operation. Details of this and any other additional assessments are set out where necessary in sections on individual impacts in this NPS and in the technology-specific NPSs. In the absence of any additional information on additional assessments, the principles set out in this Section will apply to all assessments. 4.2.4 When considering a proposal, the IPC should satisfy itself that likely significant effects, including any significant residual effects taking account of any proposed mitigation measures or any adverse effects of those measures, have been adequately assessed. In doing so the IPC should also examine whether the assessment distinguishes between the project stages and identifies any mitigation measures at those stages. The IPC should request further information where necessary to ensure compliance with the EIA Directive. 4.2.5 When considering cumulative effects, the ES should provide information on how the effects of the applicant's proposal would combine and interact with the effects of other development (including projects for which consent has been sought or granted, as well as those already in existence). The IPC may also have other evidence before it, for example from appraisals of sustainability of relevant NPSs or development plans, on such effects and potential interactions. Any such	In accordance with the EIA Regulations 2017, the Application therefore includes an ES **[APP-051 to APP-245]**. An assessment of the DCO Proposed Development's combined and cumulative impacts is included in **Chapter 19** of the ES **[APP-071]**. **This demonstrates that the Applicant has complied with Part 4.2 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	information may assist the IPC in reaching decisions on proposals and on mitigation measures that may be required. 4.2.6 The IPC should consider how the accumulation of, and interrelationship between, effects might affect the environment, economy or community as a whole, even though they may be acceptable when considered on an individual basis with mitigation measures in place. 4.2.7 In some instances, it may not be possible at the time of the application for development consent for all aspects of the proposal to have been settled in precise detail. Where this is the case, the applicant should explain in its application which elements of the proposal have yet to be finalised, and the reasons why this is the case. 4.2.8 Where some details are still to be finalised the ES should set out, to the best of the applicant's knowledge, what the maximum extent of the proposed development may be in terms of site and plant specifications, and assess, on that basis, the effects which the project could have to ensure that the impacts of the project as it may be constructed have been properly assessed. 4.2.9 Should the IPC determine to grant development consent for an application where details are still to be finalised, it will need to reflect this in appropriate development consent requirements. Clearly, if development consent is granted for a proposal and at a later stage the developer wishes for technical or commercial reasons to construct it in such a way that its extent will be greater than has been provided for in the terms of the consent, it may be necessary to apply for a change to be made to the development consent, and the application to change the consent may need to be accompanied by further environmental information to supplement the original ES. 4.2.10 To help the IPC consider thoroughly the potential effects of a proposed project in cases where the EIA Directive does not apply and an ES is not therefore required, the applicant should instead provide information proportionate to the scale of the project on the likely significant environmental, social and economic effects. References to an Environmental Statement in this NPS should be taken as including a statement which provides this information, even if the EIA Directive does not apply.	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
4.3 Habitats and Species Regulations	4.3.1 Prior to granting a development consent order, the IPC must, under the Habitats and Species Regulations, (which implement the relevant parts of the Habitats Directive and the Birds Directive in England and Wales) consider whether the project may have a significant effect on a European site, or on any site to which the same protection is applied as a matter of policy, either alone or in combination with other plans or projects. Further information on the requirements of the Habitats and Species Regulations can be found in a Government Circular. Applicants should also refer to **Section 5.3** of this NPS on biodiversity and geological conservation. The applicant should seek the advice of Natural England and/or the Countryside Council for Wales, and provide the IPC with such information as it may reasonably require to determine whether an Appropriate Assessment is required. In the event that an Appropriate Assessment is required, the applicant must provide the IPC with such information as may reasonably be required to enable it to conduct the Appropriate Assessment. This should include information on any mitigation measures that are proposed to minimise or avoid likely effects.	The Applicant has provided a Habitat Regulations Assessment **[APP-226].** This report has been submitted to the Planning Inspectorate as part of the DCO Application and included in the Environmental Statement (ES) **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** which shows accordance with Part 4.3 of NPS EN-1. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.3 (Habitats and Species Regulations) of the NPS. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** also provides an assessment of the DCO Proposed Development against Part 5.3 (Biodiversity and Geological Conservation) of the NPS. With the inclusion of mitigation measures, it is concluded that the DCO Proposed Development would not adversely affect the integrity of the European Sites either alone or in-combination. Significant effects can be avoided with the inclusion of mitigation and compensation measures. **This demonstrates that the Applicant has complied with Part 4.3 of EN-1.**
4.4 Alternatives	4.4.1 As in any planning case, the relevance or otherwise to the decision-making process of the existence (or alleged existence) of alternatives to the proposed development is in the first instance a matter of law, detailed guidance on which falls outside the scope of this NPS. From a policy perspective this NPS does not contain any general requirement to consider alternatives or to establish whether the proposed project represents the best option. 4.4.2 However: - applicants are obliged to include in their ES, as a matter of fact, information about the main alternatives they have studied. This should include an indication of the main reasons for the applicant's choice, taking into account the environmental, social and economic effects and including, where relevant, technical and commercial feasibility; - in some circumstances there are specific legislative requirements, notably under the Habitats Directive, for the IPC to consider alternatives. These should also be identified in the ES by the applicant; and	A number of options for the route of the new pipeline were identified and considered, and a sifting process carried out based on environmental, planning and engineering factors. The number of corridor options has been reduced to a single preferred corridor which will be further consolidated through detailed design. The Applicant is considered to have demonstrated the most viable and least harmful route through the options appraisal as demonstrated within the ES **Chapter 4 [APP-056]** in compliance with Part 4.4 of EN-1. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.4 (Alternatives) of the NPS. The consideration of alternatives as set out in the ES is considered to be appropriate and proportionate. **This demonstrates that the Applicant has complied with Part 4.4 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	- in some circumstances, the relevant energy NPSs may impose a policy requirement to consider alternatives (as this NPS does in **Sections 5.3, 5.7 and 5.9**). 4.4.3 "Where there is a policy or legal requirement to consider alternatives the applicant should describe the alternatives considered in compliance with these requirements. Given the level and urgency of need for new energy infrastructure, the IPC should, subject to any relevant legal requirements (e.g. under the Habitats Directive) which indicate otherwise, be guided by the following principles when deciding what weight should be given to alternatives: - the consideration of alternatives in order to comply with policy requirements should be carried out in a proportionate manner; - the IPC should be guided in considering alternative proposals by whether there is a realistic prospect of the alternative delivering the same infrastructure capacity (including energy security and climate change benefits) in the same timescale as the proposed development; - where (as in the case of renewables) legislation imposes a specific quantitative target for particular technologies or (as in the case of nuclear) there is reason to suppose that the number of sites suitable for deployment of a technology on the scale and within the period of time envisaged by the relevant NPSs is constrained, the IPC should not reject an application for development on one site simply because fewer adverse impacts would result from developing similar infrastructure on another suitable site, and it should have regard as appropriate to the possibility that all suitable sites for energy infrastructure of the type proposed may be needed for future proposals; - alternatives not among the main alternatives studied by the applicant (as reflected in the ES) should only be considered to the extent that the IPC thinks they are both important and relevant to its decision; - as the IPC must decide an application in accordance with the relevant NPS (subject to the exceptions set out in the Planning Act 2008), if the IPC concludes that a decision to grant consent to a hypothetical alternative proposal would not be in accordance with the policies set out in the relevant NPS, the existence of that alternative is unlikely to be important and relevant to the IPC's decision; - alternative proposals which mean the necessary development could not proceed, for example because the alternative proposals are not commercially viable or	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	alternative proposals for sites would not be physically suitable, can be excluded on the grounds that they are not important and relevant to the IPC's decision; - alternative proposals which are vague or inchoate can be excluded on the grounds that they are not important and relevant to the IPC's decision; and - it is intended that potential alternatives to a proposed development should, wherever possible, be identified before an application is made to the IPC in respect of it (so as to allow appropriate consultation and the development of a suitable evidence base in relation to any alternatives which are particularly relevant). Therefore where an alternative is first put forward by a third party after an application has been made, the IPC may place the onus on the person proposing the alternative to provide the evidence for its suitability as such and the IPC should not necessarily expect the applicant to have assessed it.	
4.5 Criteria for "good design" for energy infrastructure	4.5.1 The visual appearance of a building is sometimes considered to be the most important factor in good design. But high quality and inclusive design goes far beyond aesthetic considerations. The functionality of an object — be it a building or other type of infrastructure — including fitness for purpose and sustainability, is equally important. Applying "good design" to energy projects should produce sustainable infrastructure sensitive to place, efficient in the use of natural resources and energy used in their construction and operation, matched by an appearance that demonstrates good aesthetic as far as possible. It is acknowledged, however that the nature of much energy infrastructure development will often limit the extent to which it can contribute to the enhancement of the quality of the area. 4.5.2 Good design is also a means by which many policy objectives in the NPS can be met, for example the impact sections show how good design, in terms of siting and use of appropriate technologies can help mitigate adverse impacts such as noise. 4.5.3 In the light of the above, and given the importance which the Planning Act 2008 places on good design and sustainability, the IPC needs to be satisfied that energy infrastructure developments are sustainable and, having regard to regulatory and other constraints, are as attractive, durable and adaptable (including taking account of natural hazards such as flooding) as they can be. In so doing, the IPC should satisfy itself that the applicant has taken into account both functionality (including fitness for purpose and sustainability) and aesthetics (including its contribution to the quality of the area in which it would be located) as far as	The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within **Chapter 3** of the Environmental Statement **[APP-055]**. The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. **Chapter 12** of the ES **[APP-064]** concludes that with the application of mitigation these would not give rise to an adverse significant impact in terms of their visual prominence. **Chapter 12** of the ES **[APP-064]** concludes that with the application of mitigation these would not give rise to a significant adverse impact in terms of their visual prominence. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.5 (Criteria for Good Design for Energy Infrastructure) of the NPS. **This demonstrates that the Applicant has complied with Part 4.5 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	possible. Whilst the applicant may not have any or very limited choice in the physical appearance of some energy infrastructure, there may be opportunities for the applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation. Furthermore, the design and sensitive use of materials in any associated development such as electricity substations will assist in ensuring that such development contributes to the quality of the area. 4.5.4 For the IPC to consider the proposal for a project, applicants should be able to demonstrate in their application documents how the design process was conducted and how the proposed design evolved. Where a number of different designs were considered, applicants should set out the reasons why the favoured choice has been selected. In considering applications the IPC should take into account the ultimate purpose of the infrastructure and bear in mind the operational, safety and security requirements which the design has to satisfy. 4.5.5 Applicants and the IPC should consider taking independent professional advice on the design aspects of a proposal. In particular, Design Council CABE can be asked to provide design review for nationally significant infrastructure projects and applicants are encouraged to use this service	
4.7 Carbon Capture and Storage (CCS) and Carbon Capture Readiness (CCR)	4.7.7 The most likely method for transporting the captured carbon dioxide is through pipelines. These will be located both onshore and offshore. There are currently no carbon dioxide pipelines in the UK and considerable future investment in pipelines will be required for the purpose of the demonstration programme. If CCS is deployed more widely, it is likely that these initial investments could form the basis of a wider carbon dioxide pipeline network, which is likely to require greater capacity pipelines. In considering applications the IPC should therefore take into account that the Government wants developers to bear in mind foreseeable future demand when considering the size and route of their investments and may therefore propose pipelines with a greater capacity than necessary for the project alone. Existing legislation already provides powers to require modification of pipelines where this would reduce the need for additional pipelines to be constructed in the future.	The DCO Proposed Development will deliver approximately 36km of carbon transporting infrastructure with associated above ground installations, which will lay the foundations for the wider Project as described in **Chapter 1** and **Chapter 3** of this Planning Statement **[APP-048].** The Needs Case for the DCO Proposed Development **[APP-049]** also provides further detailed information. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.7 (Carbon Capture and Storage) of the NPS. The Applicant concludes that the DCO Proposed Development aligns with the Government's encouragement of CCS technology, with potential to exceed the assumed figures set out in Part 4.7 **This demonstrates that the Applicant has complied with Part 4.7 of EN-1.**
4.8 Climate Change Adaption	4.8.3 To support planning decisions, the Government produces a set of UK Climate Projections and is developing a statutory National Adaptation Programme. In	Climate change adaption has been considered throughout the design and selection process for the proposed route. The risk of flooding, effect of

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	addition, the Government's Adaptation Reporting Power will ensure that reporting authorities (a defined list of public bodies and statutory undertakers, including energy utilities) assess the risks to their organisation presented by climate change. The IPC may take into account energy utilities' reports to the Secretary of State when considering adaptation measures proposed by an applicant for new energy infrastructure. 4.8.4 In certain circumstances, measures implemented to ensure a scheme can adapt to climate change may give rise to additional impacts, for example as a result of protecting against flood risk, there may be consequential impacts on coastal change (see **Section 5.5**). 4.8.5 New energy infrastructure will typically be a long-term investment and will need to remain operational over many decades, in the face of a changing climate. Consequently, applicants must consider the impacts of climate change when planning the location, design, build, operation and, where appropriate, decommissioning of new energy infrastructure. The ES should set out how the proposal will take account of the projected impacts of climate change. While not required by the EIA Directive, this information will be needed by the IPC. 4.8.6 The IPC should be satisfied that applicants for new energy infrastructure have taken into account the potential impacts of climate change using the latest UK Climate Projections available at the time the ES was prepared to ensure they have identified appropriate mitigation or adaptation measures. This should cover the estimated lifetime of the new infrastructure. Should a new set of UK Climate Projections become available after the preparation of the ES, the IPC should consider whether they need to request further information from the applicant. 4.8.7 Applicants should apply as a minimum, the emissions scenario that the Independent Committee on Climate Change suggests the world is currently most closely following – and the 10%, 50% and 90% estimate ranges. These results should be considered alongside relevant research which is based on the climate change projections 4.8.8 The IPC should be satisfied that there are not features of the design of new energy infrastructure critical to its operation which may be seriously affected by more radical changes to the climate beyond that projected in the latest set of UK climate projections, taking account of the latest credible scientific evidence on, for example, sea level rise (for example by referring to additional maximum credible	greenhouse gas emissions to the atmosphere, and embedded carbon have been considered as part of the design and assessment of impact and mitigation. This is further expanded on in ES **Chapter 7 [APP-059]** on climate resilience, ES **Chapter 10 [APP-062]** on Greenhouse Gases**,** and ES **Chapter 18 [APP-070]** on water resource and flood risk and their associated appendices. Climate Change has also been considered cumulatively across each chapter of the ES, wherein the inter-dependencies are assessed. Where a combined impact is considered, it is mitigated or justified accordingly. The design of the pipeline has considered those measures to make it resilient to climate change, and the ES concludes that there are no significant impacts on climate change resulting from the laying of this pipeline. Generally, the use of pipelines offers a betterment on emissions given alternative means of transport such as tanker via road. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.8 (Climate Change Adaptation) of the NPS. **This demonstrates that the Applicant has complied with Part 4.8 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	scenarios – i.e. from the Intergovernmental Panel on Climate Change or EA) and that necessary action can be taken to ensure the operation of the infrastructure over its estimated lifetime. 4.8.9 Where energy infrastructure has safety critical elements (for example parts of new fossil fuel power stations or some electricity sub-stations), the applicant should apply the high emissions scenario (high impact, low likelihood) to those elements. Although the likelihood of this scenario is thought to be low, it is appropriate to take a more risk-averse approach with elements of infrastructure which are critical to the safety of its operation. 4.8.10 If any adaptation measures give rise to consequential impacts (for example on flooding, water resources or coastal change) the IPC should consider the impact of the latter in relation to the application as a whole and the impacts guidance set out in Part 5 of this NPS. 4.8.11 Any adaptation measures should be based on the latest set of UK Climate Projections, the Government's latest UK Climate Change Risk Assessment, when available and in consultation with the EA. 4.8.12 Adaptation measures can be required to be implemented at the time of construction where necessary and appropriate to do so. However, where they are necessary to deal with the impact of climate change, and that measure would have an adverse effect on other aspects of the project and/or surrounding environment (for example coastal processes), the IPC may consider requiring the applicant to ensure that the adaptation measure could be implemented should the need arise, rather than at the outset of the development (for example increasing height of existing, or requiring new, sea walls).	
4.10 Pollution control and other environmental regulatory regimes	4.10.3 In considering an application for development consent, the IPC should focus on whether the development itself is an acceptable use of the land, and on the impacts of that use, rather than the control of processes, emissions or discharges themselves. The IPC should work on the assumption that the relevant pollution control regime and other environmental regulatory regimes, including those on land drainage, water abstraction and biodiversity, will be properly applied and enforced by the relevant regulator. It should act to complement but not seek to duplicate them. 4.10.4 Applicants should consult the Marine Management Organisation (MMO) on nationally significant projects which would affect, or would be likely to affect, any	An initial assessment of potential environmental impacts was carried out and included in the EIA Scoping Report **[APP-073** and **APP-074]**. The Outline Construction Environmental Management Plan (OCEMP) **[AS-055]** sets out the actions and measures that would be implemented to control the risk of a pollution incident. This would be consolidated into a Construction Environmental Management Plan (CEMP) during detailed design and applied by a construction contractor. The design will be defined and set out in the ES and elsewhere in the DCO application. The ES Volume II **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** further illustrates this approach.

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	relevant marine areas as defined in the Planning Act 2008 (as amended by s.23 of the Marine and Coastal Access Act 2009). The IPC consent may include a deemed marine licence and the MMO will advise on what conditions should apply to the deemed marine licence. The IPC and MMO should cooperate closely to ensure that energy NSIPs are licensed in accordance with environmental legislation, including European directives. 4.10.5 Many projects covered by this NPS will be subject to the Environmental Permitting (EP) regime, which also incorporates operational waste management requirements for certain activities. When a developer applies for an Environmental Permit, the relevant regulator (usually EA but sometimes the local authority) requires that the application demonstrates that processes are in place to meet all relevant EP requirements. In considering the impacts of the project, the IPC may wish to consult the regulator on any management plans that would be included in an Environmental Permit application. 4.10.6 Applicants are advised to make early contact with relevant regulators, including EA and the MMO, to discuss their requirements for environmental permits and other consents. This will help ensure that applications take account of all relevant environmental considerations and that the relevant regulators are able to provide timely advice and assurance to the IPC. Wherever possible, applicants are encouraged to submit applications for Environmental Permits and other necessary consents at the same time as applying to the IPC for development consent. 4.10.7 The IPC should be satisfied that development consent can be granted taking full account of environmental impacts. Working in close cooperation with EA and/or the pollution control authority, and other relevant bodies, such as the MMO, Natural England, the Countryside Council for Wales, Drainage Boards, and water and sewerage undertakers, the IPC should be satisfied, before consenting any potentially polluting developments, that: - the relevant pollution control authority is satisfied that potential releases can be adequately regulated under the pollution control framework; and - the effects of existing sources of pollution in and around the site are not such that the cumulative effects of pollution when the proposed development is added would make that development unacceptable, particularly in relation to statutory environmental quality limits."	The project will comply with all required regulations under the pollution control framework or other consenting and licensing regimes. Appendix A of the Consultation Report **[APP-032]** provides a list of meetings with relevant environmental stakeholders. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.10 (Pollution Control and Other Environmental Regulatory Regimes) of the NPS. **This demonstrates that the Applicant has complied with Part 4.10 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	4.10.8 The IPC should not refuse consent on the basis of pollution impacts unless it has good reason to believe that any relevant necessary operational pollution control permits or licences or other consents will not subsequently be granted.	
4.11 Safety	4.11.1 HSE is responsible for enforcing a range of occupational health and safety legislation some of which is relevant to the construction, operation and decommissioning of energy infrastructure. Applicants should consult with the Health and Safety Executive (HSE) on matters relating to safety. 4.11.3 Some energy infrastructure will be subject to the Control of Major Accident Hazards (COMAH) Regulations 1999. These Regulations aim to prevent major accidents involving dangerous substances and limit the consequences to people and the environment of any that do occur. COMAH regulations apply throughout the life cycle of the facility, i.e. from the design and build stage through to decommissioning. They are enforced by the Competent Authority comprising HSE and the EA acting jointly in England and Wales (and by the HSE and Scottish Environment Protection Agency acting jointly in Scotland). The same principles apply here as for those set out in the previous section on pollution control and other environmental permitting regimes. 4.11.4 Applicants seeking to develop infrastructure subject to the COMAH regulations should make early contact with the Competent Authority. If a safety report is required it is important to discuss with the Competent Authority the type of information that should be provided at the design and development stage, and what form this should take. This will enable the Competent Authority to review as much information as possible before construction begins, in order to assess whether the inherent features of the design are sufficient to prevent, control and mitigate major accidents. The IPC should be satisfied that an assessment has been done where required and that the Competent Authority has assessed that it meets the safety objectives described above.	The Applicant has engaged and will continue to engage with the HSE with respect to compliance with health and safety legislation, this is shown within the Consultation Report **[APP-031].** The OCEMP **[AS-055]** set out the actions and measures that would be implemented to control the risk of a pollution incident. Although the pipeline is not a COMAH, COMAH guidance has been referred to in development of the methodologies for hazard identification and the assessment of major accidents. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.11 (Safety) of the NPS. **This demonstrates that the Applicant has complied with Part 4.11 of EN-1.**
4.12 Hazardous Substances	4.12.1 All establishments wishing to hold stocks of certain hazardous substances above a threshold need Hazardous Substances consent. Applicants should consult the HSE at pre-application stage if the project is likely to need hazardous substances consent. Where hazardous substances consent is applied for, the IPC will consider whether to make an order directing that hazardous substances consent shall be deemed to be granted alongside making an order granting development consent. The IPC should consult HSE about this.	The Applicant has engaged and will continue to engage with the HSE with respect to compliance with hazardous substances legislation, this is shown within the Consultation Report **[APP-031].** Where it is required, other consents have been shown in the Other Consents and Licences Document **[APP-046].** The Applicant knows of no reason as to why these will not be secured.

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	4.12.2 HSE will assess the risks based on the development consent application. Where HSE does not advise against the IPC granting the consent, it will also recommend whether the consent should be granted subject to any requirements. 4.12.3 HSE sets a consultation distance around every site with hazardous substances consent and notifies the relevant local planning authorities. The applicant should therefore consult the local planning authority at pre-application stage to identify whether its proposed site is within the consultation distance of any site with hazardous substances consent and, if so, should consult the HSE for its advice on locating the particular development on that site.	**Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.12 (Hazardous Substances) of the NPS. **This demonstrates that the Applicant has complied with Part 4.12 of EN-1.**
4.13 Health	4.13.2 As described in the relevant sections of this NPS and in the technology-specific NPSs, where the proposed project has an effect on human beings, the ES should assess these effects for each element of the project, identifying any adverse health impacts, and identifying measures to avoid, reduce or compensate for these impacts as appropriate. The impacts of more than one development may affect people simultaneously, so the applicant and the IPC should consider the cumulative impact on health. 4.13.3 The direct impacts on health may include increased traffic, air or water pollution, dust, odour, hazardous waste and substances, noise, exposure to radiation, and increases in pests. 4.13.4 New energy infrastructure may also affect the composition, size and proximity of the local population, and in doing so have indirect health impacts, for example if it in some way affects access to key public services, transport or the use of open space for recreation and physical activity. 4.13.5 Generally, those aspects of energy infrastructure which are most likely to have a significantly detrimental impact on health are subject to separate regulation (for example for air pollution) which will constitute effective mitigation of them, so that it is unlikely that health concerns will either constitute a reason to refused consents or require specific mitigation under the Planning Act 2008. However, the IPC will want to take account of health concerns when setting requirements relating to a range of impacts such as noise.	From the EIA Scoping Report **[APP-073** and **APP-074]** to the assessment within the ES Volume II Chapters **[APP-053 to APP-060, AS-025, APP-062 to APP-072].** The key health impacts have been assessed to be the disruption to green space and nature, effects on communities, traffic, transport, connectivity, severance and physical injury from accidents, soil contamination, noise and vibration, water, major accidents and community wellbeing. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.13 (Health) of the NPS. Overall, it has been demonstrated within the ES Volume II **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** that there will be no significant adverse health impacts as a result of the DCO Proposed Development. **This demonstrates that the Applicant has complied with Part 4.13 of EN-1.**
4.12 Common Law Nuisance and Statutory Nuisance	4.14.2 It is very important that, at the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the 1990 Act and how they may be mitigated or limited are considered by the IPC so that appropriate requirements can	To reduce the risk of nuisance or environmental incident, which includes noise, vibration and air quality, the OCEMP **[AS-055]** sets out a number of good

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	be included in any subsequent order granting development consent. (See **Section 5.6** on Dust, odour, artificial light etc. and **Section 5.11** on Noise and vibration.)	housekeeping measures to be implemented by the contractor at compound sites. In accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP) Regulation 5(2)(f), paragraph 4.14.2 of EN-1 states that it is very important that, at the application stage of an energy NSIP, possible sources of nuisance under section 79(1) of the Environmental Protection Act 1990 ('EPA'), and how they may be mitigated or limited, are considered by the Secretary of State (SoS) so that appropriate requirements can be included in any subsequent order granting development consent. The DCO Application is supported with a Statutory Nuisance Statement **[APP-047]** in order to satisfy the requirements of APFP Regulation 5(2)(f) and paragraph 4.14.2 of EN-1. This document lays out both the likely significant and insignificant impacts of proposed works and provides mitigation. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.14 (Common Law Nuisance and Statutory Nuisance) of the NPS. **This demonstrates that the Applicant has complied with Part 4.14 of EN-1.**
4.13 Security Considerations	4.15.3 DECC will be notified at pre-application stage about every likely future application for energy NSIPs, so that any national security implications can be identified. Where national security implications have been identified, the applicant should consult with relevant security experts from CPNI, OCNS and DECC to ensure that physical, procedural and personnel security measures have been adequately considered in the design process and that adequate consideration has been given to the management of security risks. If CPNI, OCNS and/or DECC are satisfied that security issues have been adequately addressed in the project when the application is submitted to the IPC, it will provide confirmation of this to the IPC. The IPC should not need to give any further consideration to the details of the security measures in its examination. 4.15.4 The applicant should only include sufficient information in the application as is necessary to enable the IPC to examine the development consent issues and make a properly informed decision on the application.	The Applicant has engaged and will continue to engage with BEIS with respect to compliance with security, this is shown within the Consultation Report **[APP-031].** **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.15 (Security Considerations) of the NPS. **This demonstrates that the Applicant has complied with Part 4.15 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
Part 5 – Generic Impacts		
5.1 Generic Impacts	5.1.1 Some impacts (such as landscape and visual impacts) arise from the development of any of the types of energy infrastructure covered by the energy NPSs. Others (such as air quality impacts) are relevant to all types of energy infrastructure but nevertheless arise in similar ways from the development of types of energy infrastructure covered in at least two of the energy NPSs. Both these classes of impacts are considered in this Part and are referred to as "generic impacts". However, in some cases the technology-specific NPSs provide detail on the way these impacts arise or are to be considered in the context of applications which is specific to the technology in question. Impacts which are more or less limited to one particular technology are only covered in the relevant technology-specific NPS. 5.1.2 The list of impacts (generic and technology-specific) and the policy in respect of the consideration of impacts in this Part and in the impact section of the technology-specific NPSs is not exhaustive. The NPSs address those impacts and means of mitigation that are anticipated to arise most frequently; they are not intended to provide a list of all possible effects or ways to mitigate such effects. The IPC should therefore consider other impacts and means of mitigation where it determines that the impact is relevant and important to its decision. The technology-specific NPSs may state that certain impacts should be given a particular weight. Where they do not do so, the IPC should follow any policy set out on the level of weight to be given to such impact set out in this NPS. Applicants should identify the impacts of their proposals in the ES in terms of those covered in this NPS and any others that may be relevant to their application. 5.1.3 Some of the impact sections in this NPS and the technology-specific NPSs refer to development consent requirements or obligations being a means of securing appropriate mitigation. The fact that the possible use of requirements or obligations are not mentioned in relation to other impacts does not mean that they may not be relevant. 5.1.4 Some of the impact sections in this NPS and the technology-specific NPSs also refer to bodies whom the applicant or IPC should consult. The references to specific bodies are not intended to be exhaustive. The fact that in other impact sections no mention is made of such consultation does not mean that the applicant or IPC should not, where appropriate, engage in it. Applicants must also ensure	An initial assessment has been carried out to identify the potential impacts of the DCO Proposed Development. They have been addressed in the EIA Scoping Report **[APP-073** and **APP-074]** submitted to The Planning Inspectorate. The full assessment of the impacts and related mitigation measures are detailed in the ES **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** submitted as part of this DCO Application. The DCO Proposed Development has engaged with a wide range of national and local environmental organisations, local authorities, other local groups and individual land owners as shown in the Consultation Report **[APP-031]**. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.1 (Generic and Specific Impacts) of the NPS. **This demonstrates that the Applicant has complied with Part 5.1 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	they consult the relevant bodies about their proposed applications in accordance with **section 42 to 44 of the Planning Act 2008** and the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.	
5.2 Air Quality and Emissions	5.2.1 Infrastructure development can have adverse effects on air quality. The construction, operation and decommissioning phases can involve emissions to air which could lead to adverse impacts on health, on protected species and habitats, or on the wider countryside. Impacts on protected species and habitats are covered in **Section 5.3**. Air emissions include particulate matter (for example dust) up to a diameter of ten microns (PM10) as well as gases such as sulphur dioxide, carbon monoxide and nitrogen oxides (NOx). Levels for pollutants in ambient air are set out in the Air Quality Strategy which in turn embodies EU legal requirements. The Secretary of State for the Department for Environment Food and Rural Affairs is required to make available up to date information on air quality to any relevant interested party. 5.2.2 CO2 emissions are a significant adverse impact from some types of energy infrastructure which cannot be totally avoided (even with full deployment of CCS technology). However, given the characteristics of these and other technologies, as noted in Part 3 of this NPS, and the range of non-planning policies aimed at decarbonising electricity generation such as EU ETS (see **Section 2.2** above), Government has determined that CO2 emissions are not reasons to prohibit the consenting of projects which use these technologies or to impose more restrictions on them in the planning policy framework than are set out in the energy NPSs (e.g. the CCR and, for coal, CCS requirements). Any ES on air emissions will include an assessment of CO2 emissions, but the policies set out in **Section 2**, including the EU ETS, apply to these emissions. The IPC does not, therefore need to assess individual applications in terms of carbon emissions against carbon budgets and this section does not address CO2 emissions or any Emissions Performance Standard that may apply to plant. 5.2.6 Where the project is likely to have adverse effects on air quality the applicant should undertake an assessment of the impacts of the proposed project as part of the Environmental Statement (ES). 5.2.7 The ES should describe:	Air Quality has been taken into consideration in the EIA for the DCO Proposed Development. It has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is concluded to be not significant. This is demonstrated in **Chapter 6** of the ES **[APP-058]** and its appendices. It has been identified that air quality changes could occur during construction activity. However, with the application of mitigation measures, the DCO Proposed Development will have no significant adverse effect on air quality during construction, operation and decommissioning stages. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.2 (Air Quality and Emissions) of the NPS. **This demonstrates that the Applicant has complied with Part 5.2 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	- any significant air emissions, their mitigation and any residual effects distinguishing between the project stages and taking account of any significant emissions from any road traffic generated by the project; - the predicted absolute emission levels of the proposed project, after mitigation methods have been applied; - existing air quality levels and the relative change in air quality from existing levels; and - any potential eutrophication impacts. 5.2.8 Many activities involving air emissions are subject to pollution control. The considerations set out in **Section 4.10** on the interface between planning and pollution control therefore apply. 5.2.9 The IPC should generally give air quality considerations substantial weight where a project would lead to a deterioration in air quality in an area, or leads to a new area where air quality breaches any national air quality limits. However air quality considerations will also be important where substantial changes in air quality levels are expected, even if this does not lead to any breaches of national air quality limits. 5.2.10 In all cases the IPC must take account of any relevant statutory air quality limits. Where a project is likely to lead to a breach of such limits the developers should work with the relevant authorities to secure appropriate mitigation measures to allow the proposal to proceed. In the event that a project will lead to non-compliance with a statutory limit the IPC should refuse consent. 5.2.11 The IPC should consider whether mitigation measures are needed both for operational and construction emissions over and above any which may form part of the project application. A construction management plan may help codify mitigation at this stage. 5.2.12 In doing so the IPC may refer to the conditions and advice in the Air Quality Strategy or any successor to it.	
5.3 Biodiversity and Geological Conservation	5.3.3 Where the development is subject to EIA the applicant should ensure that the ES clearly sets out any effects on internationally, nationally and locally designated sites of ecological or geological conservation importance, on protected species and on habitats and other species identified as being of principal importance for the conservation of biodiversity. The applicant should provide	**Chapter 9 [AS-025]** and **Chapter 11 [APP-063]** of the ES identifies the baseline biodiversity value, sensitive receptors and ground conditions assessment along the route of the DCO Proposed Development. The impact of construction and operation has been considered. There is a negligible concern related to ecological receptors. Mitigation is applied to seek some

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	environmental information proportionate to the infrastructure where EIA is not required to help the IPC consider thoroughly the potential effects of a proposed project. 5.3.4 The applicant should show how the project has taken advantage of opportunities to conserve and enhance biodiversity and geological conservation interests. 5.3.5 The Government's biodiversity strategy is set out in 'Working with the grain of nature'. Its aim is to ensure: - a halting, and if possible a reversal, of declines in priority habitats and species, with wild species and habitats as part of healthy, functioning ecosystems; and - the general acceptance of biodiversity's essential role in enhancing the quality of life, with its conservation becoming a natural consideration in all relevant public, private and non-governmental decisions and policies. 5.3.6 In having regard to the aim of the Government's biodiversity strategy the IPC should take account of the context of the challenge of climate change: failure to address this challenge will result in significant adverse impacts to biodiversity. The policy set out in the following sections recognises the need to protect the most important biodiversity and geological conservation interests. The benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests. The IPC may take account of any such net benefit in cases where it can be demonstrated. 5.3.7 As a general principle, and subject to the specific policies below, development should aim to avoid significant harm to biodiversity and geological conservation interests, including through mitigation and consideration of reasonable alternatives (as set out in **Section 4.4** above); where significant harm cannot be avoided, then appropriate compensation measures should be sought. 5.3.8 In taking decisions, the IPC should ensure that appropriate weight is attached to designated sites of international, national and local importance; protected species; habitats and other species of principal importance for the conservation of biodiversity; and to biodiversity and geological interests within the wider environment.	minor, positive, long terms effects at a local scale. Whilst maintenance of the DCO Proposed Development may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the DCO Proposed Development, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the Register of Environmental Actions and Commitments (REAC) **[AS-053]**. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.3 (Biodiversity and Geological Conservation) of the NPS. **This demonstrates that the Applicant has complied with Part 5.3 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.3.9 The most important sites for biodiversity are those identified through international conventions and European Directives. The Habitats Regulations provide statutory protection for these sites but do not provide statutory protection for potential Special Protection Areas (pSPAs) before they have been classified as a Special Protection Area. For the purposes of considering development proposals affecting them, as a matter of policy the Government wishes pSPAs to be considered in the same way as if they had already been classified. Listed Ramsar sites should, also as a matter of policy, receive the same protection. 5.3.10 Many SSSIs are also designated as sites of international importance and will be protected accordingly. Those that are not, or those features of SSSIs not covered by an international designation, should be given a high degree of protection. All National Nature Reserves are notified as SSSIs. 5.3.11 Where a proposed development on land within or outside an SSSI is likely to have an adverse effect on an SSSI (either individually or in combination with other developments), development consent should not normally be granted. Where an adverse effect, after mitigation, on the site's notified special interest features is likely, an exception should only be made where the benefits (including need) of the development at this site, clearly outweigh both the impacts that it is likely to have on the features of the site that make it of special scientific interest and any broader impacts on the national network of SSSIs. The IPC should use requirements and/or planning obligations to mitigate the harmful aspects of the development and, where possible, to ensure the conservation and enhancement of the site's biodiversity or geological interest. 5.3.13 Sites of regional and local biodiversity and geological interest, which include Regionally Important Geological Sites, Local Nature Reserves and Local Sites, have a fundamental role to play in meeting overall national biodiversity targets; contributing to the quality of life and the well-being of the community; and in supporting research and education. The IPC should give due consideration to such regional or local designations. However, given the need for new infrastructure, these designations should not be used in themselves to refuse development consent. 5.3.14 Ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland. Once lost it cannot be recreated. The IPC should not grant development consent for any development that would result in its loss or deterioration unless the benefits (including need) of the development, in	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	that location outweigh the loss of the woodland habitat. Aged or 'veteran' trees found outside ancient woodland are also particularly valuable for biodiversity and their loss should be avoided. Where such trees would be affected by development proposals the applicant should set out proposals for their conservation or, where their loss is unavoidable, the reasons why. 5.3.17 Other species and habitats have been identified as being of principal importance for the conservation of biodiversity in England and Wales and thereby requiring conservation action. The IPC should ensure that these species and habitats are protected from the adverse effects of development by using requirements or planning obligations. The IPC should refuse consent where harm to the habitats or species and their habitats would result, unless the benefits (including need) of the development outweigh that harm. In this context the IPC should give substantial weight to any such harm to the detriment of biodiversity features of national or regional importance which it considers may result from a proposed development. 5.3.18 "The applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that: - during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works; - during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements; - habitats will, where practicable, be restored after construction works have finished; and - opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals. 5.3.19 Where the applicant cannot demonstrate that appropriate mitigation measures will be put in place the IPC should consider what appropriate requirements should be attached to any consent and/or planning obligations entered into. 5.3.20 The IPC will need to take account of what mitigation measures may have been agreed between the applicant and Natural England (or the Countryside	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	Council for Wales) or the Marine Management Organisation (MMO), and whether Natural England (or the Countryside Council for Wales) or the MMO has granted or refused or intends to grant or refuse, any relevant licences, including protected species mitigation licences.	
5.4 Civil and Military Aviation and Defence Interests	5.4.9 Other operational defence assets may be affected by new development, for example the Seismological Monitoring Station at Eskdalemuir and maritime acoustic facilities used to test and calibrate noise emissions from naval vessels, such as at Portland Harbour. The MoD also operates Air Defence radars and Meteorological radars which have wide coverage over the UK (onshore and offshore). It is important that new energy infrastructure does not significantly impede or compromise the safe and effective use of any defence assets. 5.4.10 Where the proposed development may have an effect on civil or military aviation and/or other defence assets an assessment of potential effects should be set out in the ES (see **Section 4.2**). 5.4.11 The applicant should consult the MoD, CAA, NATS and any aerodrome – licensed or otherwise – likely to be affected by the proposed development in preparing an assessment of the proposal on aviation or other defence interests. 5.4.12 Any assessment of aviation or other defence interests should include potential impacts of the project upon the operation of CNS infrastructure, flight patterns (both civil and military), other defence assets and aerodrome operational procedures. It should also assess the cumulative effects of the project with other relevant projects in relation to aviation and defence. 5.4.13 If any relevant changes are made to proposals during the pre-application and determination period, it is the responsibility of the applicant to ensure that the relevant aviation and defence consultees are informed as soon as reasonably possible. 5.4.14 The IPC should be satisfied that the effects on civil and military aerodromes, aviation technical sites and other defence assets have been addressed by the applicant and that any necessary assessment of the proposal on aviation or defence interests has been carried out. In particular, it should be satisfied that the proposal has been designed to minimise adverse impacts on the operation and safety of aerodromes and that reasonable mitigation is carried out. It may also be appropriate to expect operators of the aerodrome to consider making reasonable changes to operational procedures. When assessing the necessity, acceptability	The DCO Proposed Development falls adjacent to MoD land in Saughill, England. With a construction compound being located in an adjacent land parcel. It is not considered that any impact will be had on this land. This is confirmed through the EIA Scoping Report **[APP-073** and **APP-074]** and response received which concluded that the MoD had no objections to the DCO Proposed Development. There is an Airbus Aerodrome located 1.68km south of the Order Limits within Flintshire, Wales. Correspondence has been held with Airbus and this can be found within Appendix A of the Consultation Report **[APP-032]**. It is not considered that the construction, operation or decommissioning of the DCO Proposed Development would impact the setting or operation of the Airbus facility. Where mitigation (such as lighting or height limitations) may be required, it will be embedded accordingly. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.4 (Civil and Military Aviation and Defence Interests) of the NPS. **This demonstrates that the Applicant has complied with Part 5.4 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	and reasonableness of operational changes to aerodromes, the IPC should satisfy itself that it has the necessary information regarding the operational procedures along with any demonstrable risks or harm of such changes, taking into account the cases put forward by all parties. When making such a judgement in the case of military aerodromes, the IPC should have regard to interests of defence and national security. 5.4.15 If there are conflicts between the Government's energy and transport policies and military interests in relation to the application, the IPC should expect the relevant parties to have made appropriate efforts to work together to identify realistic and pragmatic solutions to the conflicts. In so doing, the parties should seek to protect the aims and interests of the other parties as far as possible. 5.4.16 There are statutory requirements concerning lighting to tall structures. Where lighting is requested on structures that goes beyond statutory requirements by any of the relevant aviation and defence consultees, the IPC should satisfy itself of the necessity of such lighting taking into account the case put forward by the consultees. The effect of such lighting on the landscape and ecology may be a relevant consideration. 5.4.17 "Where, after reasonable mitigation, operational changes, obligations and requirements have been proposed, the IPC considers that: - a development would prevent a licensed aerodrome from maintaining its licence; - the benefits of the proposed development are outweighed by the harm to aerodromes serving business, training or emergency service needs, taking into account the relevant importance and need for such aviation infrastructure; or - the development would significantly impede or compromise the safe and effective use of defence assets or significantly limit military training; - the development would have an impact on the safe and efficient provision of en route air traffic control services for civil aviation, in particular through an adverse effect on the infrastructure required to support communications, navigation or surveillance systems; consent should not be granted." 5.4.18 Where a proposed energy infrastructure development would significantly impede or compromise the safe and effective use of civil or military aviation or defence assets and or significantly limit military training, the IPC may consider the	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	use of 'Grampian, or other forms of condition which relate to the use of future technological solutions, to mitigate impacts. Where technological solutions have not yet been developed or proven, the IPC will need to consider the likelihood of a solution becoming available within the time limit for implementation of the development consent. In this context, where new technologies to mitigate the adverse effects of wind farms on radar are concerned, the IPC should have regard to any Government guidance which emerges from the joint Government/Industry Aviation Plan. 5.4.19 "Mitigation for infringement of OLS may include: - amendments to layout or scale of infrastructure to reduce the height, provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the proposed energy infrastructure; - changes to operational procedures of the aerodromes in accordance with relevant guidance, provided that safety assurances can be provided by the operator that are acceptable to the CAA where the changes are proposed to a civilian aerodrome (and provided that it does not result in an unreasonable reduction of capacity or unreasonable constraints on the operation of the aerodrome); and - installation of obstacle lighting and/or by notification in Aeronautical Information Service publications." 5.4.20 "For CNS infrastructure, the UK military Low Flying system (including TTAs) and designated air traffic routes, mitigation may also include: - lighting; - operational airspace changes; and - upgrading of existing CNS infrastructure, the cost of which the applicant may reasonably be required to contribute in part or in full. " 5.4.21 Mitigation for effects on radar, communications and navigational systems may include reducing the scale of a project, although in some cases it is likely to be unreasonable for the IPC to require mitigation by way of a reduction in the scale of development, for example, where reducing the tip height of wind turbines in a wind farm would result in a material reduction in electricity generating capacity or operation would be severely constrained. However, there may be exceptional circumstances where a small reduction in such function will result in proportionately	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	greater mitigation. In these cases, the IPC may consider that the benefits of the mitigation outweighs the marginal loss of function.	
5.6 Dust, Odour, Artificial Light, Smoke, Steam and Insect Infestation	5.6.3 For energy NSIPs of the type covered by this NPS, some impact on amenity for local communities is likely to be unavoidable. The aim should be to keep impacts to a minimum, and at a level that is acceptable. 5.6.4 The applicant should assess the potential for insect infestation and emissions of odour, dust, steam, smoke and artificial light to have a detrimental impact on amenity, as part of the Environmental Statement. 5.6.5 In particular, the assessment provided by the applicant should describe: - the type, quantity and timing of emissions; - aspects of the development which may give rise to emissions; - premises or locations that may be affected by the emissions; - effects of the emission on identified premises or locations; and - measures to be employed in preventing or mitigating the emissions. 5.6.6 The applicant is advised to consult the relevant local planning authority and, where appropriate, the EA about the scope and methodology of the assessment. 5.6.7 The IPC should satisfy itself that: - an assessment of the potential for artificial light, dust, odour, smoke, steam and insect infestation to have a detrimental impact on amenity has been carried out; and - that all reasonable steps have been taken, and will be taken, to minimise any such detrimental impacts. 5.6.8 If the IPC does grant development consent for a project, it should consider whether there is a justification for all of the authorised project (including any associated development) being covered by a defence of statutory authority against nuisance claims. If it cannot conclude that this is justified, it should disapply in whole or in part the defence through a provision in the development consent order. 5.6.10 In particular, the IPC should consider whether to require the applicant to abide by a scheme of management and mitigation concerning insect infestation and emissions of odour, dust, steam, smoke and artificial light from the development. The IPC should consider the need for such a scheme to reduce any	It has been identified that air quality changes could occur through dust and changes in pollutant levels during construction works. Changes in air quality are not anticipated during the operation or decommissioning phases of the DCO Proposed Development. **Chapter 6** of the ES **[APP-058]** concludes that with the application of mitigation measures, the DCO Proposed Development will have no significant adverse effect on air quality during the construction, operation and decommissioning. The Construction Dust Assessment **[APP-081]** provides further detail regarding the approach to mitigation. The DCO Proposed Development is submitted with a Statutory Nuisance Statement **[APP-047]** which concludes that with appropriate and embedded mitigation, any adverse impacts can be removed. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.6 (Dust, Odour, Artificial Light, Smoke, Steam and Insect Manifestation) of the NPS. **This demonstrates that the Applicant has complied with Part 5.6 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	loss to amenity which might arise during the construction, operation and decommissioning of the development. A construction management plan may help codify mitigation at that stage. 5.6.11 Mitigation measures may include one or more of the following: - engineering: prevention of a specific emission at the point of generation; control, containment and abatement of emissions if generated; - lay-out: adequate distance between source and sensitive receptors; reduced transport or handling of material; and - administrative: limiting operating times; restricting activities allowed on the site; implementing management plans.	
5.7 Flood Risk	5.7.2 Climate change over the next few decades is likely to mean milder, wetter winters and hotter, drier summers in the UK, while sea levels will continue to rise. Within the lifetime of energy projects, these factors will lead to increased flood risks in areas susceptible to flooding, and to an increased risk of the occurrence of floods in some areas which are not currently thought of as being at risk. The applicant and the IPC should take account of the policy on climate change adaptation in **Section 4.8**. 5.7.4 Applications for energy projects of 1 hectare or greater in Flood Zone 1 in England or Zone A in Wales and all proposals for energy projects located in Flood Zones 2 and 3 in England or Zones B and C in Wales should be accompanied by a flood risk assessment (FRA). An FRA will also be required where an energy project less than 1 hectare may be subject to sources of flooding other than rivers and the sea (for example surface water), or where the EA, Internal Drainage Board or other body have indicated that there may be drainage problems. This should identify and assess the risks of all forms of flooding to and from the project and demonstrate how these flood risks will be managed, taking climate change into account. 5.7.5 The minimum requirements for FRAs are that they should: - be proportionate to the risk and appropriate to the scale, nature and location of the project; - consider the risk of flooding arising from the project in addition to the risk of flooding to the project;	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the DCO Proposed Development on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during the construction phase, rather than the operation or decommissioning phases. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** for flood risk areas in England and a Flood Consequences Assessment (FCA) **[AS-004** to **AS-006]** for Wales. These have been informed through ongoing engagement with EA, NRW internal drainage boards, local authorities and Natural England. These documents are considered to be in accordance with paragraph 5.7.5 of EN-1 which sets out the minimum requirements in addition to supplementary guidance documents, Planning Policy Statement 25 (PPS25), TAN15 for Wales (or the latest versions since the adoption of EN-1).

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	- take the impacts of climate change into account, clearly stating the development lifetime over which the assessment has been made; - be undertaken by competent people, as early as possible in the process of preparing the proposal; - consider both the potential adverse and beneficial effects of flood risk management infrastructure, including raised defences, flow channels, flood storage areas and other artificial features, together with the consequences of their failure; - consider the vulnerability of those using the site, including arrangements for safe access; - consider and quantify the different types of flooding (whether from natural and human sources and including joint and cumulative effects) and identify flood risk reduction measures, so that assessments are fit for the purpose of the decisions being made; - consider the effects of a range of flooding events including extreme events on people, property, the natural and historic environment and river and coastal processes; - include the assessment of the remaining (known as 'residual') risk after risk reduction measures have been taken into account and demonstrate that this is acceptable for the particular project; - consider how the ability of water to soak into the ground may change with development, along with how the proposed layout of the project may affect drainage systems; - consider if there is a need to be safe and remain operational during a worst case flood event over the development's lifetime; and - be supported by appropriate data and information, including historical information on previous events. 5.7.7 Applicants for projects which may be affected by, or may add to, flood risk should arrange pre-application discussions with the EA, and, where relevant, other bodies such as Internal Drainage Boards, sewerage undertakers, navigation authorities, highways authorities and reservoir owners and operators. Such discussions should identify the likelihood and possible extent and nature of the flood risk, help scope the FRA, and identify the information that will be required by the IPC to reach a decision on the application when it is submitted. The IPC should	Alltami Brook is noted as an area which is likely to experience a moderate adverse impact as a result of the DCO Proposed Development. However, a WFD Assessment **[APP-165]** has concluded compliance with legislation and retention of good status for the water body. Mitigation measures and management plans are secured through the REAC **[AS-053].** **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.7 (Flood Risk) of the NPS. **This demonstrates that the Applicant has complied with Part 5.7 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	advise applicants to undertake these steps where they appear necessary, but have not yet been addressed. 5.7.8 If the EA has concerns about the proposal on flood risk grounds, the applicant should discuss these concerns with the EA and take all reasonable steps to agree ways in which the proposal might be amended, or additional information provided, which would satisfy the Environment Agency's concerns. 5.7.9 In determining an application for development consent, the IPC should be satisfied that where relevant: - the application is supported by an appropriate FRA; - the Sequential Test has been applied as part of site selection; - a sequential approach has been applied at the site level to minimise risk by directing the most vulnerable uses to areas of lowest flood risk; - the proposal is in line with any relevant national and local flood risk management strategy; - priority has been given to the use of sustainable drainage systems (SuDs) (as required in the next paragraph on National Standards); and - in flood risk areas the project is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed over the lifetime of the development. 5.7.10 For construction work which has drainage implications, approval for the project's drainage system will form part of the development consent issued by the IPC. The IPC will therefore need to be satisfied that the proposed drainage system complies with any National Standards published by Ministers under Paragraph 5(1) of Schedule 3 to the Flood and Water Management Act 2010. In addition, the development consent order, or any associated planning obligations, will need to make provision for the adoption and maintenance of any SuDS, including any necessary access rights to property. The IPC should be satisfied that the most appropriate body is being given the responsibility for maintaining any SuDS, taking into account the nature and security of the infrastructure on the proposed site. The responsible body could include, for example, the applicant, the landowner, the relevant local authority, or another body, such as an Internal Drainage Board. 5.7.11 If the EA continues to have concerns and objects to the grant of development consent on the grounds of flood risk, the IPC can grant consent, but	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	would need to be satisfied before deciding whether or not to do so that all reasonable steps have been taken by the applicant and the EA to try to resolve the concerns. 5.7.12 The IPC should not consent development in Flood Zone 2 in England or Zone B in Wales unless it is satisfied that the sequential test requirements have been met. It should not consent development in Flood Zone 3 or Zone C unless it is satisfied that the Sequential and Exception Test requirements have been met. The technology-specific NPSs set out some exceptions to the application of the sequential test. However, when seeking development consent on a site allocated in a development plan through the application of the Sequential Test, informed by a strategic flood risk assessment, applicants need not apply the Sequential Test, but should apply the sequential approach to locating development within the site. 5.7.13 Preference should be given to locating projects in Flood Zone 1 in England or Zone A in Wales. If there is no reasonably available site in Flood Zone 1 or Zone A, then projects can be located in Flood Zone 2 or Zone B. If there is no reasonably available site in Flood Zones 1 or 2 or Zones A & B, then nationally significant energy infrastructure projects can be located in Flood Zone 3 or Zone C subject to the Exception Test. Consideration of alternative sites should take account of the policy on alternatives set out in **Section 4.4** above. 5.7.14 If, following application of the sequential test, it is not possible, consistent with wider sustainability objectives, for the project to be located in zones of lower probability of flooding than Flood Zone 3 or Zone C, the Exception Test can be applied. The test provides a method of managing flood risk while still allowing necessary development to occur. 5.7.15 The Exception Test is only appropriate for use where the sequential test alone cannot deliver an acceptable site, taking into account the need for energy infrastructure to remain operational during floods. It may also be appropriate to use it where as a result of the alternative site(s) at lower risk of flooding being subject to national designations such as landscape, heritage and nature conservation designations, for example Areas of Outstanding Natural Beauty (AONBs), Sites of Special Scientific Interest (SSSIs) and World Heritage Sites (WHS) it would not be appropriate to require the development to be located on the alternative site(s). 5.7.16 All three elements of the test will have to be passed for development to be consented. For the Exception Test to be passed:	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	- it must be demonstrated that the project provides wider sustainability benefits to the community that outweigh flood risk; - the project should be on developable, previously developed land or, if it is not on previously developed land, that there are no reasonable alternative sites on developable previously developed land subject to any exceptions set out in the technology-specific NPSs; and - a FRA must demonstrate that the project will be safe, without increasing flood risk elsewhere subject to the exception below and, where possible, will reduce flood risk overall. 5.7.17 Exceptionally, where an increase in flood risk elsewhere cannot be avoided or wholly mitigated, the IPC may grant consent if it is satisfied that the increase in present and future flood risk can be mitigated to an acceptable level and taking account of the benefits of, including the need for, nationally significant energy infrastructure as set out in Part 3 above. In any such case the IPC should make clear how, in reaching its decision, it has weighed up the increased flood risk against the benefits of the project, taking account of the nature and degree of the risk, the future impacts on climate change, and advice provided by the EA and other relevant bodies. 5.7.19 In this NPS, the term Sustainable Drainage Systems (SuDS) refers to the whole range of sustainable approaches to surface water drainage management including, where appropriate: - source control measures including rainwater recycling and drainage; - infiltration devices to allow water to soak into the ground, that can include individual soakaways and communal facilities; - filter strips and swales, which are vegetated features that hold and drain water downhill mimicking natural drainage patterns; - filter drains and porous pavements to allow rainwater and run-off to infiltrate into permeable material below ground and provide storage if needed; - basins ponds and tanks to hold excess water after rain and allow controlled discharge that avoids flooding; and - flood routes to carry and direct excess water through developments to minimise the impact of severe rainfall flooding.	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.7.20 Site layout and surface water drainage systems should cope with events that exceed the design capacity of the system, so that excess water can be safely stored on or conveyed from the site without adverse impacts. 5.7.21 The surface water drainage arrangements for any project should be such that the volumes and peak flow rates of surface water leaving the site are no greater than the rates prior to the proposed project, unless specific off-site arrangements are made and result in the same net effect. 5.7.22 It may be necessary to provide surface water storage and infiltration to limit and reduce both the peak rate of discharge from the site and the total volume discharged from the site. There may be circumstances where it is appropriate for infiltration facilities or attenuation storage to be provided outside the project site, if necessary through the use of a planning obligation. 5.7.23 The sequential approach should be applied to the layout and design of the project. More vulnerable uses should be located on parts of the site at lower probability and residual risk of flooding. Applicants should seek opportunities to use open space for multiple purposes such as amenity, wildlife habitat and flood storage uses. Opportunities should be taken to lower flood risk by reducing the built footprint of previously developed sites and using SuDS. 5.7.24 Essential energy infrastructure which has to be located in flood risk areas should be designed to remain operational when floods occur. In addition, any energy projects proposed in Flood Zone 3b the Functional Floodplain (where water has to flow or be stored in times of flood), or Zone C2 in Wales, should only be permitted if the development will not result in a net loss of floodplain storage, and will not impede water flows. 5.7.25 The receipt of and response to warnings of floods is an essential element in the management of the residual risk of flooding. Flood Warning and evacuation plans should be in place for those areas at an identified risk of flooding. The applicant should take advice from the emergency services when producing an evacuation plan for a manned energy project as part of the FRA. Any emergency planning documents, flood warning and evacuation procedures that are required should be identified in the FRA.	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
5.8 Historic Environment	5.8.5 The absence of designation for such heritage assets does not indicate lower significance. If the evidence before the IPC indicates to it that a non-designated heritage asset of the type described in 5.8.4 may be affected by the proposed development then the heritage asset should be considered subject to the same policy considerations as those that apply to designated heritage assets. 5.8.6 The IPC should also consider the impacts on other non-designated heritage assets, as identified either through the development plan making process (local listing) or through the IPC's decision making process on the basis of clear evidence that the assets have a heritage significance that merits consideration in its decisions, even though those assets are of lesser value than designated heritage assets. 5.8.8 As part of the ES (see **Section 4.2**) the applicant should provide a description of the significance of the heritage assets affected by the proposed development and the contribution of their setting to that significance. The level of detail should be proportionate to the importance of the heritage assets and no more than is sufficient to understand the potential impact of the proposal on the significance of the heritage asset. As a minimum the applicant should have consulted the relevant Historic Environment Record (or, where the development is in English or Welsh waters, English Heritage or Cadw) and assessed the heritage assets themselves using expertise where necessary according to the proposed development's impact. 5.8.9 Where a development site includes, or the available evidence suggests it has the potential to include, heritage assets with an archaeological interest, the applicant should carry out appropriate desk-based assessment and, where such desk-based research is insufficient to properly assess the interest, a field evaluation. Where proposed development will affect the setting of a heritage asset, representative visualisations may be necessary to explain the impact. 5.8.10 The applicant should ensure that the extent of the impact of the proposed development on the significance of any heritage assets affected can be adequately understood from the application and supporting documents. 5.8.11 In considering applications, the IPC should seek to identify and assess the particular significance of any heritage asset that may be affected by the proposed development, including by development affecting the setting of a heritage asset, taking account of:	The pipeline route of the DCO Proposed Development has been selected to reduce the impact on the historic environment by avoiding where practicable designated heritage assets. Non-designated and designated heritage assets have been included in the environmental impact assessment as identified within Part 5.8 and assessed against its value based on professional judgements informed by guidance and national policy, this is reported in **Chapter 8** of the ES **[APP-060]**. Consultation and ongoing engagement with heritage advisors of the local planning authority and Historic England identified the need for, scope and scale of archaeological evaluation in support of the application. **Chapter 8** of the ES contains the historic environment assessment undertaken for the DCO Proposed Development. The focus of the assessment is on buried heritage assets (archaeological remains and paleoenvironmental deposits) and above ground heritage assets (buildings, structures, monuments and landscapes of heritage interest), including the character and setting of designated heritage assets. This visual impact to the landscape is considered further within **Chapter 12** of the ES **[APP-064]** which further concludes that through the use of sufficient mitigation, the impacts of the new above ground infrastructure can be mitigated. These Chapters conclude that no significant residual effects are anticipated on any other heritage assets or their settings as a result of the construction or operation works. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.8 (Historic Environment) of the NPS. **This demonstrates that the Applicant has complied with Part 5.8 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	- evidence provided with the application; - any designation records; - the Historic Environment Record, and similar sources of information; - the heritage assets themselves; - the outcome of consultations with interested parties; and - where appropriate and when the need to understand the significance of the heritage asset demands it, expert advice. 5.8.12 In considering the impact of a proposed development on any heritage assets, the IPC should take into account the particular nature of the significance of the heritage assets and the value that they hold for this and future generations. This understanding should be used to avoid or minimise conflict between conservation of that significance and proposals for development. 5.8.13 The IPC should take into account the desirability of sustaining and, where appropriate, enhancing the significance of heritage assets, the contribution of their settings and the positive contribution they can make to sustainable communities and economic vitality.. The IPC should take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. The consideration of design should include scale, height, massing, alignment, materials and use. The IPC should have regard to any relevant local authority development plans or local impact report on the proposed development in respect of the factors set out in footnote 122. 5.8.17 Where loss of significance of any heritage asset is justified on the merits of the new development, the IPC should consider imposing a condition on the consent or requiring the applicant to enter into an obligation that will prevent the loss occurring until it is reasonably certain that the relevant part of the development is to proceed. 5.8.18 When considering applications for development affecting the setting of a designated heritage asset, the IPC should treat favourably applications that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset. When considering applications that do not do this, the IPC should weigh any negative effects against the wider benefits of the application. The greater the negative impact on the significance of the	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	designated heritage asset, the greater the benefits that will be needed to justify approval. 5.8.20 Where the loss of the whole or a material part of a heritage asset's significance is justified, the IPC should require the developer to record and advance understanding of the significance of the heritage asset before it is lost. The extent of the requirement should be proportionate to the nature and level of the asset's significance. Developers should be required to publish this evidence and deposit copies of the reports with the relevant Historic Environment Record. They should also be required to deposit the archive generated in a local museum or other public depository willing to receive it. 5.8.21 Where appropriate, the IPC should impose requirements on a consent that such work is carried out in a timely manner in accordance with a written scheme of investigation that meets the requirements of this Section and has been agreed in writing with the relevant Local Authority (where the development is in English waters, the Marine Management Organisation and English Heritage, or where it is in Welsh waters, the MMO and Cadw)) and that the completion of the exercise is properly secured. 5.8.22 Where the IPC considers there to be a high probability that a development site may include as yet undiscovered heritage assets with archaeological interest, the IPC should consider requirements to ensure that appropriate procedures are in place for the identification and treatment of such assets discovered during construction.	
5.9 Landscape and Visual	5.9.5 The applicant should carry out a landscape and visual assessment and report it in the ES. (See **Section 4.2**) A number of guides have been produced to assist in addressing landscape issues. The landscape and visual assessment should include reference to any landscape character assessment and associated studies as a means of assessing landscape impacts relevant to the proposed project. The applicant's assessment should also take account of any relevant policies based on these assessments in local development documents in England and local development plans in Wales. 5.9.6 The applicant's assessment should include the effects during construction of the project and the effects of the completed development and its operation on landscape components and landscape character.	**Chapter 12** of the ES **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA Methodology **[APP-139]. Chapter 12** concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development. Vegetation loss prior to construction would cause a primary impact on views during both construction and operation, though this is temporary and proposed to be screened where required. It has been identified, however, that significant visual effects would be possible from residential properties close to the

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.9.7 The assessment should include the visibility and conspicuousness of the project during construction and of the presence and operation of the project and potential impacts on views and visual amenity. This should include light pollution effects, including on local amenity, and nature conservation. 5.9.8 Landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on landscape. Virtually all nationally significant energy infrastructure projects will have effects on the landscape. Projects need to be designed carefully, taking account of the potential impact on the landscape. Having regard to siting, operational and other relevant constraints the aim should be to minimise harm to the landscape, providing reasonable mitigation where possible and appropriate. 5.9.9 National Parks, the Broads and AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty. Each of these designated areas has specific statutory purposes which help ensure their continued protection and which the IPC should have regard to in its decisions. The conservation of the natural beauty of the landscape and countryside should be given substantial weight by the IPC in deciding on applications for development consent in these areas. 5.9.10 Nevertheless, the IPC may grant development consent in these areas in exceptional circumstances. The development should be demonstrated to be in the public interest and consideration of such applications should include an assessment of: - the need for the development, including in terms of national considerations, and the impact of consenting or not consenting it upon the local economy; - the cost of, and scope for, developing elsewhere outside the designated area or meeting the need for it in some other way, taking account of the policy on alternatives set out in **Section 4.4**; and - any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated. 5.9.11 The IPC should ensure that any projects consented in these designated areas should be carried out to high environmental standards, including through the application of appropriate requirements where necessary.	pipeline route and sections of Public Right of Way that are in close proximity to, or cross, the emerging route. The DCO Proposed Development will not impact any AONB's and Designated National Parks. During operation, above ground infrastructure will be a more permanent fixture on the landscape. Mitigation is proposed as outlined within the REAC **[AS-053]** such as landscape planting found within the Outline Landscape and Ecological Mitigation Plan (OLEMP) **[APP-229].** **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.9 (Landscape and Visual) of the NPS. **This demonstrates that the Applicant has complied with Part 5.9 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.9.12 The duty to have regard to the purposes of nationally designated areas also applies when considering applications for projects outside the boundaries of these areas which may have impacts within them. The aim should be to avoid compromising the purposes of designation and such projects should be designed sensitively given the various siting, operational, and other relevant constraints. This should include projects in England which may have impacts on National Scenic Areas in Scotland. 5.9.14 Outside nationally designated areas, there are local landscapes that may be highly valued locally and protected by local designation. Where a local development document in England or a local development plan in Wales has policies based on landscape character assessment, these should be paid particular attention. However, local landscape designations should not be used in themselves to refuse consent, as this may unduly restrict acceptable development. 5.9.15 The scale of such projects means that they will often be visible within many miles of the site of the proposed infrastructure. The IPC should judge whether any adverse impact on the landscape would be so damaging that it is not offset by the benefits (including need) of the project. 5.9.16 In reaching a judgment, the IPC should consider whether any adverse impact is temporary, such as during construction, and/or whether any adverse impact on the landscape will be capable of being reversed in a timescale that the IPC considers reasonable. 5.9.17 The IPC should consider whether the project has been designed carefully, taking account of environmental effects on the landscape and siting, operational and other relevant constraints, to minimise harm to the landscape, including by reasonable mitigation. 5.9.18 All proposed energy infrastructure is likely to have visual effects for many receptors around proposed sites. The IPC will have to judge whether the visual effects on sensitive receptors, such as local residents, and other receptors, such as visitors to the local area, outweigh the benefits of the project. Coastal areas are particularly vulnerable to visual intrusion because of the potential high visibility of development on the foreshore, on the skyline and affecting views along stretches of undeveloped coast. 5.9.19 It may be helpful for applicants to draw attention, in the supporting evidence to their applications, to any examples of existing permitted infrastructure they are	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	aware of with a similar magnitude of impact on sensitive receptors. This may assist the IPC in judging the weight it should give to the assessed visual impacts of the proposed development. 5.9.21 Reducing the scale of a project can help to mitigate the visual and landscape effects of a proposed project. However, reducing the scale or otherwise amending the design of a proposed energy infrastructure project may result in a significant operational constraint and reduction in function – for example, the electricity generation output. There may, however, be exceptional circumstances, where mitigation could have a very significant benefit and warrant a small reduction in function. In these circumstances, the IPC may decide that the benefits of the mitigation to reduce the landscape and/or visual effects outweigh the marginal loss of function. 5.9.22 Within a defined site, adverse landscape and visual effects may be minimised through appropriate siting of infrastructure within that site, design including colours and materials, and landscaping schemes, depending on the size and type of the proposed project. Materials and designs of buildings should always be given careful consideration. 5.9.23 Depending on the topography of the surrounding terrain and areas of population it may be appropriate to undertake landscaping off site. For example, filling in gaps in existing tree and hedge lines would mitigate the impact when viewed from a more distant vista.	
5.10 Land Use including open space, green infrastructure and Green Belt	5.10.5 The ES (see **Section 4.2**) should identify existing and proposed land uses near the project, any effects of replacing an existing development or use of the site with the proposed project or preventing a development or use on a neighbouring site from continuing. Applicants should also assess any effects of precluding a new development or use proposed in the development plan. 5.10.6 Applicants will need to consult the local community on their proposals to build on open space, sports or recreational buildings and land. Taking account of the consultations, applicants should consider providing new or additional open space including green infrastructure, sport or recreation facilities, to substitute for any losses as a result of their proposal. Applicants should use any up-to-date local authority assessment or, if there is none, provide an independent assessment to show whether the existing open space, sports and recreational buildings and land is surplus to requirements.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soils associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. In addition to this, **Chapter 12** of the ES **[APP-064]** provides a detailed assessment of the visual impacts of the DCO Proposed Development. This chapter concludes that through appropriate mitigation, the magnitude of the

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.10.7 During any pre-application discussions with the applicant the LPA should identify any concerns it has about the impacts of the application on land use, having regard to the development plan and relevant applications and including, where relevant, whether it agrees with any independent assessment that the land is surplus to requirements. 5.10.8 Applicants should seek to minimise impacts on the best and most versatile agricultural land (defined as land in grades 1, 2 and 3a of the Agricultural Land Classification) and preferably use land in areas of poorer quality (grades 3b, 4 and 5) except where this would be inconsistent with other sustainability considerations. Applicants should also identify any effects and seek to minimise impacts on soil quality taking into account any mitigation measures proposed. For developments on previously developed land, applicants should ensure that they have considered the risk posed by land contamination. 5.10.9 Applicants should safeguard any mineral resources on the proposed site as far as possible, taking into account the long-term potential of the land use after any future decommissioning has taken place. 5.10.10 The general policies controlling development in the countryside apply with equal force in Green Belts but there is, in addition, a general presumption against inappropriate development within them. Such development should not be approved except in very special circumstances. Applicants should therefore determine whether their proposal, or any part of it, is within an established Green Belt and if it is, whether their proposal may be inappropriate development within the meaning of Green Belt policy (see paragraph 5.10.17 below). 5.10.11 However, infilling or redevelopment of major developed sites in the Green Belt, if identified as such by the local planning authority, may be suitable for energy infrastructure. It may help to secure jobs and prosperity without further prejudicing the Green Belt or offer the opportunity for environmental improvement. Applicants should refer to relevant criteria133 on such developments in Green Belts. 5.10.12 An applicant may be able to demonstrate that a particular type of energy infrastructure, such as an underground pipeline, which, in Green Belt policy terms, may be considered as an “engineering operation” rather than a building is not in the circumstances of the application inappropriate development. It may also be possible for an applicant to show that the physical characteristics of a proposed	construction can bring a reduction to potential impacts notwithstanding an acknowledgement of a permanent change. The pipeline route has been designed to avoid built development and proposed major development allocations in adopted and emerging local plans. Existing land use of open space, sports and recreational facilities is not affected during the operational stage of the DCO Proposed Development, due to the fact that the pipeline would be mainly located below ground and operating impacts are minimal. The pipeline must cross the Cheshire West and Chester Council (CWCC) Green Belt in order to reach the Wales border. As per **Chapter 5** of the Planning Statement **[APP-048]** the DCO Proposed Development has established “very special circumstances” that demonstrate that the harm to the Green Belt is outweighed by the benefits of the DCO Proposed Development. Statutory and non-statutory consultation has been completed and the views of the consultees have been given full consideration when selecting the pipeline route as identified within the Consultation Report **[APP-031]** and the **Chapter 4** of the ES **[APP-056]** on consideration of alternatives. The DCO Proposed Development crosses grades 1, 2 and 3 agricultural land. This is assessed in ES **Chapter 11 [APP-063],** which concludes that there will be a net loss of agricultural land through the permanent acquisition of land for above ground infrastructure and land designated for mitigation delivery. Mitigation is proposed, but this does not remove the impact which is acknowledged and considered on balance to be acceptable given the scale of loss. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.10 (Land use including Open Space, Green Infrastructure and Green Belt) of the NPS. **This demonstrates that the Applicant has complied with Part 5.10 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	overhead line development or wind farm are such that it has no adverse effects which conflict with the fundamental purposes of Green Belt designation. 5.10.13 Where the project conflicts with a proposal in a development plan, the IPC should take account of the stage which the development plan document in England or local development plan in Wales has reached in deciding what weight to give to the plan for the purposes of determining the planning significance of what is replaced, prevented or precluded. The closer the development plan document in England or local development plan in Wales is to being adopted by the LPA, the greater weight which can be attached to it. 5.10.14 The IPC should not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the IPC determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location. 5.10.15 The IPC should ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy. 5.10.16 In considering the impact on maintaining coastal recreation sites and features, the IPC should expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the IPC should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009. 5.10.17 When located in the Green Belt, energy infrastructure projects are likely to comprise ‘inappropriate development’134. Inappropriate development is by definition harmful to the Green Belt and the general planning policy presumption against it applies with equal force in relation to major energy infrastructure projects.	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	The IPC will need to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is outweighed by other considerations. In view of the presumption against inappropriate development, the IPC will attach substantial weight to the harm to the Green Belt when considering any application for such development while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation. 5.10.18 In Wales, 'green wedges' may be designated locally135. These enjoy the same protection as Green Belt in Wales and the IPC should adopt a similar approach. Green wedges give the same protection as Green Belt in Wales. Green wedges do not convey the same level of permanence of a Green Belt and should be reviewed by the local authority as part of the development plan review process. As with Green Belt, there is a presumption against inappropriate development and the IPC should assess whether there are very special circumstances to justify any proposed inappropriate development. 5.10.19 Although in the case of much energy infrastructure there may be little that can be done to mitigate the direct effects of an energy project on the existing use of the proposed site (assuming that some at least of that use can still be retained post project construction) applicants should nevertheless seek to minimise these effects and the effects on existing or planned uses near the site by the application of good design principles, including the layout of the project. 5.10.20 Where green infrastructure is affected, the IPC should consider imposing requirements to ensure the connectivity of the green infrastructure network is maintained in the vicinity of the development and that any necessary works are undertaken, where possible, to mitigate any adverse impact and, where appropriate, to improve that network and other areas of open space including appropriate access to new coastal access routes. 5.10.21 The IPC should also consider whether mitigation of any adverse effects on green infrastructure and other forms of open space is adequately provided for by means of any planning obligations, for example exchange land and provide for appropriate management and maintenance agreements. Any exchange land should be at least as good in terms of size, usefulness, attractiveness and quality and, where possible, at least as accessible. Alternatively, where Sections	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	131 and 132 of the Planning Act 2008 apply, replacement land provided under those sections will need to conform to the requirements of those sections. 5.10.22 Where a proposed development has an impact upon a Mineral Safeguarding Area (MSA), the IPC should ensure that appropriate mitigation measures have been put in place to safeguard mineral resources. 5.10.23 Where a project has a sterilising effect on land use (for example in some cases under transmission lines) there may be scope for this to be mitigated through, for example, using or incorporating the land for nature conservation or wildlife corridors or for parking and storage in employment areas. 5.10.24 Rights of way, National Trails and other rights of access to land are important recreational facilities for example for walkers, cyclists and horse riders. The IPC should expect applicants to take appropriate mitigation measures to address adverse effects on coastal access, National Trails and other rights of way. Where this is not the case the IPC should consider what appropriate mitigation requirements might be attached to any grant of development consent.	
5.11 Noise and Vibration	5.11.3 Factors that will determine the likely noise impact include: - the inherent operational noise from the proposed development, and its characteristics; - the proximity of the proposed development to noise sensitive premises (including residential properties, schools and hospitals) and noise sensitive areas (including certain parks and open spaces); - the proximity of the proposed development to quiet places and other areas that are particularly valued for their acoustic environment or landscape quality; and - the proximity of the proposed development to designated sites where noise may have an adverse impact on protected species or other wildlife. 5.11.4 Where noise impacts are likely to arise from the proposed development, the applicant should include the following in the noise assessment: - a description of the noise generating aspects of the development proposal leading to noise impacts, including the identification of any distinctive tonal, impulsive or low frequency characteristics of the noise;	**Chapter 15** of the ES **[APP-067]** and its relevant appendices reports the outcome of the assessment of likely significant environmental effects arising from the DCO Proposed Development on noise and vibration during the construction, operation and decommissioning stages. Significant impacts caused from likely noise effects arising from the DCO Proposed Development construction activities are proposed to be accordingly mitigated as part of the development of the Detailed Design. The Noise Policy Statement for England and other relevant national policies, regulations, guidance and standards have been considered in the environmental assessment of the potential noise and vibration impacts generated by the DCO Proposed Development. A noise and vibration assessment **[APP-146]** has informed the EIA. Where the pipeline is to be constructed in urban areas the noise impacts are not considered to be significantly more impactful compared to the typically rural route. Good practice measures will be used to minimise the impact on the closest properties, however, there may be some noise impacts temporarily during construction.

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	- identification of noise sensitive premises and noise sensitive areas that may be affected; - the characteristics of the existing noise environment; - a prediction of how the noise environment will change with the proposed development; - in the shorter term such as during the construction period; - in the longer term during the operating life of the infrastructure; - at particular times of the day, evening and night as appropriate. - an assessment of the effect of predicted changes in the noise environment on any noise sensitive premises and noise sensitive areas; and - measures to be employed in mitigating noise. The nature and extent of the noise assessment should be proportionate to the likely noise impact. 5.11.5 The noise impact of ancillary activities associated with the development, such as increased road and rail traffic movements, or other forms of transportation, should also be considered. 5.11.6 Operational noise, with respect to human receptors, should be assessed using the principles of the relevant British Standards137 and other guidance. Further information on assessment of particular noise sources may be contained in the technology-specific NPSs. In particular, for renewables (EN-3) and electricity networks (EN-5) there is assessment guidance for specific features of those technologies. For the prediction, assessment and management of construction noise, reference should be made to any relevant British Standards138 and other guidance which also give examples of mitigation strategies. 5.11.7 The applicant should consult EA and Natural England (NE), or the Countryside Council for Wales (CCW), as necessary and in particular with regard to assessment of noise on protected species or other wildlife. The results of any noise surveys and predictions may inform the ecological assessment. The seasonality of potentially affected species in nearby sites may also need to be taken into account.	Ongoing engagement and consultation has taken place with the EA, Local Authorities and Natural England to discuss the approach. Anticipated likely noise impacts are raised in the ES as significant. Effects arise from the DCO Proposed Development's construction and decommissioning activities, this established in **Chapter 15 [APP-067].** In the most part, significant impacts caused from noise effects arising from construction activities will be adequately mitigated through measures detailed in the Noise and Vibration Management Plan. The production of a Noise and Vibration Management Plan and agreement with the Local Authorities will be secured as part of the consolidated CEMP as a DCO requirement. This is considered to reduce the overall impact. Whilst in most part the construction of the DCO Proposed Development would accord with the objectives of Part 5.11 of EN-1 and Part 2.20 of EN-4, in some localised areas along the route the construction and (potential) decommissioning activities will give rise to residual noise effects which would conflict with Part 5.11 of EN-1 and Part 2.20.

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.11.8 The project should demonstrate good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, bunds or noise barriers to reduce noise transmission. 5.11.9 The IPC should not grant development consent unless it is satisfied that the proposals will meet the following aims: - avoid significant adverse impacts on health and quality of life from noise; - mitigate and minimise other adverse impacts on health and quality of life from noise; and - where possible, contribute to improvements to health and quality of life through the effective management and control of noise. 5.11.10 When preparing the development consent order, the IPC should consider including measurable requirements or specifying the mitigation measures to be put in place to ensure that noise levels do not exceed any limits specified in the development consent. 5.11.11 The IPC should consider whether mitigation measures are needed both for operational and construction noise over and above any which may form part of the project application. In doing so the IPC may wish to impose requirements. Any such requirements should take account of the guidance set out in Circular 11/95 (see **Section 4.1**) or any successor to it. 5.11.12 Mitigation measures may include one or more of the following: - engineering: reduction of noise at point of generation and containment of noise generated; - lay-out: adequate distance between source and noise-sensitive receptors; incorporating good design to minimise noise transmission through screening by natural barriers, or other buildings; and - administrative: restricting activities allowed on the site; specifying acceptable noise limits; and taking into account seasonality of wildlife in nearby designated sites.	

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.11.13 In certain situations, and only when all other forms of noise mitigation have been exhausted, it may be appropriate for the IPC to consider requiring noise mitigation through improved sound insulation to dwellings.	
5.12 Socio-Economic	5.12.2 Where the project is likely to have socio-economic impacts at local or regional levels, the applicant should undertake and include in their application an assessment of these impacts as part of the ES (see **Section 4.2**). 5.12.3 This assessment should consider all relevant socio-economic impacts, which may include: - the creation of jobs and training opportunities; - the provision of additional local services and improvements to local infrastructure, including the provision of educational and visitor facilities; - effects on tourism; - the impact of a changing influx of workers during the different construction, operation and decommissioning phases of the energy infrastructure. This could change the local population dynamics and could alter the demand for services and facilities in the settlements nearest to the construction work (including community facilities and physical infrastructure such as energy, water, transport and waste). There could also be effects on social cohesion depending on how populations and service provision change as a result of the development; and - cumulative effects – if development consent were to be granted to for a number of projects within a region and these were developed in a similar timeframe, there could be some short-term negative effects, for example a potential shortage of construction workers to meet the needs of other industries and major projects within the region. 5.12.4 Applicants should describe the existing socio-economic conditions in the areas surrounding the proposed development and should also refer to how the development's socio-economic impacts correlate with local planning policies. 5.12.6 The IPC should have regard to the potential socio-economic impacts of new energy infrastructure identified by the applicant and from any other sources that the IPC considers to be both relevant and important to its decision.	The DCO Proposed Development is considered to address matters related to financial and technical viability required within policy as demonstrated by the supporting Needs Case for the DCO Proposed Development **[APP-049].** The Funding Statement **[APP-029]** demonstrates the DCO Proposed Development is financially viable and funding is not an impediment to delivery. **Chapter 16** of the ES **[APP-068]** and its relevant appendices provides an assessment of the likely significant effects of the DCO Proposed Development on Population and Human Health. It has been identified that potential effects are expected during construction. These effects relate to traffic affecting communities in rural and urban areas, noise and vibration, visual, community severance and change in access. There are no significant effects anticipated during operation. Consideration of the potential impact of the DCO Proposed Development has informed the selection of the pipeline route, design and construction. The impact of the pipeline has been assessed as part of the ES **[APP-053 to APP-060, AS-025, APP-062 to APP-072]**. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.12 (Socio-Economic) of the NPS. **This demonstrates that the Applicant has complied with Part 5.12 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.12.7 The IPC may conclude that limited weight is to be given to assertions of socio-economic impacts that are not supported by evidence (particularly in view of the need for energy infrastructure as set out in this NPS). 5.12.8 The IPC should consider any relevant positive provisions the developer has made or is proposing to make to mitigate impacts (for example through planning obligations) and any legacy benefits that may arise as well as any options for phasing development in relation to the socio-economic impacts. 5.12.9 The IPC should consider whether mitigation measures are necessary to mitigate any adverse socio-economic impacts of the development. For example, high quality design can improve the visual and environmental experience for visitors and the local community alike.	
5.13 Traffic and Transport	5.13.3 If a project is likely to have significant transport implications, the applicant's ES (see **Section 4.2**) should include a transport assessment, using the NATA/WebTAG139 methodology stipulated in Department for Transport guidance140, or any successor to such methodology. Applicants should consult the Highways Agency and Highways Authorities as appropriate on the assessment and mitigation. 5.13.4 Where appropriate, the applicant should prepare a travel plan including demand management measures to mitigate transport impacts. The applicant should also provide details of proposed measures to improve access by public transport, walking and cycling, to reduce the need for parking associated with the proposal and to mitigate transport impacts. 5.13.5 If additional transport infrastructure is proposed, applicants should discuss with network providers the possibility of co-funding by Government for any third-party benefits. Guidance has been issued141 in England142 which explains the circumstances where this may be possible, although the Government cannot guarantee in advance that funding will be available for any given uncommitted scheme at any specified time. 5.13.6 A new energy NSIP may give rise to substantial impacts on the surrounding transport infrastructure and the IPC should therefore ensure that the applicant has sought to mitigate these impacts, including during the construction phase of the development. Where the proposed mitigation measures are insufficient to reduce the impact on the transport infrastructure to acceptable levels, the IPC should consider requirements to mitigate adverse impacts on transport networks arising	**Chapter 17** of the ES **[APP-069]** and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the environment in respect of Traffic and Transport. This Chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent effects likely. Some temporary effects would be likely to last longer than others and it is considered appropriate to reflect the predicted duration of effects when determining the likelihood of significant effects. Operation and decommissioning of the proposed pipeline are not likely to be significant for transport effects and this is supported by the Transport Assessment **[APP-161].** Consultation has been ongoing with both Flintshire County Council (FCC) and Cheshire West and Chester Council (CWCC) Highways Authorities. This consultation has included sharing the scope and conclusions of the transport assessment. The DCO Proposed Development does not propose to provide any improvement to, new or additional permanent highway infrastructure. There are temporary measures, diversions etc. which will be introduced during construction. This will be agreed with the highways authorities. Mitigation measures are outlined in the Outline Construction Traffic Management Plan (OCTMP) **[APP-224].** Traffic management will be used to mitigate any residual constraints identified along construction traffic routes, as

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	from the development, as set out below. Applicants may also be willing to enter into planning obligations for funding infrastructure and otherwise mitigating adverse impacts. 5.13.7 Provided that the applicant is willing to enter into planning obligations or requirements can be imposed to mitigate transport impacts identified in the NATA/WebTAG transport assessment, with attribution of costs calculated in accordance with the Department for Transport's guidance, then development consent should not be withheld, and appropriately limited weight should be applied to residual effects on the surrounding transport infrastructure. 5.13.8 Where mitigation is needed, possible demand management measures must be considered and if feasible and operationally reasonable, required, before considering requirements for the provision of new inland transport infrastructure to deal with remaining transport impacts. 5.13.11 The IPC may attach requirements to a consent where there is likely to be substantial HGV traffic that: - control numbers of HGV movements to and from the site in a specified period during its construction and possibly on the routing of such movements; - make sufficient provision for HGV parking, either on the site or at dedicated facilities elsewhere, to avoid 'overspill' parking on public roads, prolonged queuing on approach roads and uncontrolled on-street HGV parking in normal operating conditions; and - ensure satisfactory arrangements for reasonably foreseeable abnormal disruption, in consultation with network providers and the responsible police force. 5.13.12 If an applicant suggests that the costs of meeting any obligations or requirements would make the proposal economically unviable this should not in itself justify the relaxation by the IPC of any obligations or requirements needed to secure the mitigation.	set out in the OCTMP **[APP-224].** This includes the use of restrictions such as speed limit reductions, one-way systems, and traffic signals. The need for these measures has been determined on a case-by-case basis to address identified local risks. Trenchless crossing techniques will be utilised to restrict the disturbance to major public highways. Construction compounds will also be used to manage construction traffic and delivery of materials and resources. These facilities will allow works to progress smoothly without reliance on peak time deliveries of staff and materials. **Chapter 4** of the ES **[APP-056]** provides a logistical assessment of route selection. A key consideration was to avoid and/or reduce adverse environmental effects, maintain operational efficiency and cost-effective design solutions, and consideration of other relevant matters such as available land planning policy. A three-stage appraisals process was developed to identify the preferred route option, which included development of strategic corridors, then route options and then finally, refinement of the preferred route option and siting which best achieves the appraisal criteria. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.13 (Traffic and Transport) of the NPS. **This demonstrates that the Applicant has complied with Part 5.13 of EN-1.**
5.14 Waste Management	5.14.4 All large infrastructure projects are likely to generate hazardous and non-hazardous waste. The EA's Environmental Permitting (EP) regime incorporates operational waste management requirements for certain activities. When an applicant applies to the EA for an Environmental Permit, the EA will require the	Waste management regulations will be adhered too. Waste will be disposed of in a way that is least damaging to the environment and to human health. The DCO Application is submitted with the Other Consents and Licences Document **[APP-046]** which sets out other environmental licences, consents,

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	application to demonstrate that processes are in place to meet all relevant EP requirements. 5.14.6 The applicant should set out the arrangements that are proposed for managing any waste produced and prepare a Site Waste Management Plan. The arrangements described and Management Plan should include information on the proposed waste recovery and disposal system for all waste generated by the development, and an assessment of the impact of the waste arising from development on the capacity of waste management facilities to deal with other waste arising in the area for at least five years of operation. The applicant should seek to minimise the volume of waste produced and the volume of waste sent for disposal unless it can be demonstrated that this is the best overall environmental outcome. 5.14.7 The IPC should consider the extent to which the applicant has proposed an effective system for managing hazardous and non-hazardous waste arising from the construction, operation and decommissioning of the proposed development. It should be satisfied that: - any such waste will be properly managed, both on-site and off-site; - the waste from the proposed facility can be dealt with appropriately by the waste infrastructure which is, or is likely to be, available. Such waste arisings should not have an adverse effect on the capacity of existing waste management facilities to deal with other waste arisings in the area; and - adequate steps have been taken to minimise the volume of waste arisings, and of the volume of waste arisings sent to disposal, except where that is the best overall environmental outcome. 5.14.8 Where necessary, the IPC should use requirements or obligations to ensure that appropriate measures for waste management are applied. The IPC may wish to include a condition on revision of waste management plans at reasonable intervals when giving consent. 5.14.9 Where the project will be subject to the EP regime, waste management arrangements during operations will be covered by the permit and the considerations set out in **Section 4.10** will apply.	and permits (that sit outside of the DCO) including waste, that would be required to build, operate and maintain the DCO Proposed Development. **Chapter 14** of the ES **[APP-066]** and its relevant appendices reports the outcome of the assessment of the likely significant environmental effects of the DCO Proposed Development on Material Assets and Waste. This Chapter concludes that the assessment of material resource consumption and waste generation and disposal to landfill demonstrates that the DCO Proposed Development will have no significant adverse environmental effects. As such, no additional mitigation measures are required. **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.14 (Resource and Waste Management) of the NPS. **This demonstrates that the Applicant has complied with Part 5.14 of EN-1.**
5.15 Water Quality and Resource	5.15.2 Where the project is likely to have effects on the water environment, the applicant should undertake an assessment of the existing status of, and impacts of	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	the proposed project on, water quality, water resources and physical characteristics of the water environment as part of the ES or equivalent. (See **Section 4.2**.) 5.15.3 The ES should in particular describe: - the existing quality of waters affected by the proposed project and the impacts of the proposed project on water quality, noting any relevant existing discharges, proposed new discharges and proposed changes to discharges; - existing water resources147 affected by the proposed project and the impacts of the proposed project on water resources, noting any relevant existing abstraction rates, proposed new abstraction rates and proposed changes to abstraction rates (including any impact on or use of mains supplies and reference to Catchment Abstraction Management Strategies); - existing physical characteristics of the water environment (including quantity and dynamics of flow) affected by the proposed project and any impact of physical modifications to these characteristics; and - any impacts of the proposed project on water bodies or protected areas under the Water Framework Directive and source protection zones (SPZs) around potable groundwater abstractions. 5.15.4 Activities that discharge to the water environment are subject to pollution control. The considerations set out in **Section 4.10** on the interface between planning and pollution control therefore apply. These considerations will also apply in an analogous way to the abstraction licensing regime regulating activities that take water from the water environment, and to the control regimes relating to works to, and structures in, on, or under a controlled water148. 5.15.5 The IPC will generally need to give impacts on the water environment more weight where a project would have an adverse effect on the achievement of the environmental objectives established under the Water Framework Directive. 5.15.6 The IPC should satisfy itself that a proposal has regard to the River Basin Management Plans and meets the requirements of the Water Framework Directive (including Article 4.7) and its daughter directives, including those on priority substances and groundwater. The specific objectives for particular river basins are set out in River Basin Management Plans. The IPC should also consider the interactions of the proposed project with other plans such as Water Resources Management Plans and Shoreline/Estuary Management Plans.	the potential significant effects associated with the construction, operation and decommissioning of the DCO Proposed Development on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES (Water Resource and Flood Risk) **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during the construction phase, rather than the operation or decommissioning phases. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a FRA **[APP-166** and **APP-167]** for flood risk areas in England and a FCA **[AS-004** to **AS-006]** for Wales. Ongoing engagement with the EA, NRW, the local authorities and Natural England informed the assessment of flood risk. These documents are considered to be in accordance with paragraph 5.7.5 of EN-1 which sets out the minimum requirements in addition to supplementary guidance documents Planning Policy Statement 25 (PPS25), TAN15 for Wales (or the latest versions since the adoption of EN-1). Alltami Brook is noted as an area which is likely to experience a moderate adverse impact as a result of the DCO Proposed Development. However, a WFD Assessment **[APP-165]** has concluded compliance with legislation and retention of good status for the water body. Mitigation measures and management plans are secured through the REAC **[AS-053].** **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.15 (Water Quality and Resources) of the NPS. **This demonstrates that the Applicant has complied with Part 5.15 of EN-1.**

Overarching National Policy Statement for Energy (EN-1) (July 2011)		
Part 4 – Assessment Principles		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	5.15.7 The IPC should consider whether appropriate requirements should be attached to any development consent and/or planning obligations entered into to mitigate adverse effects on the water environment. 5.15.8 The IPC should consider whether mitigation measures are needed over and above any which may form part of the project application. (See **Sections 4.2** and 5.1.) A construction management plan may help codify mitigation at that stage.	

NATIONAL POLICY STATEMENT EN-4

National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) (July 2011)		
Part 2 - Assessment and Technology-Specific Information		
Policy	**Relevant Policy Text**	**Compliance Assessment**
2.2 Climate Change Adaption	2.2.2 As climate change is likely to increase risks to some of this infrastructure, from flooding or rising sea levels for example, applicants should in particular set out how the proposal would be resilient to: - increased risk of flooding; - effects of rising sea levels and increased risk of storm surge; - higher temperatures; - increased risk of earth movement or subsidence from increased risk of flooding and drought; and - any other increased risks identified in the applicant's assessment. 2.2.3 The IPC should expect that climate change resilience measures will form part of the relevant impact assessment in the Environment Statement (ES) accompanying an application. For example, future increased risk of flooding should be covered in the flood risk assessment.	Climate change adaption has been considered when designing and selecting the route option. The risk of flooding, effect of greenhouse gas emissions to the atmosphere, and embedded carbon have been considered as part of the design and assessment of impact and mitigation. This is further expanded on in ES **Chapter 7 [APP-059]** and ES **Chapter 10 [APP-062]** and their associated appendices. Climate Change has also been considered cumulatively across each chapter of the ES, wherein the inter-dependencies are assessed. Where a combined impact is considered, it is mitigated or justified accordingly. The design of the pipeline has considered those measures to make the pipeline more resilient and safer to climate change, there are no significant impacts on climate change resulting from the laying of this pipeline. Generally, the use of pipelines offers a betterment on emissions given alternative means of transport such as tanker via road. Compliance with the Climate Change Adaptation policy in Part 4.8 of EN-1 has been covered in **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]**. **The Applicant also explains in Chapter 4 that the DCO Proposed Development accords with Part 2.2 of EN-4.**

National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) (July 2011)		
2.3 Consideration of good design	2.3.1 **Section 4.5** of EN-1 sets out the principles for good design that should be applied to all energy infrastructure. 2.3.2 For the reasons given there, applicants should demonstrate good design, in particular where mitigating the impacts relevant to the infrastructure.	The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within **Chapter 3** of the Environmental Statement **[APP-055]**. The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. **Chapter 12** of the ES **[APP-064]** concludes that with the application of mitigation these would not give rise to a significant adverse impact in terms of their visual prominence. The design development process includes the identification of mitigation commitments, for mitigation embedded in design and also good practice mitigation, this is secured through the REAC **[AS-053]** and OCEMP **[AS-055]**. Compliance with the Consideration of Good Design policy in Part 4.5 of EN-1 has already been covered in **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]**. **The Applicant also explains in Chapter 4 that the DCO Proposed Development accords with Part 2.3 of EN-4.**
2.4 Hazardous Substances	2.4.1 **Section 4.12** of EN-1 sets out the regime for obtaining hazardous substances consent from the IPC where it is required. All establishments wishing to hold stocks of certain hazardous substances, which include oil and gas, above a threshold quantity must apply to the Hazardous Substances Authority (HSA) for hazardous substances consent. In the case of natural gas, the threshold is 15 tonnes. In relation to gas supply infrastructure, the Health and Safety Executive (HSE) will advise the IPC on the risks, taking into account the quantities of gas to be stored, the installation type and specification, and the local population.	The Pipeline Safety Regulations define a 'major accident hazard pipeline' as one which conveys a dangerous fluid, and which has the potential to cause an accident. The Applicant has engaged and will continue to engage with the HSE with respect to compliance with hazardous substances legislation as shown within the Consultation Report **[APP-031].** Where it is required, other consents have been shown in the Other Consents and Licences Document **[APP-046].** The Applicant knows of no reason as to why these would not be secured. Compliance with the Hazardous Substances policy in Part 4.12 of EN-1 has already been covered in **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]**.

National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) (July 2011)		
		The Applicant also explains in Chapter 4 that the DCO Proposed Development accords with Part 2.4 of EN-4.
2.19 Gas and Oil Pipelines	2.19.8 When designing the route of new pipelines applicants should research relevant constraints including proximity of existing and planned residential properties, schools and hospitals, railway crossings, major road crossings, below surface usage and proximity to environmentally sensitive areas, main river and watercourse crossings. These can be undertaken by means of desk top studies in the first instance, followed up by consulting the appropriate authority, operator, or conservation body if necessary. 2.19.9 Undetected underground cavities from mine workings, abandoned industrial sites and other activities, such as waste disposal, or other utilities' services (water, telecommunication, etc.) could have an effect on the integrity and safety of a pipeline. The effects might include collapse of underground tunnels, damage to utility services and pollution of water courses. Applicants should undertake desktop surveys to identify historic or current mine workings, underground cavities serving industrial usage, the nature of any made ground, waste sites, unexploded ordnance, utility services and any other below surface usage when assessing routes for a pipeline. 2.19.10 When choosing a pipeline route, applicants should seek to avoid or minimise adverse effects from usage below the surface. Where it is not considered practicable to select a route that avoids below surface usage, applicants should demonstrate in the ES that mitigating measures will be put in place to avoid adverse effects both on other below ground works and on the pipeline. Mitigating measures may include: protection or diversion of underground services; gas detection near landfill sites; horizontal direct drilling (HDD) techniques and rerouting. Contaminated material may need to be removed and disposed of.	A large number of options for the route of the new pipeline were identified and considered, and a sifting process carried out based on environmental, planning and engineering factors. The number of corridor options has been reduced to a single preferred corridor which will be further consolidated through detailed design. The Applicant is considered to have demonstrated the most viable and least harmful route through options appraisal as demonstrated within the **Chapter 4** of the ES **[APP-056]** in compliance with Part 4.4 of EN-1 and Part 2.19 of EN-4. Following Statutory consultation some detailed design refinement to reduce the impact of the pipeline has been undertaken and this route is now proposed in this DCO Application.
2.20 Gas and Oil Pipelines: Noise and Vibration	2.20.2 During the pre-construction phase there could be vibration effects from seismic surveys. During construction, tasks may include site clearance, soil movement, ground excavation, tunnelling, trenching, pipe laying and welding, and ground reinstatement. In addition, increased HGV traffic will be generated on local roads for the movement of materials. These types of noise and vibration impacts will need to be assessed. 2.20.3 The commissioning of a new pipeline can involve extensive periods of drying after hydrotesting, using air compressors, and noise mitigation may be required for this type of activity.	**Chapter 15** of the ES **[APP-067]** and its relevant appendices reports the outcome of the assessment of likely significant environmental effects arising from the DCO Proposed Development on noise and vibration during the construction, operation and decommissioning phases. Significant impacts caused from likely noise effects arising from the DCO Proposed Development construction activities are proposed to be accordingly mitigated as part of the development of the Detailed Design. The Noise Policy Statement for England and other relevant national policies, regulations, guidance and standards have been considered in the environmental assessment of the potential noise and vibration impacts of

National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) (July 2011)		
	2.20.4 A new gas pipeline may require an above ground installation such as a gas compression station on the route of the pipeline to boost transmission line pressure. A new oil pipeline may require pumping stations. These may be located in quiet rural areas, and therefore the control of noise from these facilities is likely to be an important consideration. 2.20.5 The ES should include an assessment of noise and vibration effects (see **Section 5.11** of EN-1) including the specific issues outlined above, where they are relevant. 2.20.7 Noise mitigation measures for gas and oil pipelines, in particular their associated above-ground installations, include screening or enclosure of compressors and pumps. Other measures could include the use of sound attenuators on ventilation systems, acoustic lagging on pipework, multi-stage (inherently quiet) control valves, gas turbine exhaust silencers, and high efficiency low speed cooler fans, depending on the specific issues. Vibration mitigation measures could include the use of non-impact piling such as augur boring.	generated by the DCO Proposed Development. A noise and vibration assessment **[APP-146]** has informed the EIA. Where the pipeline is to be constructed in urban areas the noise impacts are not considered to be significantly more impactful compared to the typically rural route. Good practice measures will be used to minimise the impact on the closest properties, however, there may be some noise impacts temporarily during construction. Ongoing engagement and consultation with the EA, Local Authorities and Natural England will be undertaken to discuss approach. Anticipated likely noise impacts are raised in the ES as significant. Effects arise from the DCO Proposed Development's construction and decommissioning activities, this established in **Chapter 15 [APP-067].** In the most part, significant impacts caused from noise effects arising from construction activities will be adequately mitigated through measures detailed in the Noise and Vibration Management Plan. The production of a Noise and Vibration Management Plan and agreement with the Local Authorities will be secured as part of the consolidated CEMP as a DCO requirement. This considered to reduce the overall impact. Whilst in most part the construction of the DCO Proposed Development would accord with the objectives of Part 5.11 of EN-1 and Part 2.20 of EN-4, in some localised areas along the route the construction and (potential) decommissioning activities will give rise to residual noise effects which would conflict with Part 5.11 of EN-1 and Part 2.20.
2.21 Gas and Oil Pipeline impacts: Biodiversity, Landscape and Visual	2.21.3 The ES should include an assessment of the biodiversity and landscape and visual effects of the proposed route and of the main alternative routes considered (see **Section 5.9** of EN-1). The application should also include proposals for reinstatement of the pipeline route as close to its original state as possible and take into account any requirements for agreements with the landowner to access areas for aftercare and management work. Where it is unlikely to be possible to restore landscape to its original state, the applicant should set out measures to avoid, mitigate, or employ other landscape measures to compensate for, any adverse effect on the landscape. 2.21.5 Mitigation measures to protect the landscape and ecology could include reducing the working width required for the installation of the pipeline in order to reduce the impact on the landscape where it will not be possible to fully reinstate the route.	**Chapter 12** of the ES **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain the Landscape and Visual Impact Assessment (LVIA) Methodology **[APP-140]**. **Chapter 12** concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development. Vegetation loss prior to construction would cause a primary impact on views during both construction and operation, though this is temporary and proposed to be screened where required. It is proposed to reinstate land to its former use where possible. During operation, above ground infrastructure will be a more permanent fixture on the landscape. Mitigation is proposed as outlined within the REAC **[AS-**

National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) (July 2011)		
	2.21.6 In circumstances where the habitat to be crossed contains ancient woodland, trees subject to a Tree Preservation Order, or hedgerows subject to the Hedgerows Regulations 1997, the applicant should consider whether it would be feasible to use horizontal direct drilling under the ancient woodland or thrust bore under the protected tree or hedgerow and the IPC should consider requiring this, where not included in the proposal.	**053]** such as landscape planting. Whilst this will take time to fully screen any infrastructure, it is considered that it will reduce the impact of the DCO Proposed Development over time. The Landscape and Ecological Mitigation Plan **[APP-230]** highlights the proposed screening. Compliance with the Biodiversity policy in Part 5.13 of EN-1 and the Landscape policy in Part 5.9 of EN-1 has already been covered in **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]**. **The Applicant also explains in Chapter 4 that the DCO Proposed Development accords with Part 2.21 of EN-4.**
2.22 Gas and Oil Pipeline impacts: Water Quality and Resource	2.22.3 Where the project is likely to have effects on water resources or water quality, for example impacts on groundwater recharge or on existing surface water or groundwater abstraction points, or on associated ecological receptors, the applicant should provide an assessment of the impacts in line with **Section 5.15** of EN-1 as part of the ES. 2.22.4 Where the project is likely to give rise to effects on water quality, for example through siltation or spillages, discharges from maintenance activities or the discharge of disposals such as wastewater or solvents, the applicant should provide an assessment of the impacts. 2.22.5 The IPC should be satisfied that the impacts on water quality and resources are acceptable in accordance with **Section 5.15** of EN-1. The IPC should liaise with the EA over the potential for the new development to result in loss or reduction of supply to any licensed abstraction or unlicensed groundwater abstraction, or any potential interference with current legitimate uses of groundwater or surface waters, taking account of the terms of any relevant environmental permits or any negative effect on a groundwater dependent ecosystem. 2.22.6 Mitigation measures to protect the water environment may include techniques for crossing rivers and managing surface water before and after construction, including restoring vegetation and using sustainable drainage systems to control run-off. 2.22.7 Mitigation measures to protect water quality may include: - the avoidance of vulnerable groundwater areas or appropriate use of above ground pipeline facilities; - use of the highest specification pipework and best practice in the storage and handling of pollutants to prevent spillage;	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the DCO Proposed Development on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during the construction phase, rather than the operation or decommissioning phases. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a FRA **[APP-166** and **APP-167]** for flood risk areas in England and a FCA **[AS-004** to **AS-006]** for Wales. Ongoing engagement with the EA, NRW, the local authorities and Natural England informed the assessment of flood risk. These documents are considered to be in accordance with paragraph 5.7.5 of EN-1 which sets out the minimum requirements in addition to supplementary guidance documents Planning Policy Statement 25 (PPS25), TAN15 for Wales (or the latest versions since the adoption of EN-1). Compliance with the Water Quality and Resource policy in Part 5.15 of EN-1 has already been covered in **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]**. **The Applicant also explains in Chapter 4 that the DCO Proposed Development accords with Part 2.22 of EN-4.**

	- careful storage of excavated material away from watercourses and facilities for the disposal of sewage and waste; - use of sustainable drainage systems; and - careful reinstatement of riverbanks and reed beds.	
2.23 Gas and Oil Pipeline impacts: Soil and Geology	2.23.2 Applicants should assess the stability of the ground conditions associated with the pipeline route and incorporate the findings of that assessment in the ES (see **Section 4.2** of EN-1) as appropriate. Desktop studies, which include known geology and previous borehole data, can form the basis of the applicant's assessment. The applicant may find it necessary to sink new boreholes along the preferred route to better understand the ground conditions present. The assessment should cover the options considered for installing the pipeline and weigh up the impacts of the means of installation. Where the applicant proposes to use horizontal directional drilling (HDD) as the means of installing a pipeline under a National or European Site and mitigating the impacts, the assessment should cover whether the geological conditions are suitable for HDD. 2.23.3 When considering any application where the pipeline goes under a designated area of geological or geomorphological interest, the applicant should submit details of alternative routes, which either bypass the designated area or reduce the length of pipeline through the designated area to the minimum possible, and the reasons why they were discounted. 2.23.4 Applicants should consult with the relevant statutory consultees at an early stage. 2.23.5 The IPC should take into account the impact on and from geology and soils when considering a pipeline project. A proposal will be acceptable from the point of view of soil and geology if the applicant has proposed a route and other measures (if applicable) that either eliminates any adverse impacts on soil and geology or reduces them to an acceptable level and that the route chosen does not adversely affect the integrity of the pipeline, for example, by increasing materially the risk of fracture or impact on areas of high population. The HSE can advise on the suitability of the pipeline route and on the design of the pipeline. 2.23.6 Where the applicant has considered and discounted a route or routes on the ground that the soil is unstable and susceptible to landslip, the IPC should consult the HSE for their views on its suitability and its impact on the integrity of the pipeline. 2.23.7 Mitigation measures to minimise any adverse effects on soil and geology should include measures to ensure that residual impacts on the surface are minor, for example some differential vegetation growth. Mitigation measures should	The predominant soils are freely draining slightly acid to acid loamy soils with more limited areas of freely draining lime-rich soils along with more limited areas of freely draining lime-rich soils and seasonally waterlogged loamy and clayey soils. The area of soil mapped as peat is relatively small. The DCO Proposed Development has looked at a range of impacts relating to land contamination, geology, soils (type and quality) and mineral resource. Trenchless construction techniques including Horizontal Direction Drilling is proposed as part of the DCO Proposed Development. **Chapter 11** of the ES **[APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning phases of the DCO Proposed Development are identified. A loss of agricultural land is acknowledged as permanent. All mitigation measures can be found in the ES **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** and REAC **[AS-053]** with Consultation with relevant stakeholders recorded in the Consultation Report **[APP-032].**

National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) (July 2011)		
	include appropriate treatment of soil (and in particular topsoil) during site construction and other infrastructure activity (and appropriate soil storage and reinstatement in line with the principles and practices outlined in the Code of Practice for the Sustainable Management of Soils on Construction Sites. The IPC should consider what appropriate conditions should be attached to any consent. 2.23.8 Where HDD is proposed, the applicant should provide an alternative plan for installing the pipeline in the event that HDD fails. Such alternative means could include open cut, micro-tunnelling and tunnelling.	

8.3. TABLE B2: PLANNING POLICY COMPLIANCE ASSESSMENT: NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (JULY 2021)

8.3.1. This section is a policy compliance assessment against the NPPF. The policies contained within the NPPF are expanded upon and supported by the Planning Practice Guidance (PPG), which was published in March 2014 and each section is updated independently periodically.

8.3.2. Not all policies of the NPPF are relevant to the DCO Proposed Development and have therefore been omitted. The policies below are considered of importance and relevance to the SoS decision making under S105 of the PA2008.

Policy	Relevant Policy Text	Compliance Assessment
Part 2 **Achieving sustainable development**	Paragraph 8: Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. b) A social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being c) An environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'. Paragraph 9: These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.	It is considered that the DCO Proposed Development would support sustainable growth by providing economic support to the North West England and North Wales region. The innovative technology proposed by virtue of the DCO Proposed Development will enable energy diversity and resilience for local and regional businesses. It will support sustainable development and environmental objectives by supporting the UK's transition to zero carbon and by providing the infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector. It will also generate employment opportunities and provide a positive contribution to socio-economic wellbeing. The accompanying ES Volume II **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** demonstrates that overall, there are no likely significant adverse environmental effects associated with the construction and operation of the DCO Proposed Development. The only exception to this would be some residual noise impacts arising from the construction and decommissioning stages, however these would be subject to the mitigation measures in the Noise and Vibration Management Plan (to be delivered by the CEMP).
Part 6 **Building a Strong, Competitive Economy**	Paragraph 81: Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential. Paragraph 82: Planning policies should:	The Applicant considers that the DCO Proposed Development will support sustainable economic growth and make an important contribution towards the UK Government's environmental objectives. The DCO Proposed Development will provide for the integration of new energy infrastructure into the regional economy, thereby supporting sustainable economic growth at the local, regional and national level. HyNet North West is a designated track 1 cluster project from the UK Government to achieve Net Zero Targets. The application is supported by a Needs Case for the DCO Proposed Development **[APP-049]** which provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO

Policy	Relevant Policy Text	Compliance Assessment
	C) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and Paragraph 83: Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations.	Proposed Development, and how it will align with the wider Government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level. The DCO Proposed Development is considered to accord with the NPPF's policies related to building a strong and competitive economy.
Part 9 **Promoting Sustainable Transport**	Paragraph 104. Transport issues should be considered from the earliest stages of plan-making and development proposals, so that: a) the potential impacts of development on transport networks can be addressed; b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated; c) opportunities to promote walking, cycling and public transport use are identified and pursued; d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places. Paragraph 106: Planning policies should: d) be prepared with the active involvement of local highways authorities, other transport infrastructure providers and operators and neighbouring councils, so that strategies and investments for supporting sustainable transport and development patterns are aligned; e) identify and protect, where there is robust evidence, sites and routes which could be critical in developing infrastructure to widen transport choice and realise opportunities for large scale development; Paragraph 110: In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that: a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;	**Chapter 17** of the ES **[APP-069]** and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the environment in respect of Traffic and Transport. This Chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent effects likely. Some temporary effects will be likely to last longer than others and it is considered appropriate to reflect the predicted duration of effects when determining the likelihood of significant effects. Operation and decommissioning of the proposed pipeline are not likely to be significant for transport effects and this is supported by the Transport Assessment **[APP-151].** This assessment promotes sustainable transport choices during the construction phase and minimise the transport effects of the DCO Proposed Development. Consultation has been ongoing with both FCC and CWCC Highways Authorities. This consultation has included sharing the scope and conclusions of the transport assessment. The DCO Proposed Development does not propose to provide any improvement to new or additional permanent highway infrastructure. There are temporary measures, diversions etc which will be introduced during construction. This will be agreed with highways authorities. There are a number of PRoW within the Order Limits comprising footpaths, bridleways, restricted byways and byways open to all traffic that are expected to interact with the DCO Proposed Development. An overview description of each section considering the SRN, LRN, Rail, PRoW and geographic landmarks is provided in **Appendix 17-6 Section by Section Descriptions (Volume III)** of ES **Chapter 17**. There are also instances where PRoW are impacted by the proposed construction traffic routes. There are also instances where PRoW are impacted by the proposed construction traffic routes but diversions are to be implemented accordingly.

Policy	Relevant Policy Text	Compliance Assessment
	f) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree. Paragraph 113: All developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.	
Part 11 **Making Effective Use of Land**	Paragraph 119: Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or 'brownfield' land. Paragraph 120. Planning policies and decisions should: a. encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside; b. recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production; c. give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land; d. promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and Paragraph 121: Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield registers or held in public ownership, using the full range of powers available to them. This should include identifying opportunities to facilitate land assembly, supported where necessary by compulsory purchase powers, where this can help to bring more land forward for meeting development needs and/or secure better development outcomes.	Where possible, the DCO Proposed Development has sought to utilise existing brownfield sites, this is captured by the redevelopment at Stanlow AGI and repurposing of the existing pipeline in Wales. Once construction is complete, the DCO Proposed Development will be embedded underground and not visible or retain any impact on the land. It will restore constructed land wherever possible. **Chapter 12** of the ES **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA **[APP-139]. Chapter 12** concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development The DCO Proposed Development will not impact any AONB's and Designated National Parks. During operation, above ground infrastructure will be a more permanent fixture on the landscape. Mitigation is proposed as outlined within the REAC **[AS-053]** such as landscape planting. Whilst this will take time to fully screen any infrastructure, it is considered that it will reduce the impact of the DCO Proposed Development over time. Landscaping Plans for the AGI's and BVS's **[APP-066]** are provided which highlight proposed screening. In addition, Landscape and Ecological Mitigation Plans **[APP-230]** are provided as part of the Outline Landscape and Ecological Mitigation Plan (OLEMP) **[APP-229].**

Policy	Relevant Policy Text	Compliance Assessment
Part 12 **Achieving Well-Designed Places**	Paragraph 127: Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood planning groups can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development, both through their own plans and by engaging in the production of design policy, guidance and codes by local planning authorities and developers. Paragraph 130: Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;	The Applicant considers that the DCO Proposed Development meets the NPPFs requirement for places to be well-designed see **Chapter 4** of the ES **[APP-056]** for how the design has developed and the relevant route determination appraisal. The chosen route is considered to be the most appropriate having regard to a number of social, economic and environmental factors. The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. The pipeline itself will be embedded below ground following completion of construction works.
Part 13 **Protecting Green Belt Land**	Paragraph 138. Green Belt serves five purposes: a) to check the unrestricted sprawl of large built-up areas; b) to prevent neighbouring towns merging into one another; c) to assist in safeguarding the countryside from encroachment; d) to preserve the setting and special character of historic towns; and e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. Paragraph 140. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans 141. Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has	The Order Limits fall within Green Belt within Cheshire West and Chester (CWCC). An assessment of the DCO Proposed Development's impact on designated Green Belt can be found in **Chapter 5** of the Planning Statement. This concludes that the DCO Proposed Development has demonstrated very special circumstances to allow works within the Green Belt. These circumstances are evidenced in the Needs Case for the DCO Proposed Development **[APP-049].** The DCO Proposed Development reinstate land back to its former use following the completion of construction as far as practicable in addition to following good practice measures as described in REAC **[AS-053]**. The above demonstrates and evidences compliance with Part 13 of the NPPF.

Policy	Relevant Policy Text	Compliance Assessment
	examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy: a) makes as much use as possible of suitable brownfield sites and underutilised land; b) optimises the density of development in line with the policies in **Chapter 11** of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground.	
Part 14 **Meeting the Challenge of Climate Change, Flooding and Coastal Change**	Paragraph 152: The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure. Paragraph 154: New development should be planned for in ways that: b) can help to reduce greenhouse gas emissions, such as through its location, orientation and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards. Paragraph 158: When determining planning applications for renewable and low carbon development, local planning authorities should: a) not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and b) approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.	The Applicant considers that the DCO Proposed Development directly contributes to the UK's transition to a low carbon future. This is demonstrated by the UK Government's selection of HyNet North West as a designated track 1 cluster project to achieve Net Zero Targets. The application is supported by a Needs Case for Proposed Development **[APP-049]** which provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO Proposed Development, and how it will align with the wider UK Government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level. **Chapter 18** of the ES **[APP-070]** and its relevant appendices make assessment of the possible significant effects of the DCO Proposed Development on water resources and flood risk. Both the BVS and AGI elements of the DCO Proposed Development will be served by a drainage system which will accommodate the effects of climate change. Additionally, the pipeline will be below ground meaning that this element of the DCO Proposed Development will not be at risk of climate change effects on the water environment and flood risk. The DCO Proposed Development is considered to be concordant with the NPPF's policies on meeting the challenge of climate change, flooding and coastal change and will show a marked contribution to the UK's transition to a low carbon future.

Policy	Relevant Policy Text	Compliance Assessment
	Paragraph 161. All plans should apply a sequential, risk-based approach to the location of development – taking into account all sources of flood risk and the current and future impacts of climate change – so as to avoid, where possible, flood risk to people and property. They should do this, and manage any residual risk, by: a) applying the sequential test and then, if necessary, the exception test as set out below; b) safeguarding land from development that is required, or likely to be required, for current or future flood management; c) using opportunities provided by new development and improvements in green and other infrastructure to reduce the causes and impacts of flooding, (making as much use as possible of natural flood management techniques as part of an integrated approach to flood risk management); and d) where climate change is expected to increase flood risk so that some existing development may not be sustainable in the long-term, seeking opportunities to relocate development, including housing, to more sustainable locations. Paragraph 162: The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding. Paragraph 163: If it is not possible for development to be located in areas with a lower risk of flooding (taking into account wider sustainable development objectives), the exception test may have to be applied. The need for the exception test will depend on the potential vulnerability of the site and of the development proposed, in line with the Flood Risk Vulnerability Classification set out in Annex 3. Paragraph 167: When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;	

Policy	Relevant Policy Text	Compliance Assessment
	b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;	
Part 15 **Conserving and Enhancing the Natural Environment**	Paragraph 174: Planning policies and decisions should contribute to and enhance the natural and local environment by: a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan); b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate. Paragraph 175: Plans should: distinguish between the hierarchy of international, national and locally designated sites; allocate land with the least environmental or amenity value, where consistent with other policies in this Framework; take a strategic approach to maintaining and enhancing networks of habitats and green infrastructure; and plan for the enhancement of natural capital at a catchment or landscape scale across local authority boundaries. Paragraph 179: To protect and enhance biodiversity and geodiversity, plans should: a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity61; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and	**Chapter 9** of the ES **[AS-025]** identifies the baseline biodiversity value and sensitive receptors along the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern relating to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities would be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**

Policy	Relevant Policy Text	Compliance Assessment
	b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity. Paragraph 180. When determining planning applications, local planning authorities should apply the following principles: b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest; c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate. Paragraph 181: The following should be given the same protection as habitats sites: a) potential Special Protection Areas and possible Special Areas of Conservation; b) listed or proposed Ramsar sites; and c) sites identified, or required, as compensatory measures for adverse effects on habitats sites, potential Special Protection Areas, possible Special Areas of Conservation, and listed or proposed Ramsar sites Paragraph 182: The presumption in favour of sustainable development does not apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site. Paragraph 183: Planning policies and decisions should ensure that:	

Policy	Relevant Policy Text	Compliance Assessment
	a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation); b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and c) adequate site investigation information, prepared by a competent person, is available to inform these assessments. Paragraph 187. Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or 'agent of change') should be required to provide suitable mitigation before the development has been completed. Paragraph 188. The focus of planning policies and decisions should be on whether proposed development is an acceptable use of land, rather than the control of processes or emissions (where these are subject to separate pollution control regimes). Planning decisions should assume that these regimes will operate effectively. Equally, where a planning decision has been made on a particular development, the planning issues should not be revisited through the permitting regimes operated by pollution control authorities	

Part 16 **Conserving and Enhancing the Historic Environment**	Paragraph 190: Plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account: a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation; b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring; c) the desirability of new development making a positive contribution to local character and distinctiveness; and d) opportunities to draw on the contribution made by the historic environment to the character of a place. Paragraph 191: When considering the designation of conservation areas, local planning authorities should ensure that an area justifies such status because of its special architectural or historic interest, and that the concept of conservation is not devalued through the designation of areas that lack special interest. Paragraph 194: In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation. Paragraph 195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal. Paragraph 199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether	Where possible the DCO Proposed Development has aimed to avoid impacts on the Historic Environment from the earliest stages of design. The potential impacts of the DCO Proposed Development on the Historic Environment have been considered in **Chapter 8** of the ES **[APP-060]** and its relevant appendices. The historic environment has been considered since the Preliminary Design stage of the DCO Proposed Development with inputs ensuring the avoidance of direct physical impacts on designated heritage assets. Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under **Appendix 8-1** of the ES in the Historic Environment Desk Based Assessment (Volume III) **[APP-084** to **APP-086]**. Where the DCO Proposed Development may have a significant impact on receptors through construction or operation, **Section 8.10** of **Chapter 8** of the ES **[APP-060]** proposes a number of methods of mitigation or enhancement.

	any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 200: Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional. Paragraph 204: Local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. Paragraph 205: Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted. Paragraph 206: Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably. Paragraph 207: Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building (or other element) which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202, as appropriate, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole.	

	Paragraph 208: Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies	

Policy	Relevant Policy Text	Compliance Assessment
Part 17 **Facilitating the Sustainable Use of Minerals**	Paragraph 215: Minerals planning authorities should: a) when planning for on-shore oil and gas development, clearly distinguish between, and plan positively for, the three phases of development (exploration, appraisal and production), whilst ensuring appropriate monitoring and site restoration is provided for; b) encourage underground gas and carbon storage and associated infrastructure if local geological circumstances indicate its feasibility; c) indicate any areas where coal extraction and the disposal of colliery spoil may be acceptable; d) encourage the capture and use of methane from coal mines in active and abandoned coalfield areas; and e) provide for coal producers to extract separately, and if necessary stockpile, fireclay so that it remains available for use. Paragraph 216: When determining planning applications, minerals planning authorities should ensure that the integrity and safety of underground storage facilities are appropriate, taking into account the maintenance of gas pressure, prevention of leakage of gas and the avoidance of pollution.	**Chapter 11** of the ES **[APP-063]** assesses the effect of the DCO Proposed Development on any impacted mineral safeguarding areas. It concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas but the assessment within ES **Appendix 11.3 [APP-131** and **APP-132]** concludes no adverse impact on this designation.

8.4. TABLE B3: PLANNING POLICY COMPLIANCE ASSESSMENT: PLANNING POLICY WALES (FEBRUARY 2021)

8.4.1. This section is a policy compliance assessment against Planning Policy Wales. The PPW is supplemented by a series of Technical Advice Notes. Together, the PPW and TANs set out the Welsh Government's national policies and principles on different aspects of planning and sustainable development. Not all of the TAN's are relevant to the DCO Proposed Development, therefore they have not been included.

8.4.2. The policies below is considered of importance and relevance to the SoS decision making under S105 of the PA2008.

Policy	Relevant Policy Text	Compliance Assessment
Chapter 2 **Maximising Well-being and Creating Sustainable Places through Placemaking**	2.7 Placemaking in development decisions happens at all levels and involves considerations at a global scale, including the climate emergency, down to the very local level, such as considering the amenity impact on neighbouring properties and people. 2.17 In responding to the key principles for the planning system, the creation of sustainable places and in recognition of the need to contribute to the well-being of future generations in Wales through placemaking, development plans and development proposals must seek to deliver developments that address the national sustainable placemaking outcomes.	**Chapter 2** of PPW (People and Places: Achieving Well-being Through Placemaking) sets out the importance of the planning system in the creation of sustainable place. It defines five 'key planning principles': • Growing our Economy in a sustainable manner • Making best use of resources • Facilitating accessible and healthy environments • Creating and sustaining communities • Maximising environmental protection and limiting environmental impact It is considered that the DCO Proposed Development would support sustainable growth by providing economic support to the region. The innovative technology proposed by virtue of the DCO Proposed Development will enable energy diversity and resilience for local and regional businesses. It will support sustainable development by supporting the UK's transition to zero carbon, by providing the infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector. It will also generate employment opportunities and provide a positive contribution to socio-economic wellbeing. The accompanying ES Volume II **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** demonstrates that adverse environmental effects associated with the construction and operation of the DCO Proposed Development will be mitigated as far as practicable. **Chapter 20** of the ES provides a summary of significant effects **[APP-072]** and acknowledge that there will be localised temporary effects. The Needs Case for the DCO Proposed Development **[APP-049]** provides further justification of the economic, social and environmental need for the DCO Proposed Development.
Chapter 2 **Assessing the Sustainable Benefits of Development**	2.27 Planning authorities should ensure that social, economic, environmental and cultural benefits are considered in the decision-making process and assessed in accordance with the five ways of working to ensure a balanced assessment is carried out to implement the Well-being of Future Generations Act and the Sustainable Development Principle. There may be occasions when one benefit of a development proposal or site allocation outweighs others, and in such cases robust evidence should be presented to support these decisions, whilst seeking to maximise contributions against all the well-being goals.	The DCO Proposed Development would enable the delivery of the decarbonising HyNet North West Project which will allow existing and future industry in Wales to capture and transport CO_2 emissions and enable low carbon hydrogen to be used in energy production or directly within manufacturing processes. As such it would help grow the economy in a sustainable manner. **Chapter 3** of the Planning Statement provides an assessment of compliance with the Well Being of Future Generations Act 2015.

Policy	Relevant Policy Text	Compliance Assessment
Chapter 3 **Placemaking In Action: Good Design Making Better Places**	3.3 Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area. 3.4 Good design is fundamental to creating sustainable places where people want to live, work and socialise. Design is not just about the architecture of a building but the relationship between all elements of the natural and built environment and between people and places. To achieve sustainable development, design must go beyond aesthetics and include the social, economic, environmental, cultural aspects of the development, including how space is used, how buildings and the public realm support this use, as well as its construction, operation, management, and its relationship with the surrounding area. 3.6 Development proposals must address the issues of inclusivity and accessibility for all. This includes making provision to meet the needs of people with sensory, memory, learning and mobility impairments, older people and people with young children. There will often be wider benefits to be gained through the sensitive consideration of such provision, for example, whilst the presence of visual cues will be invaluable in assisting those with hearing loss to engage in a noisy environment, a navigable environment will benefit all. Good design can also encourage people to meet and interact with each other, helping to address issues surrounding loneliness. Good design must also involve the provision of measures that help to reduce the inequality of access to essential services, education and employment experienced by people without access to a car. Design measures and features should enable easy access to services by walking, cycling and public transport. 3.7 Good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution. An integrated and flexible approach to design, including early decisions regarding location, density, layout, built form, the choice of materials, the adaptability of buildings and site treatment will be an appropriate way of contributing to resilient development. 3.8 Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating	The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within **Chapter 1** of the Planning Statement. The DCO Proposed Development has demonstrated good design through selection of the quietest cost-effective plant available; containment of noise within buildings wherever possible; optimisation of plant layout to minimise noise emissions; and, where possible, the use of landscaping, or noise barriers to reduce noise transmission. This construction methodology is consolidated in the OCEMP **[AS-055]** The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. **Chapter 4** of the ES **[APP-056]** provides an assessment of how design has evolved and been consolidated over the duration of the project. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. **Chapter 12** of the ES **[APP-064]** concludes that with the application of mitigation these would not give rise to a significant adverse impact in terms of their visual prominence.

Policy	Relevant Policy Text	Compliance Assessment
	green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places. This embraces the principles of 'ecosystems services' and sustainable management of natural resources where multiple benefits solution become an integral part of good design. In a similar manner, addressing environmental risks can make a positive contribution to environmental protection and improvement, addressing land contamination, instability and flood risk and providing for biodiversity, climate protection, improved air quality, soundscape and water resources benefits. 3.9 The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement. 3.13 Existing infrastructure must be utilised and maximised, wherever possible. Where new infrastructure is necessary to mitigate transport impacts of a development and to maximise accessibility by sustainable non-car modes, it should be integrated within the development layout and beyond the boundary, as appropriate. This could include works to connect cycle routes within a site to a wider strategic cycling network or provision of bus priority measures on highway corridors serving a new development	
Chapter 3 **Environmental Sustainability**	3.7 Good design promotes environmental sustainability and contributes to the achievement of the well-being goals. Developments should seek to maximise energy efficiency and the efficient use of other resources (including land), maximise sustainable movement, minimise the use of non-renewable resources, encourage decarbonisation and prevent the generation of waste and pollution. An integrated and flexible approach to design, including early decisions regarding location, density, layout, built form, the choice of materials, the adaptability of buildings and site treatment will be an appropriate way of contributing to resilient development. 3.8 Good design can help to ensure high environmental quality. Landscape and green infrastructure considerations are an integral part of the design process. Integrating green infrastructure is not limited to focusing on landscape and ecology, rather, consideration should be given to all features of the natural environment and how these function together to contribute toward the quality of places. This embraces the principles of 'ecosystems services' and sustainable management of natural resources where multiple benefits solution become an integral part of good design. In a similar	The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. **Chapter 4** of the ES **[APP-056]** provides an assessment of how the design has evolved and been consolidated over the duration of the project. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. **Chapter 12** of the ES **[APP-064]** concludes that with the application of mitigation these would not give rise to significant adverse impacts in terms of their visual prominence. Given the nature of the DCO Proposed Development, the Applicant has a restricted choice in the physical appearance of the BVSs and AGIs. However, there are opportunities for the Applicant to demonstrate good design in terms of siting relative to existing landscape character, landform and vegetation.

Policy	Relevant Policy Text	Compliance Assessment
	manner, addressing environmental risks can make a positive contribution to environmental protection and improvement, addressing land contamination, instability and flood risk and providing for biodiversity, climate protection, improved air quality, soundscape and water resources benefits. Para 3.9 The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.	Upon completion of the construction phase, the pipeline will be embedded below ground with some above ground infrastructure. The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. **Chapter 12** of the ES **[APP-064]** concludes that with the application of mitigation these would not give rise to a significant adverse impact in terms of their visual prominence. The design development process includes the identification of mitigation commitments, for mitigation embedded in design and also good practice mitigation this is secured through the REAC **[AS-053]** and OCEMP **[AS-055]**.
Chapter 3 **Character**	3.9 The special characteristics of an area should be central to the design of a development. The layout, form, scale and visual appearance of a proposed development and its relationship to its surroundings are important planning considerations. A clear rationale behind the design decisions made, based on site and context analysis, a strong vision, performance requirements and design principles, should be sought throughout the development process and expressed, when appropriate, in a design and access statement.	Upon completion of construction, the pipeline will be embedded below ground with some above ground infrastructure. The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. As assessed within ES **Chapter 12 [APP-064]** which concludes that with the application of mitigation there would not be an adverse significant impact in terms of their visual prominence and impact. The design development process includes the identification of mitigation commitments, for mitigation embedded in design and also good practice mitigation this is secured through the REAC **[AS-053]** and OCEMP **[AS-055]**.
Chapter 3 **Movement**	3.13 Existing infrastructure must be utilised and maximised, wherever possible. Where new infrastructure is necessary to mitigate transport impacts of a development and to maximise accessibility by sustainable non-car modes, it should be integrated within the development layout and beyond the boundary, as appropriate. This could include works to connect cycle routes within a site to a wider strategic cycling network or provision of bus priority measures on highway corridors serving a new development	**Chapter 17** of the ES **[APP-069]** and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the environment in respect of Traffic and Transport. This Chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent effects likely. Some temporary effects will be likely to last longer than others and it is considered appropriate to reflect the

Policy	Relevant Policy Text	Compliance Assessment
		predicted duration of effects when determining the likelihood of significant effects. Operation and decommissioning of the proposed pipeline are not likely to be significant for transport effects this is supported by the Transport Assessment **[APP-161].** These plans promote sustainable transport choices during construction phase and minimise transport effects of the DCO Proposed Development during the construction phase. Consultation has been ongoing with both FCC and CWCC Highways Authorities. This consultation has included sharing the scope and conclusions of the transport assessment.
Chapter 3 **Appraising Context**	3.14 Site and context analysis should be used to determine the appropriateness of a development proposal in responding to its surroundings. This process will ensure that a development is well integrated into the fabric of the existing built environment. The analysis process will highlight constraints and opportunities presented by existing settlement structure and uses, landscape, biodiversity, water environment, movement, infrastructure, materials and resources, soundscape and built form which will need to be considered when formulating proposals.	Upon completion of construction, the pipeline will be embedded below ground with some above ground infrastructure. The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. As assessed within ES **Chapter 12 [APP-064]** which concludes that with the application of mitigation there would not be an adverse significant impact in terms of their visual prominence and impact. The DCO Proposed Development is therefore considered to be appropriate to its location and compliant with Policy.
Chapter 3 **The Welsh Language and Placemaking**	3.26 Planning authorities must consider the likely effects of their development plans on the use of the Welsh language as part of the Sustainability Appraisal. Planning authorities should seek to ensure a broad distribution and phasing of development that takes into account the ability of the area or community to accommodate development without adversely impacting use of the Welsh language. 3.27 Development plans should include a statement on how planning authorities have taken the needs and interests of the Welsh language into account in plan preparation and how any policies relating to the Welsh language interact with other plan policies.	Consideration has been given to the Welsh Language and relevant Policy in legislation. In accordance, the DCO Proposed Development is submitted with a Welsh Language Statement **[APP-226].** Additionally, the Non Technical Summary is submitted with a Welsh Translation **[APP-052].**
Chapter 3 **Climate Change, Decarbonisation and the Sustainable**	3.30 In 2019 the Welsh Government declared a climate emergency in order to co-ordinate action nationally and locally to help combat the threats of climate change. The planning system plays a key role in tackling the climate emergency through the decarbonisation of the energy system and the sustainable management of natural resources. The transition to a low carbon economy not only brings opportunities for	The applicant considers that the DCO Proposed Development directly contributes to the UK's transition to a low carbon future. This is demonstrated by the UK government's selection of HyNet North West as a designated track 1 cluster project to achieve Net Zero Targets.

Policy	Relevant Policy Text	Compliance Assessment
Management of Natural Resources	clean growth and quality jobs, but also has wider benefits of enhanced places to live and work, with clean air and water and improved health outcomes. 3.31 The Environment (Wales) Act 2016 sets a legal target of reducing greenhouse gas emissions in Wales by at least 80% in 2050. The Act also requires a series of interim targets (for 2020, 2030 and 2040) and carbon budgets. The budgets set a limit on the total amount of greenhouse gas emissions in Wales over a 5-year period to serve as stepping stones and ensure progress is made towards the decadal targets. 3.32 In May 2019 the Climate Change Committee published its recommendation for the UK to set a net zero target for 2050. It recommended Wales set a 95% target as our fair contribution to the UK effort. The Welsh Government accepted this recommendation, but is seeking to go beyond 95% to reach net zero. 3.34 The Environment (Wales) Act 2016 also introduces the Sustainable Management of Natural Resources14 (SNMR) and sets out a framework to achieve this as part of decision-making. The objective of the SMNR is to maintain and enhance the resilience of ecosystems and the benefits they provide. The Welsh Government is required to prepare, publish and implement a statutory Natural Resources Policy setting out its priorities in relation to the SMNR while Natural Resources Wales (NRW) is required to produce a 'State of Natural Resources Report' and prepare 'Area Statements' to inform place based action. The Natural Resources Policy and Area Statements are a key piece of evidence which must be taken into account in development plan preparation. 3.36 The planning system is wide in its social, economic environmental and cultural scope and takes an all embracing approach to sustainable development where decisions on short and long-term needs and cost and benefits come together. It secures outcomes where multiple benefits (more than one ecosystem benefit) can be provided as part of plan making strategies or individual development proposals. The key features of the SMNR approach to which the planning system can contribute are: • improving the resilience of ecosystems and ecological networks; • halting and reversing the loss of biodiversity; • maintaining and enhancing green infrastructure based on seeking multiple ecosystem benefits and solutions; • ensuring resilient locational choices for infrastructure and built development, taking into account water supplies, water quality and reducing, wherever possible, air and noise pollution and environmental risks, such as those posed by flood risk, coastal change, land contamination and instability;	The application is supported by a Needs Case for the DCO Proposed Development **[APP-049]** which provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO Proposed Development, and how it will align with the wider UK government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level. The Planning Statement provides an overview of compliance with legislation whilst the ES assesses the potential environmental impact. Climate change adaption has been considered when designing and selecting the route option. The risk of flooding, effect of greenhouse gas emissions to the atmosphere, and embedded carbon have been considered as part of the design and assessment of impact and mitigation. This further expanded on in ES **Chapter 7 [APP-059],** ES **Chapter 10 [APP-062]** and their associated appendices. Climate Change has also been considered cumulatively across each chapter of the ES, wherein the inter-dependencies are assessed. Where a combined impact is considered, it is mitigated or justified accordingly. The design of the pipeline has considered those measures to make the pipeline more resilient and safer to climate change, there are no significant impacts on climate change resulting from the laying of this pipeline. Generally, the use of pipelines offers a betterment on emissions given alternative means of transport such as tanker via road.

Policy	Relevant Policy Text	Compliance Assessment
	• taking actions to move towards a more circular economy in Wales; and • facilitating the move towards decarbonisation of the economy.	
Chapter 3 **Placemaking in Rural Areas**	3.38 The countryside is a dynamic and multi-purpose resource. In line with sustainable development and the national planning principles and in contributing towards placemaking outcomes, it must be conserved and, where possible, enhanced for the sake of its ecological, geological, physiographic, historical, archaeological, cultural and agricultural value and for its landscape and natural resources. The need to conserve these attributes should be balanced against the economic, social and recreational needs of local communities and visitors. Fostering adaptability and resilience will be a key aim for rural places in the face of the considerable challenge of maintaining the vibrancy of communities and availability of services as well as contributing to the Cohesive Communities well-being goal. This is coupled with ensuring the countryside is resilient to the impacts of climate change and plays a role in reducing the causes of climate change through the protection of carbon sinks and as a sustainable energy source in line with the Resilient Wales well-being goal.	The Applicant considers that the DCO Proposed Development will support sustainable economic growth. This would enable operations and development towards the UK Governments environmental objectives. HyNet North West is a designated track 1 cluster project from the UK government to achieve Net Zero Targets. The application is supported by a Needs Case for the DCO Proposed Development **[APP-049]** which provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO Proposed Development, and how it will alley with the wider Government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level.
Chapter 3 **The Best and Most Versatile Agricultural Land**	3.58 Agricultural land of grades 1, 2 and 3a of the Agricultural Land Classification system (ALC)16 is the best and most versatile, and should be conserved as a finite resource for the future. 3.59 When considering the search sequence and in development plan policies and development management decisions considerable weight should be given to protecting such land from development, because of its special importance. Land in grades 1, 2 and 3a should only be developed if there is an overriding need for the development, and either previously developed land or land in lower agricultural grades is unavailable, or available lower grade land has an environmental value recognised by a landscape, wildlife, historic or archaeological designation which outweighs the agricultural considerations. If land in grades 1, 2 or 3a does need to be developed, and there is a choice between sites of different grades, development should be directed to land of the lowest grade	The project crosses grades 1, 2 and 3 agricultural land. This assessed in ES **Chapter 11 [APP-063]**, this chapter concluded a net loss agricultural land through the permanent acquisition of land for above ground infrastructure and land designated for mitigation delivery. Mitigation is proposed, but this does not remove the impact which is acknowledged and considered on balance to be acceptable given the scale of loss
Chapter 4 **Traffic Management**	4.1.42 The Road Traffic Reduction Act 199725 requires local authorities to produce a report setting out an assessment of the traffic on the roads for which it is the local highway authority and a forecast of expected changes in traffic levels. The report should also contain targets for reducing levels of local road traffic or the rate of growth of those levels. 4.1.45 Local authorities must adopt an integrated approach to traffic management. They should consider how different measures can complement one another and contribute to the achievement of wider planning and transport objectives, implementing the Active Travel Act and reducing exposure to air and noise pollution,	**Chapter 17** of the ES **[APP-069]** and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the environment in respect of Traffic and Transport. This Chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent effects likely. Some temporary effects will be likely to last longer than others and it is considered appropriate to reflect the predicted duration of effects when determining the likelihood of significant

Policy	Relevant Policy Text	Compliance Assessment
	taking into account the needs of the disabled and less mobile sections of the community	effects. Operation and decommissioning of the proposed pipeline are not likely to be significant for transport effects this is supported by the Transport Assessment **[APP-161]**. These plans promote sustainable transport choices during construction phase and minimise transport effects of the DCO Proposed Development during the construction phase. Consultation has been ongoing with both FCC and CWCC Highways Authorities. This consultation has included sharing the scope and conclusions of the transport assessment. The DCO Proposed Development does not propose to provide any improvement to, new or additional permanent highway infrastructure. There are temporary measures, diversions etc which will be introduced during construction. This will be agreed with highways authorities. There are a number of PRoW within the Order Limits comprising footpaths, bridleways, restricted byways and byways open to all traffic that are expected to interact with the DCO Proposed Development. An overview description of each section considering the SRN, LRN, Rail, PRoW and geographic landmarks is provided in **Appendix 17-6** Section by Section Descriptions **(Volume III),** There are also instances where PRoW are impacted by the proposed construction traffic routes. There are also instances where PRoW are impacted by the proposed construction traffic routes.
Chapter 4 **Transport Assessments**	4.1.55 Transport Assessments are an important mechanism for setting out the scale of anticipated impacts a proposed development, or redevelopment, is likely to have. They assist in helping to anticipate the impacts of development so that they can be understood and catered for appropriately. 4.1.56 Planning applications for developments, including changes of use, falling into the categories identified in TAN 18: Transport27 must be accompanied by a Transport Assessment. In addition, in areas where the transport network is particularly sensitive, planning authorities should consider requiring Transport Assessments for developments which fall outside of the thresholds set out in TAN 18. Transport Assessments can be required for any proposed development if the planning authority considers that there is a justification or specific need. Transport Assessments provide the basis for negotiation on scheme details, including the level of parking, and measures to improve walking, cycling, and public transport access, as well as measures to limit or reduce levels of air and noise pollution. They should cover the transport impacts during the construction phase of the development, as well as when built and in use. Transport Assessments also provide an important basis for the	Some temporary effects will be likely to last longer than others and it is considered appropriate to reflect the predicted duration of effects when determining the likelihood of significant effects. Operation and decommissioning of the proposed pipeline are not likely to be significant for transport effects this is supported by the Transport **[APP-161]**.

Policy	Relevant Policy Text	Compliance Assessment
	preparation of Travel Plans. Further guidance on Transport Assessments and Travel Plans is contained in TAN 18.	
Chapter 4 **Community Facilities**	4.4.1 Community facilities perform various functions which cover a broad range of activities and services that can be delivered by the public, private and third sectors. Community facilities contribute to a sense of place which is important to the health, well-being and amenity of local communities and their existence is often a key element in creating viable and sustainable places. They can include schools, cultural facilities, health services, libraries, allotments and places of worship. 4.4.2 Planning authorities should develop a strategic and long-term approach to the provision of community facilities when preparing development plans based on evidence. When considering development proposals planning authorities should consider the needs of the communities and ensure that community facilities continue to address the requirements of residents in the area.	**Chapter 16** of the ES **[APP-068]** and its relevant appendices provides an assessment of the likely significant effects of the DCO Proposed Development on Population and Human Health (to include community facilities, recreational spaces etc). It has been identified that potential effects are expected during construction. These effects related to traffic affecting communities in rural and urban areas, noise and vibration, visual, community severance and change in access. There are no significant effects anticipated during operation. The ES Chapter refers to specific sites across the order limits which may be impacted on a temporary basis by the construction works. Consideration of the potential impact of the pipeline has informed the selection of the pipeline route, design and construction. The impact of the pipeline has been assessed as part of the ES.
Chapter 4 **Recreational Spaces**	4.5.1 Recreational spaces are vital for our health, well-being and amenity, and can contribute to an area's green infrastructure. They provide a place for play, sport, healthy physical activity and a place to relax often in the presence of nature, and they contribute to our quality of life. Networks of high quality, accessible green spaces and recreation spaces will also promote nature conservation, biodiversity and provide enjoyable opportunities for residents and visitors to participate in a wide range of physical activities. These activities are important for the well-being of children and adults and for the social, environmental, cultural and economic life of Wales. 4.5.3 Formal and informal open green spaces should be protected from development, particularly in urban areas where they fulfil multiple purposes. As well as enhancing quality of life, they contribute to biodiversity, the conservation of the historic environment, nature and landscape, better air quality, the protection of groundwater and as places of tranquillity. Such open spaces also have a role in climate protection and in enabling the adaptation of urban areas to the impacts of climate change, for example by contributing to flood management and helping to reduce the effects of urban heat islands. Many parks and gardens are historically significant and are listed in the Historic Parks and Gardens in Wales Register.	**Chapter 16** of the ES **[APP-068]** and its relevant appendices provides an assessment of the likely significant effects of the DCO Proposed Development on Population and Human Health (to include community facilities, recreational spaces etc). It has been identified that potential effects are expected during construction. These effects related to traffic affecting communities in rural and urban areas, noise and vibration, visual, community severance and change in access. There are no significant effects anticipated during operation. The ES Chapter refers to specific sites across the order limits which may be impacted on a temporary basis by the construction works. Consideration of the potential impact of the pipeline has informed the selection of the pipeline route, design and construction. The impact of the pipeline has been assessed as part of the ES.
Chapter 5 **Economic Development**	5.4.1 For planning purposes the Welsh Government defines economic development as the development of land and buildings for activities that generate sustainable long term prosperity, jobs and incomes. The planning system should ensure that the growth of output and employment in Wales as a whole is not constrained by a shortage of land for economic uses.	The DCO Proposed Development is considered to have demonstrated the financial and technical viability required within policy. The Applicant has taken into account environmental, social and economic benefits and adverse impacts, at national, regional and local levels. T

Policy	Relevant Policy Text	Compliance Assessment
	5.4.2 Economic land uses include the traditional employment land uses (offices, research and development, industry and warehousing), as well as uses such as retail, tourism, and public services. Economic land uses also include construction, energy, minerals, waste and telecommunications sectors which are also sensitive to planning policy. The Welsh Government seeks to maximise opportunities to strengthen the foundational economy, particularly the food, retail, tourism and care sectors which play such a prominent role throughout Wales; the planning system should be supportive of this aim. Similarly, growth in innovative, emerging technology and high value added sectors such as advanced engineering, renewable and low carbon energy, digital and bio-technology sectors are also strongly supported. Development plans should consider the role these sectors may play in terms of investment and job creation in their area. This section focuses primarily on traditional employment land uses (B1, B2 and B8) while policies on other economic sectors are found elsewhere in this chapter and other parts of PPW.	Please see supporting Statement of Reasons **[AS-021],** the Planning Statement as a whole, and Needs Case for the DCO Proposed Development **[APP-049]**. The Needs Case provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO Proposed Development, and how it will alley with the wider Government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level. The DCO Proposed Development is considered to accord with the NPPF's policies related to building a strong and competitive economy, and will deliver demonstrable benefits to the local, rural economy.
Chapter 5 **Energy Context**	5.7.1 The Welsh Government's highest priority is to reduce demand wherever possible and affordable. Low carbon electricity must become the main source of energy in Wales. Renewable electricity will be used to provide both heating and transport in addition to power. The future energy supply mix will depend on a range of established and emerging low carbon technologies, including biomethane and green hydrogen. 5.7.2 Overall power demand is expected to increase as a result of growing electrification of transport and heat. In order to ensure future demand can be met, significant investment will be needed in energy generation, transmission and distribution infrastructure. The system will need to integrate renewable generation with storage and other flexibility services, in order to minimise the need for new generation and grid system reinforcement. Collectively we will need to concentrate on reducing emissions from fossil fuel sources, whilst driving further renewable generation which delivers value to Wales. 5.7.3 These priorities contribute to reducing carbon emissions, as part of our approach to decarbonisation, whilst enhancing the economic, social, environmental and cultural well-being of the people and communities of Wales, in order to achieve a better quality of life for our own and future generations. This means taking precautionary action to prevent Wales being 'locked in' to further fossil fuel extraction and high carbon development. The planning system should facilitate delivery of both this and Welsh, UK and European targets on renewable energy. 5.7.4 Future Wales – The National Plan 2040 sets out the national development plan context for energy and provides specific policies for heat network and renewable energy development.	The applicant considers that the DCO Proposed Development directly contributes to the UK's transition to a low carbon future. This is demonstrated by the UK government's selection of HyNet Northwest as a designated track 1 cluster project to achieve Net Zero Targets. The application is supported by a Needs Case for Proposed Development **[APP-049]** which provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO Proposed Development, and how it will align with the wider UK government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level.

Policy	Relevant Policy Text	Compliance Assessment
	5.7.7 The benefits of renewable and low carbon energy, as part of the overall commitment to tackle the climate emergency and increase energy security, is of paramount importance. The continued extraction of fossil fuels will hinder progress towards achieving overall commitments to tackling climate change. The planning system should: • integrate development with the provision of additional electricity grid network infrastructure; • optimise energy storage; • facilitate the integration of sustainable building design principles in new development; • optimise the location of new developments to allow for efficient use of resources; • maximise renewable and low carbon energy generation; • maximise the use of local energy sources, such as heat networks; • minimise the carbon impact of other energy generation; and • move away from the extraction of energy minerals, the burning of which is carbon intensive.	
Chapter 5 **Energy Hierarchy for Planning**	5.7.13 Welsh Government planning policy recognises an energy hierarchy. The Welsh Government expects all new development to mitigate the causes of climate change in accordance with the energy hierarchy for planning, as set out in the following energy policies. Reducing energy demand and increasing energy efficiency, through the location and design of new development, will assist in meeting energy demand with renewable and low carbon sources. This is particularly important in supporting the electrification of energy use, such as the growing use of electric vehicles and heat pumps. All aspects of the energy hierarchy have their part to play, simultaneously, in helping meet decarbonisation and renewable energy targets	The applicant considers that the DCO Proposed Development directly contributes to the UK's transition to a low carbon future. This is demonstrated by the UK government's selection of HyNet North West as a designated track 1 cluster project to achieve Net Zero Targets. The application is supported by a Needs Case for Proposed Development **[APP-049]** which provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO Proposed Development, and how it will align with the wider UK government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level.
Chapter 5 **Renewable and Low Carbon Energy**	5.9.1 Local authorities should facilitate all forms of renewable and low carbon energy development and should seek cross-department co-operation to achieve this. In doing so, planning authorities should seek to ensure their area's full potential for renewable and low carbon energy generation is maximised and renewable energy targets are achieved. Planning authorities should seek to maximise the potential of renewable energy by linking the development plan with other local authority strategies, including Local Well-being plans and Economic/ Regeneration strategies.	The applicant considers that the DCO Proposed Development directly contributes to the UK's transition to a low carbon future. This is demonstrated by the UK government's selection of HyNet North West as a designated track 1 cluster project to achieve Net Zero Targets. The application is supported by a Needs Case for DCO Proposed Development **[APP-049]** which provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO Proposed Development, and how it will align with the wider UK government ambitions

Policy	Relevant Policy Text	Compliance Assessment
		for energy infrastructure. The document refers to this growth on the local, regional and national level.
Chapter 5 **Development Management and Renewable and Low Carbon Energy**	5.9.19 In determining applications for the range of renewable and low carbon energy technologies, planning authorities should take into account: • the contribution a proposal will make to meeting identified Welsh, UK and European targets; • the contribution to cutting greenhouse gas emissions; and • the wider environmental, social and economic benefits and opportunities from renewable and low carbon energy development. 5.9.22 Whatever the size of a scheme, developers should take an active role in engaging with the local community on renewable energy proposals. This should include pre-application discussion and provision of background information on the renewable energy technology that is proposed	The applicant considers that the DCO Proposed Development directly contributes to the UK's transition to a low carbon future. This is demonstrated by the UK government's selection of HyNet North West as a designated track 1 cluster project to achieve Net Zero Targets. The application is supported by a Needs Case for the DCO Proposed Development **[APP-049]** which provides a detailed analysis of the environmental, economic and social benefits of delivering the DCO Proposed Development, and how it will align with the wider UK government ambitions for energy infrastructure. The document refers to this growth on the local, regional and national level.
Chapter 6 **The Historic Environment**	6.1.1 The historic environment comprises all the surviving physical elements of previous human activity and illustrates how past generations have shaped the world around us. It is central to Wales's culture and its character, whilst contributing to our sense of place and identity. It enhances our quality of life, adds to regional and local distinctiveness and is an important economic and social asset. 6.1.2 The historic environment is made up of individual historic features which are collectively known as historic assets. Examples of what can constitute an historic asset include: • Listed buildings; • Conservation areas; • Historic assets of special local interest; • Historic parks and gardens; • Townscapes; • Historic Landscapes; • World Heritage Sites; and • Archaeological remains (including scheduled monuments). 6.1.3 The ways in which historic assets are identified can vary. The most important historic assets often have statutory protection or are included in formal registers which identify them as being of special historic interest. Other assets yet to be formally identified could include buried archaeological remains.	The pipeline route has been selected to reduce the impact on historic environment by avoiding where practicable designated heritage assets. Non-designated and designated heritage assets have been included in the EIA as identified within **Part 5.8** of **Chapter 8** of the ES **[APP-060]** and assessed against its value based on professional judgements informed by guidance and national policy. Consultation and ongoing engagement with heritage advisors of the local planning authority identified the need for, scope and scale of archaeological evaluation in support of the application. **Chapter 8 [APP-060]** of the ES contains the historic environment assessment undertaken for the DCO Proposed Development. The focus of the assessment is on buried heritage assets (archaeological remains and paleoenvironmental deposits) and above ground heritage assets (buildings, structures, monuments and landscapes of heritage interest), including the character and setting of designated heritage assets. This visual impact to the landscape is considered further within **Chapter 12** of the ES **[APP-064]** which further concludes that through the use of sufficient mitigation, the impacts of the new above ground infrastructure can be mitigated. These Chapters conclude that no significant residual effects are anticipated on any other heritage assets or their settings as a result of the construction or operation works.

Policy	Relevant Policy Text	Compliance Assessment
		The Applicant is considered to have demonstrated the most viable and least harmful route through options appraisal as demonstrated within the ES **Chapter 4 [APP-056]** Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under **Appendix 8-1** of the ES **[APP-060]** in the Historic Environment Desk Based Assessment.
Chapter 6 **Conserving and Enhancing the Historic Environment and its Assets**	6.1.5 The planning system must take into account the Welsh Government's objectives to protect, conserve, promote and enhance the historic environment as a resource for the general well-being of present and future generations. The historic environment is a finite, non-renewable and shared resource and a vital and integral part of the historical and cultural identity of Wales. It contributes to economic vitality and culture, civic pride, local distinctiveness and the quality of Welsh life. The historic environment can only be maintained as a resource for future generations if the individual historic assets are protected and conserved. Cadw's published Conservation Principles highlights the need to base decisions on an understanding of the impact a proposal may have on the significance of an historic asset. 6.1.6 The Welsh Government's specific objectives for the historic environment seek to: • protect the Outstanding Universal Value of the World Heritage Sites; • conserve archaeological remains, both for their own sake and for their role in education, leisure and the economy; • safeguard the character of historic buildings and manage change so that their special architectural and historic interest is preserved; • preserve or enhance the character or appearance of conservation areas, whilst the same time helping them remain vibrant and prosperous; • preserve the special interest of sites on the register of historic parks and gardens; and • protect areas on the register of historic landscapes in Wales. 6.1.9 Any decisions made through the planning system must fully consider the impact on the historic environment102 and on the significance and heritage values of individual historic assets and their contribution to the character of place	**Chapter 8 [APP-060]** of the ES contains the historic environment assessment undertaken for the DCO Proposed Development. The Applicant is considered to have demonstrated the most viable and least harmful route through options appraisal as demonstrated within the ES **Chapter 4 [APP-056]** Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under Appendix 8-1 of the Environmental Statement **[APP-060]** in the Historic Environment Desk Based Assessment
Chapter 6	6.1.10 There should be a general presumption in favour of the preservation or enhancement of a listed building and its setting, which might extend beyond its curtilage. For any development proposal affecting a listed building or its setting, the	**Chapter 8 [APP-060]** of the ES contains the historic environment assessment undertaken for the DCO Proposed Development.

Policy	Relevant Policy Text	Compliance Assessment
Listed Buildings	primary material consideration is the statutory requirement to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest which it possesses. 6.1.11 For listed buildings, the aim should be to find the best way to protect and enhance their special qualities, retaining them in sustainable use. The continuation or reinstatement of the original use should generally be the first option, but not all original uses will now be viable or appropriate. The application of planning and listed building controls should recognise the need for flexibility where new uses have to be considered in order to secure a building's survival or provide it with a sound economic future. 6.1.12 The demolition of any listed building should be considered as exceptional and require the strongest justification.	The Applicant is considered to have demonstrated the most viable and least harmful route through options appraisal as demonstrated within the ES **Chapter 4 [APP-056].** Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under Appendix 8-1 of the Environmental Statement **[APP-060]** in the Historic Environment Desk Based Assessment
Chapter 6 **Archaeological Remains**	6.1.23 The planning system recognises the need to conserve archaeological remains. The conservation of archaeological remains and their settings is a material consideration in determining planning applications, whether those remains are a scheduled monument or not. 6.1.24 Where nationally important archaeological remains and their settings are likely to be affected by proposed development, there should be a presumption in favour of their physical protection in situ. It will only be in exceptional circumstances that planning permission will be granted if development would result in an adverse impact on a scheduled monument (or an archaeological site shown to be of national importance) or has a demonstrably and unacceptably damaging effect upon its setting. 6.1.25 In cases involving less significant archaeological remains, planning authorities will need to weigh the relative importance of the archaeological remains and their settings against other factors, including the need for the proposed development. 6.1.27 If the planning authority is minded to approve an application and where archaeological remains are affected by proposals that alter or destroy them, the planning authority must be satisfied that the developer has secured appropriate and satisfactory provision for their recording and investigation, followed by the analysis and publication of the results and the deposition of the resulting archive in an approved repository. On occasions, unforeseen archaeological remains may still be discovered during the course of a development. A written scheme of investigation should consider how to react to such circumstances or it can be covered through an appropriate condition for a watching brief. Where remains discovered are deemed to be of national importance, the Welsh Ministers have the power to schedule the site	**Chapter 8 [APP-060]** of the ES contains the historic environment assessment undertaken for the DCO Proposed Development. The Applicant is considered to have demonstrated the most viable and least harmful route through options appraisal as demonstrated within the ES **Chapter 4 [APP-056].** Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under Appendix 8-1 of the Environmental Statement **[APP-060]** in the Historic Environment Desk Based Assessment.

Policy	Relevant Policy Text	Compliance Assessment
	and in such circumstances scheduled monument consent must be required before works can continue	
Chapter 6 **Landscape**	6.3.3 All the landscapes of Wales are valued for their intrinsic contribution to a sense of place, and local authorities should protect and enhance their special characteristics, whilst paying due regard to the social, economic, environmental and cultural benefits they provide, and to their role in creating valued places. Considering landscape at the outset of formulating strategies and polices in development plans and when proposing development is key to sustaining and enhancing their special qualities, and delivering the maximum well-being benefits for present and future generations as well as helping to deliver an effective and integrated approach to natural resource management over the long term. Collaboration and engagement with adjacent planning authorities, Natural Resources Wales (NRW), Cadw and the third sector will be necessary to draw on a wide range of expertise and evidence. This means: • ensuring Wales contributes to meeting international responsibilities and obligations for landscapes • ensuring statutorily designated sites are properly protected and managed; • ensuring that the value of all landscapes for their distinctive character and special qualities is protected; and • ensuring the opportunities landscapes provide for tourism, outdoor recreation, local employment, renewable energy and physical and mental health and well-being are taken into account and multiple well-being benefits for people and communities secured. 6.3.4 Where adverse effects on landscape character cannot be avoided, it will be necessary to refuse planning permission.	**Chapter 12 [APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA **[APP-139]. Chapter 12** concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development. Vegetation loss prior to construction would cause a primary impact on views during both construction and operation, though this is temporary and proposed to be screened where required. It has been identified, however, that significant visual effects would be possible from residential properties close to the pipeline route and sections of Public Right of Way that are in close proximity to, or cross, the emerging route. The DCO Proposed Development will not impact any AONB's and Designated National Parks. During operation, above ground infrastructure will be a more permanent fixture on the landscape. Mitigation is proposed as outlined within the REAC **[AS-053]** such as landscape planting.
Chapter 6 **Common Land**	6.3.18 Common land is a finite resource and should not be developed unnecessarily. It is important in agricultural terms and valued for its leisure and environmental interests, particularly its significant role in habitat conservation. Access to it should not be prevented or impeded unnecessarily to ensure its proper management. The role and wider value of common land should be explored through Green Infrastructure Assessments. 6.3.19 In addition to planning permission, certain works which prevent or impede access to or over common land or involve new resurfacing require consent from Welsh Ministers. Where planning permission is being granted to develop on common land, an advisory note should be attached stating that the consent of the Welsh Ministers may also be required under common land legislation	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors. No Common Land is to be impacted through implementation of the DCO Proposed Development.

Policy	Relevant Policy Text	Compliance Assessment
Chapter 6 **Biodiversity and Ecological Networks**	6.4.3 The planning system has a key role to play in helping to reverse the decline in biodiversity and increasing the resilience of ecosystems, at various scales, by ensuring appropriate mechanisms are in place to both protect against loss and to secure enhancement. Addressing the consequences of climate change should be a central part of any measures to conserve biodiversity and the resilience of ecosystems. Information contained in SoNaRR, Area Statements and species records from Local Environmental Record Centres should be taken into account. Development plan strategies, policies and development proposals must consider the need to: • support the conservation of biodiversity, in particular the conservation of wildlife and habitats; • ensure action in Wales contributes to meeting international responsibilities and obligations for biodiversity and habitats; • ensure statutorily and non-statutorily designated sites are properly protected and managed; • safeguard protected and priority species and existing biodiversity assets from impacts which directly affect their nature conservation interests and compromise the resilience of ecological networks and the components which underpin them, such as water and soil, including peat; and • secure enhancement of and improvements to ecosystem resilience by improving diversity, condition, extent and connectivity of ecological networks. 6.4.4 It is important that biodiversity and resilience considerations are taken into account at an early stage in both development plan preparation and when proposing or considering development proposals. Since these considerations are not confined by administrative boundaries they must be addressed strategically through consultation and collaboration with adjoining planning authorities and other bodies such as NRW and the third sector. All reasonable steps must be taken to maintain and enhance biodiversity and promote the resilience of ecosystems and these should be balanced with the wider economic and social needs of business and local communities. Where adverse effects on the environment cannot be avoided or mitigated, it will be necessary to refuse planning permission	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**
Chapter 6 **Designated Sites**	6.4.10 Many of the most important areas of nature conservation value have been statutorily designated. These statutorily designated sites make a vital contribution to protecting biodiversity and can also be important in providing opportunities for achieving wider well-being objectives.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required

Policy	Relevant Policy Text	Compliance Assessment
		throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**
Chapter 6 **Hierarchy of Designations: International, National, Local**	6.4.11 Planning authorities must have regard to the relative significance of international, national and local designations in considering the weight to be attached to nature conservation interests. Further guidance, particularly in relation to Natura 2000 sites, is contained in TAN 5: Nature Conservation and Planning. 6.4.12 The supporting reasoning for the designation at all levels and an outline of the qualifying features of the designation should be clearly recorded as part of the Green Infrastructure Assessment and considered in formulating development plans, when designing new development proposals and in development management decisions. 6.4.13 Differentiation should be given to the relative significance of the designation within the hierarchy, when considering the weight to be attached to nature conservation interests. 6.4.14 Statutory designation of a site does not necessarily prohibit development, but proposals must be carefully assessed to ensure that effect on those nature conservation interests which the designation is intended to protect are clearly understood; development should be refused where there are adverse impacts on the features for which a site has been designated. International and national responsibilities and obligations for conservation should be fully met, and, consistent with the objectives of the designation, statutorily designated sites protected from damage and deterioration, with their important features conserved and enhanced by appropriate management. Further information on Habitats Regulations Assessment is contained in TAN 5: Nature Conservation and Planning.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**
Chapter 6 **Protection and Management of Designated Sites**	6.4.15 Statutorily designated sites must be protected from damage and deterioration, with their important features conserved and enhanced by appropriate management. The contribution of the designated site to a wider network of resilient ecosystems should be recognised and captured as part of policy and decision making. 6.4.16 Planning authorities should consider opportunities to restore networks of habitats to a healthy condition identified as a result of undertaking the Green Infrastructure Assessment and the identification of appropriate interventions to secure	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare

Policy	Relevant Policy Text	Compliance Assessment
	delivery against the aspects of resilience, diversity, connectivity, scale, condition and adaptability.	occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**
Chapter 6 **Special Protection Areas, Special Areas of Conservation and Ramsar Sites**	6.4.18 SACs and SPAs are of European importance. Under the Conservation of Habitats and Species Regulations (2017) (the Habitats Regulations), all public bodies (including planning authorities) must have regard to the requirements of the EC Habitats and Birds Directives when carrying out their functions. SACs and SPAs on land are underpinned by notification as SSSIs and hence subject to protection afforded by the SSSI provisions. Before authorising development or adopting a land use plan which is likely to have a significant effect on a SAC or SPA (including where outside the boundary of the SAC or SPA), planning authorities must carry out an appropriate assessment of the implications for the designated features, consult NRW and have regard to NRW's representations. The development can normally only be authorised or the plan adopted, if the planning authority ascertains that it will not adversely affect the integrity of the site, if necessary taking into account any additional measures, planning conditions or obligations. Development or policies in land use plans for which there is no alternative solution and which must be carried out for imperative reasons of over-riding public interest may be authorised notwithstanding a negative assessment of the implications, subject to notifying Welsh Ministers. Any necessary compensatory measures to protect the overall coherence of the network of SACs and SPAs must be secured. Ramsar sites are important wetland areas designated under the Ramsar Convention on Wetlands of International importance. As with SACs and SPAs, Ramsar sites are underpinned by notification as SSSIs, but are not subject to the Habitats Regulations. However, Ramsar sites should be treated within the planning system in the same way as SACs and SPAs.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**
Chapter 6 **Proposed Special Areas of Conservation, Special Protection Areas and Ramsar sites**	6.4.19 Sites which have been formally proposed as SPAs, SACs but which are not yet subject to legal protection under the Habitats Regulations, should be treated within the planning system in the same way as if they were legally designated. The same considerations should, as a matter of policy, be applied to proposed Ramsar sites.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised.

Policy	Relevant Policy Text	Compliance Assessment
		A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**
Chapter 6 **Protection for Non-statutory Designations**	6.4.20 Although non-statutory designations carry less weight than statutory designations, they can make a vital contribution to delivering an ecological network for biodiversity and resilient ecosystems, and they should be given adequate protection in development plans and the development management process. Before authorising development likely to damage a local wildlife designation, planning authorities should give notice of the proposed operation to the County Ecologist and third sector environmental organisations. Where a Green Infrastructure Assessment has identified that certain features or characteristics of the site need to be conserved or enhanced, planning authorities should state in their development plans what features or characteristics require this extra protection and why, and explain how the policies will achieve this protection. Assessments should similarly consider the presence of protected and priority species including those on the **Section 7** list and appropriate weight attached to their protection. Policies for non-statutory sites should make it clear that such designations do not preclude appropriate developments, where there are no adverse impacts on the features for which a site is designated.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**
Chapter 6 **Maintaining and Enhancing Biodiversity**	6.4.21 Planning authorities must follow a stepwise approach to maintain and enhance biodiversity and build resilient ecological networks by ensuring that any adverse environmental effects are firstly avoided, then minimized, mitigated, and as a last resort compensated for; enhancement must be secured wherever possible.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].** A biodiversity net gain (BNG) report **[APP-231** to **APP-240]** has been submitted to evidence the DCO Proposed Developments approach to delivering biodiversity improvements, whilst concluding there would be a loss in habitat, there are mechanism to deliver net gain as identified in the report.

Policy	Relevant Policy Text	Compliance Assessment
Chapter 6 **Protected Species**	6.4.22 The presence of a species protected under European or UK legislation, or under **Section 7** of the Environment (Wales) Act 2016 is a material consideration when a planning authority is considering a development proposal which, if carried out, would be likely to result in disturbance or harm to the species or its habitat and to ensure that the range and population of the species is sustained. Planning authorities should advise anyone submitting a planning application that they must conform with any statutory species protection provisions affecting the site, and potentially the surrounding area, concerned. An ecological survey to confirm whether a protected species is present and an assessment of the likely impact of the development on a protected species may be required in order to inform the development management process. It is considered best practice that screening to determine the presence of protected species should be carried out by a competent ecologist on the basis of data provided by the relevant Local Environmental Record Centre 6.4.23 Developments are always subject to the legislation covering European protected species regardless of whether or not they are within a designated site. Proposals for which development works would contravene the protection afforded to European protected species require derogations from the provisions of the Habitats Directive. A derogation may only be authorised if there is no satisfactory alternative and if the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. The development works to be authorised must be for the purposes of preserving 'public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment'. Derogations are granted by a licence issued by NRW who should notify planning authorities when a licence application has been granted. Planning authorities are under a duty to have regard to the requirements of the Habitats Directive in exercising their functions. To avoid developments with planning permission subsequently not being granted derogations in relation to European protected species, planning authorities must take the above three requirements for derogation into account when considering development proposals where a European protected species is present	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].**
Chapter 6 **Trees, Woodlands and Hedgerows**	6.4.24 Trees, woodlands, copses and hedgerows are of great importance for biodiversity. They are important connecting habitats for resilient ecological networks and make a valuable wider contribution to landscape character, sense of place, air quality, recreation and local climate moderation. They also play a vital role in tackling the climate emergency by locking up carbon, and can provide shade and shelter, a sustainable energy source and building materials. The particular role, siting and design requirements of urban trees in providing health and well-being benefits to	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare

Policy	Relevant Policy Text	Compliance Assessment
	communities, now and in the future should be promoted as part of plan making and decision taking. 6.4.25 Planning authorities should protect trees, hedgerows, groups of trees and areas of woodland where they have ecological value, contribute to the character or amenity of a particular locality, or perform a beneficial and identified green infrastructure function. Planning authorities should consider the importance of native woodland and valued trees, and should have regard, where appropriate, to local authority tree strategies or SPG. Permanent removal of woodland should only be permitted where it would achieve significant and clearly defined public benefits. Where woodland or trees are removed as part of a proposed scheme, developers will be expected to provide compensatory planting. 6.4.26 Ancient woodland and semi-natural woodlands and individual ancient, veteran and heritage trees are irreplaceable natural resources, and have significant landscape, biodiversity and cultural value. Such trees and woodlands should be afforded protection from development which would result in their loss or deterioration unless there are significant and clearly defined public benefits; this protection should prevent potentially damaging operations and their unnecessary loss. In the case of a site recorded on the Ancient Woodland Inventory, authorities should consider the advice of NRW. Planning authorities should also have regard to the Ancient Tree Inventory. 6.4.27 The protection and planting of trees and hedgerows should be delivered, where appropriate, through locallyspecific strategies and policies, through imposing conditions when granting planning permission, and/or by making Tree Preservation Orders (TPOs)125. They should also be incorporated into Green Infrastructure Assessments and plans.	occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. All mitigation measures are set out in the REAC **[AS-053].** Mitigation planting will typically consist of tree and shrub planting. The DCO Proposed Development is also submitted with Hedgerow Plans **[APP-065]** which illustrates the impact on important hedgerows within the Order Limits.
Chapter 6 **Water and Flood Risk**	6.6.5 The Welsh Government aims to secure the provision of water services whilst minimising adverse impacts on the environment, amenity, health and communities, in light of the consequences of climate change. Development which is poorly designed or badly located can exacerbate problems associated with resource depletion, exposure to surface water flooding and diffuse pollution. The planning system should: • protect and improve water resources by promoting and encouraging increased efficiency and demand management of water as part of new developments, particularly in those areas where water resources may be under pressure or may not be available; • ensure that the infrastructure on which communities and businesses depend is adequate to accommodate proposed development so as to minimise risk to human health and the environment and prevent pollution at source;	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the Project on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES (Water Resource and Flood Risk) **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during then construction phase, rather than operation or decommissioning. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk.

Policy	Relevant Policy Text	Compliance Assessment
	• ensure sustainable drainage systems are an integral part of design approaches for new development; and • ensure the protection of the quantity and quality of surface and ground water supplies is taken into account as part of development proposals 6.6.6 The ability of the planning system to protect water features and foster sustainable water management as key attributes of attractive and resilient places to live is closely aligned with securing the multiple benefits of green infrastructure. Embracing integrated approaches should make a contribution toward achieving the requirements imposed by EU Water Framework Directive133 along with Welsh Government policy for the integrated planning and management of water both in urban and rural areas.	The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** for flood risk areas in England and a Flood Consequences Assessment (FCA) **[AS-004** to **AS-006]** for Wales. These have been informed through ongoing engagement with EA, NRW internal drainage boards, local authorities and Natural England informed the assessment of flood risk. These documents are considered to be in accordance with TAN15. Alltami brook is noted as an area which is likely to experience a moderate adverse impact as a result of the DCO Proposed Development. Though, a WFD Assessment **[APP-166]** has concluded compliance with legislation and over retention of good status for the water body. Mitigation measures and management plans are secured through the REAC **[AS-053].**
Chapter 6 **Development and Water Supply**	6.6.7 Water resources and quality must be taken into account from an early stage in the process of identifying land for development and redevelopment. The protection of water resources should be based on ensuring sustainable use in the future. Meeting short term needs should be balanced against ability to protect water resources over the long term. This may mean that the location of new development, and its type, requires careful consideration. Water intensive uses may not be appropriate in areas of water shortage and constraint.	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the Project on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES (Water Resource and Flood Risk) **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during then construction phase, rather than operation or decommissioning. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** for flood risk areas in England and a Flood Consequences Assessment (FCA) **[AS-004** to **AS-006]** for Wales. These have been informed through ongoing engagement with EA, NRW internal drainage boards, local authorities and Natural England informed the assessment of flood risk. These documents are considered to be in accordance with TAN15. Alltami brook is noted as an area which is likely to experience a moderate adverse impact as a result of the DCO Proposed Development. Though, a WFD Assessment **[APP-166]** has concluded compliance with legislation and over retention of good status for the water body.

Policy	Relevant Policy Text	Compliance Assessment
		Mitigation measures and management plans are secured through the REAC **[AS-053].**
Chapter 6 **Water Quality and Surface Water Flooding**	6.6.16 Diffuse pollution and surface water flooding arise as a result of run-off from built surfaces, from potentially polluting development types and through sewage discharges from overloaded sewers or from private infrastructure, for example, septic tanks. Planning authorities should secure better management of drainage and surface water so as to tackle these issues by: • ensuring sustainable drainage systems are incorporated into development enabling surface water to be managed close to or at source; and • ensuring connection to the sewer in sewered areas and by minimising the proliferation of private sewage systems.	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the Project on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES (Water Resource and Flood Risk) **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during then construction phase, rather than operation or decommissioning. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** for flood risk areas in England and a Flood Consequences Assessment (FCA) **[AS-004** to **AS-006]** for Wales. These have been informed through ongoing engagement with EA, NRW internal drainage boards, local authorities and Natural England informed the assessment of flood risk. These documents are considered to be in accordance with TAN15. Alltami brook is noted as an area which is likely to experience a moderate adverse impact as a result of the DCO Proposed Development. Though, a WFD Assessment **[APP-166]** has concluded compliance with legislation and over retention of good status for the water body. Mitigation measures and management plans are secured through the REAC **[AS-053].**
Chapter 6 **Development and Flood Risk**	6.6.22 The climate emergency is likely to increase the risk of flooding as a result of sea-level rises, increased storminess and more intense rainfall. Flooding as a hazard involves the consideration of the potential consequences of flooding, as well as the likelihood of an event occurring. Planning authorities should adopt a precautionary approach of positive avoidance of development in areas of flooding from the sea or from rivers. Surface water flooding will affect choice of location and the layout and design of schemes and these factors should be considered at an early stage in formulating development proposals.	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the Project on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES (Water Resource and Flood Risk) **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter

Policy	Relevant Policy Text	Compliance Assessment
	6.6.25 Development should reduce, and must not increase, flood risk arising from river and/or coastal flooding on and off the development site itself. The priority should be to protect the undeveloped or unobstructed floodplain from development and to prevent the cumulative effects of incremental development. 6.6.27 Planning authorities should be aware of the risk of surface water flooding, usually caused by heavy rainfall, and ensure developments are designed and planned to minimise potential impacts. Development should not cause additional run-off, which can be achieved by controlling surface water as near to the source as possible by the use of SuDS. Care should be taken in places of shallow groundwater or where flooding is caused by combined surface and groundwater processes. In such situations direct infiltration SuDs may not be appropriate. Consultation with drainage bodies and NRW should be undertaken and relevant evidence and information drawn from Area Statements taken into account.	concludes that significant impacts are likely during then construction phase, rather than operation or decommissioning. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** for flood risk areas in England and a Flood Consequences Assessment (FCA) **[AS-004** to **AS-006]** for Wales. These have been informed through ongoing engagement with EA, NRW internal drainage boards, local authorities and Natural England informed the assessment of flood risk. These documents are considered to be in accordance with TAN15. Alltami brook is noted as an area which is likely to experience a moderate adverse impact as a result of the DCO Proposed Development. Though, a WFD Assessment **[APP-166]** has concluded compliance with legislation and over retention of good status for the water body. Mitigation measures and management plans are secured through the REAC **[AS-053].**
Chapter 6 **Air Quality and Soundscape**	6.7.1 Clean air and an appropriate soundscape142, contribute to a positive experience of place as well as being necessary for public health, amenity and well-being. They are indicators of local environmental quality and integral qualities of place which should be protected through preventative or proactive action through the planning system. Conversely, air, noise and light pollution can have negative effects on people, biodiversity and the resilience of ecosystems and should be reduced as far as possible. 6.7.2 National air quality objectives are not ‘safe’ levels of air pollution. Rather they represent a pragmatic threshold above which government considers the health risks associated with air pollution are unacceptable. Air just barely compliant with these objectives is not ‘clean’ and still carries long-term population health risks. Nitrogen dioxide and particulate matter, which are the pollutants of primary national concern from a public health perspective, currently have no safe threshold defined and therefore the lower the concentration of those pollutants the lower the risks of adverse health effects. It is desirable to keep levels of pollution as low as possible.	Air Quality has been taken into consideration in the initial assessment. It has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is concluded to be not significant. This is demonstrated in **Chapter 6** of the ES **[APP-058]** and its appendices. This chapter contains a construction dust assessment **[APP-081]** which provides construction methodologies and best practice, concluding potential effects are mitigable. It has been identified that air quality changes could occur during construction activity. Changes in air quality are not anticipated during operation and decommissioning.
Chapter 6 **Framework for Addressing Air quality and Soundscape**	6.7.6 In proposing new development, planning authorities and developers must, therefore: • address any implication arising as a result of its association with, or location within, air quality management areas, noise action planning priority areas or areas where there are sensitive receptors	Air Quality has been taken into consideration in the initial assessment. It has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is

Policy	Relevant Policy Text	Compliance Assessment
	• not create areas of poor air quality or inappropriate soundscape; and • seek to incorporate measures which reduce overall exposure to air and noise pollution and create appropriate soundscapes.	concluded to be not significant. This is demonstrated in **Chapter 6** of the ES **[APP-058]** and its appendices.
Chapter 6 **Understanding and Identifying the Sources of Airborne (Air and Noise) Pollution**	6.7.14 Proposed development should be designed wherever possible to prevent adverse effects to amenity, health and the environment but as a minimum to limit or constrain any effects that do occur. In circumstances where impacts are unacceptable, for example where adequate mitigation is unlikely to be sufficient to safeguard local amenity in terms of air quality and the acoustic environment it will be appropriate to refuse permission.	Air Quality and identifying the source of airborne pollution has been taken into consideration in the initial assessment. It has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is concluded to be not significant. This is demonstrated in **Chapter 6** of the ES **[APP-058]** and its appendices.
Chapter 6 **Location of Commercial, Industrial and other Potentially Polluting Development**	6.7.16 Relevant considerations in making planning decisions for potentially polluting development are likely to include: • location, including the reasons for selecting the chosen site itself; • impact on health and amenity; • effect of pollution on the natural and built environment and the enjoyment of areas of landscape and historic and cultural value; • impact on groundwater and surface water quality; • effect on biodiversity and ecosystem resilience, including where there may be cumulative impacts on air or water quality which may have adverse consequences for biodiversity and ecosystem resilience; • the risk and impact of potential pollution from the development, insofar as this might lead to the creation of, or worsen the situation in, an air quality management area, a noise action planning priority area or an area where there are sensitive receptors; and • impact on the road and other transport networks, and in particular on traffic generation, particularly where the proposed development is not transport infrastructure itself.	An initial assessment of potential environmental impacts was carried out and included in the Scoping Report **[APP-073** and **APP-074]** The Outline Construction Environmental Management Plan **[AS-055]** sets out the actions and measures that would be implemented to control the risk of a pollution incident. This would be consolidated into a CEMP during detailed design and applied by a construction contractor. **Chapter 13** of the ES **[APP-065]** outlines the potential impacts of the DCO Proposed Development on accidents and disasters. During construction, events are raised, this through the striking of underground utilities and damage to other pipelines. During operations, damage to the pipeline and above ground infrastructure could result in pollution events. this chapter concludes that through the implementation of best practice that no likely impact is considered.
Chapter 6 **Managing Potential Environmental Risk Arising through Construction Phases**	6.7.26 Planning authorities must consider the potential for temporary environmental risks, including airborne pollution and surface and subsurface risks, arising during the construction phases of development. Where appropriate planning authorities should require a construction management plan, covering pollution prevention, noisy plant, hours of operation, dust mitigation and details for keeping residents informed about temporary risks.	An initial assessment of potential environmental impacts was carried out and included in the Scoping Report **[APP-073** and **APP-074]** The Outline Construction Environmental Management Plan **[AS-055]** sets out the actions and measures that would be implemented to control the risk of a pollution incident. This would be consolidated into a CEMP during detailed design and applied by a construction contractor.

Policy	Relevant Policy Text	Compliance Assessment
		Chapter 13 of the ES **[APP-065]** outlines the potential impacts of the DCO Proposed Development on accidents and disasters.
Chapter 6 **Land Contamination**	6.9.18 Planning authorities should take into account the nature, scale and extent of land contamination which may pose risks to health and the environment so as to ensure the site is capable of effective remediation and is suitable for its intended use. In doing so, development management decisions need to take into account: • the potential hazard that contamination presents to the development itself, its occupants and the local environment; and • the results of a specialist investigation and assessment by the developer to determine the contamination of the ground and to identify any remedial measures required to deal with any contamination. 6.9.19 Where land contamination issues arise, the planning authority will require evidence of a detailed investigation and risk assessment prior to the determination of the application to enable beneficial use of land, unless it can already be established that remedial measures can be employed154. Where it is known that acceptable remedial measures can overcome contamination, planning permission may be granted subject to conditions specifying the necessary measures and the need for their implementation, including provision for remediating any unexpected contamination which may arise during construction. If contamination cannot be overcome satisfactorily, the authority may refuse planning permission. 6.9.20 Ensuring that remediation measures are implemented to required standards is essential and planning authorities will require proof, in the form of a validation/ verification report or equivalent, that this has occurred. For example, if a property is at risk from the migration of underground gases then a validation/ verification report should contain a test certificate demonstrating that it has been constructed with gas membranes which have been correctly installed, and the risks adequately mitigated.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified.
Chapter 6 **Physical Ground Conditions and Land Instability**	6.9.23 When considering development proposals planning authorities should take into account the nature, scale and extent of ground instability which may pose direct risks to life and health, buildings and structures, or present indirect hazards associated with ground movement, including mine entry collapse, which provide potential pathways for the migration to the surface of landfill or mine gases. Slopes, embankments, cuttings and underground cavities can themselves be put at risk from inappropriate neighbouring development and, where relevant, land stability should be addressed and appropriate mitigation measures secured to protect both existing assets and proposed development itself. 6.9.25 Planning decisions will need to take into account:	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified.

Policy	Relevant Policy Text	Compliance Assessment
	• the potential hazard that instability could create to the development itself, to its occupants and to the local environment; and • the results of a specialist investigation and assessment by the developer to determine the stability of the ground and to identify any remedial measures required to deal with any instability	

8.5. TABLE B4: PLANNING POLICY COMPLIANCE ASSESSMENT: LOCAL PLANNING POLICY (CHESHIRE WEST AND CHESTER)

8.5.1. This policy compliance assessment includes both the Local Plan Part 1 and Part 2.

8.5.2. Local Development Policy is not defined to be applicable the DCO Proposed Development and typically relevant to infrastructure projects of national significance. Notwithstanding this, the policy below is considered of relevance and importance to the SoS decision making under S105 of the PA2008.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
Policy STRAT1 (Sustainable Development)	The Local Plan seeks to enable development that improves and meets the economic, social and environmental objectives of the borough in line with the presumption in favour of sustainable development. Proposals that are in accordance with relevant policies in the Plan and support the following sustainable development principles will be approved without delay, unless material considerations indicate otherwise: - Mitigate and adapt to the effects of climate change, ensuring development makes the best use of opportunities for renewable energy use and generation. - Provide for mixed-use developments which seek to provide access to homes, employment, retail, leisure, sport and other facilities, promoting healthy and inclusive communities whilst reducing the need to travel. - Locate new housing, with good accessibility to existing or proposed local shops, community facilities and primary schools and with good connections to public transport - Protect, enhance and improve the natural and historic environment whilst enhancing and restoring degraded and despoiled land, seeking opportunities for habitat creation. - Encourage the use and redevelopment of previously developed land and buildings in sustainable locations that are not of high environmental value. - Minimise the loss of greenfield land and high grade agricultural land. - Support regeneration in the most deprived areas of the borough and ensure those reliant on non-car modes of transport can access jobs and services. - Ensure the prudent use of our natural finite resources whilst promoting the re-use, recovery and recycling of materials. The Council will always work proactively with applicants where proposals are not in accordance with the Plan to find solutions which mean that proposals can be made sustainable and approved wherever possible. However, proposals that fundamentally conflict with the above principles or policies within the Local Plan will be refused. Where there are no Local Plan policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise, taking into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits when assessed against the National Planning Policy Framework, or specific policies in the Framework indicate that development should be refused.	It is considered that by virtue of the compliance assessment found in **Table B4** and the main body of the Planning Statement that the DCO Proposed Development would align with the environmental, social and economic aims of the Local Plan. The DCO Proposed Development is therefore considered to represent sustainable development. Further evidence of this can be found in the Needs Case for the DCO Proposed Development **[APP-049].** It will support sustainable development by supporting the UK's transition to zero carbon, by providing the infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector. It will also generate employment opportunities and provide a positive contribution to socio-economic wellbeing. The above demonstrates and evidences compliance with STRAT1.
Policy STRAT2 (Strategic Development)	The Local Plan will promote strong, prosperous and sustainable communities by delivering ambitious development targets whilst protecting the high quality environment that contributes to the attractiveness and success of Cheshire West and Chester as a	Whilst the DCO Proposed Development will be located in an area defined as "countryside" under Cheshire West and Cheshire Council Local Plan Part I

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	place to live and work. Over the period of 2010 to 2030 the Plan will deliver at least: - 22,000 new dwellings - 365 hectares of land for employment development to meet a range of types and sizes of site Development will be brought forward in line with the following settlement hierarchy: 1. The majority of new development will be located within or on the edge of the city of Chester and towns of Ellesmere Port, Northwich and Winsford to maximise the use of existing infrastructure and resources and allow homes, jobs and other facilities to be located close to each other and accessible by public transport. 2. To maintain the vitality and viability of rural areas, an appropriate level of new development will be brought forward to support new homes and economic and social development. Development will be focused in the key service centres of Cuddington and Sandiway, Farndon, Frodsham, Helsby, Kelsall, Malpas, Neston and Parkgate, Tarporley, Tattenhall and Tarvin, which represent the most sustainable rural locations. 3. An appropriate level of development will also be brought forward in smaller rural settlements which have adequate services and facilities and access to public transport. These local service centres will be identified in the Local Plan (Part Two) Land Allocations and Detailed Policies Plan. To deliver the levels of development outlined a number of key sites have been identified and further sites will be identified through the Local Plan (Part Two) Land Allocations and Detailed Policies Plan and/or neighbourhood plans.	and II, the DCO Proposed Development transverses greenfield sites but seeks complete restoration and rehabilitation of the land once completed. The pipeline will be completely embedded below ground upon completion of the construction phase. Further evidence of how the DCO Proposed Development can meet strategic development policy found in the Needs Case for the DCO Proposed Development **[APP-049].** The above demonstrates and evidences compliance with STRAT2
STRAT 4 Ellesmere Port	Development in Ellesmere Port has the potential to deliver substantial economic growth through the availability of significant sites for industrial, manufacturing and distribution purposes. Further housing is planned to complement the town's role as a key employment location. The Local Plan makes provision for at least 4,800 new dwellings in Ellesmere Port. To meet this requirement the following land is identified: • Ledsham Road is identified on the Policies Map for up to 2,000 dwellings providing for a range and mix of housing types, including affordable housing in line with Policy 'SOC 1	This Policy refers to the key sites at Stanlow and Ince Park (which are close to the DCO Proposed Development). The Order Limits transect Stanlow and the access falls within Protos. This is also covered by LPP2 Policies EP 3 and EP 6, EP 1 which provide the settlement boundary linked to STRAT 4. The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the Planning Statement and Chapter 3 of the Environmental Statement **[APP-055]** .

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	Delivering affordable housing', together with essential community infrastructure including the provision of a new primary school. Development should be brought forward in line with an agreed development brief for the site to ensure the delivery of a high quality urban extension to Ellesmere Port. The Council will maintain a portfolio of employment land and premises available within Ellesmere Port and the surrounding area, to meet a range of sizes and types of business needs to 2030 and contribute to the overall employment land requirement. Key sites with considerable potential to achieve future economic growth are identified as follows: A. New Bridge Road: land to the east of the Shropshire Union Canal and west of New Bridge Road is a regeneration priority area and has the potential for industrial and business development. B. Stanlow: this area remains important for the petrochemical and related industries. Further assessment of the availability and suitability of employment land for future development in this location will be undertaken through the preparation of the Local Plan (Part Two) Land Allocations and Detailed Policies Plan. C. Ince Park: The land is safeguarded as a multi-modal resource recovery park and energy from waste facility for use in connection with the recycling, recovery and reprocessing of waste materials in line with Policy 'ENV 8 Managing waste'	The DCO Proposed Development will include development within the Stanlow Complex. The DCO Proposed Development is set to support economic growth, employment and enterprise as fully detailed in the Needs Case for the DCO Proposed Development **[APP-049]**.
Policies **Policy STRAT9 (Green Belt and Countryside)**	The intrinsic character and beauty of the Cheshire countryside will be protected by restricting development to that which requires a countryside location and cannot be accommodated within identified settlements. Within the countryside the following types of development will be permitted; - Development that has an operational need for a countryside location such as for agricultural or forestry operations. - Replacement buildings. - Small scale and low impact rural / farm diversification schemes appropriate to the site, location and setting of the area. - The reuse of existing rural buildings, particularly for economic purposes, where buildings are of permanent construction and can be reused without major reconstruction.	An assessment of the DCO Proposed Development can be found in **Chapter 5** of the Planning Statement. This concludes that the DCO Proposed Development has demonstrated very special circumstances to allow works within the Green Belt. These circumstances are evidenced in the Needs Case for the DCO Proposed Development **[APP-049].** The DCO Proposed Development reinstate land back to its former use following the completion of construction as far as practicable in addition to following good practice measures as described in REAC **[AS-053].** The above demonstrates and evidences compliance with STRAT9

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	- The expansion of existing buildings to facilitate the growth of established businesses proportionate to the nature and scale of the site and its setting. Development must be of an appropriate scale and design to not harm the character of the countryside. The general extent of the North Cheshire Green Belt will be maintained. Policy 'STRAT 3 Chester' sets out the proposed release of Green Belt to meet the development needs of Chester. In settlements and areas of the countryside that are within the Green Belt, additional restrictions will apply to development in line with the National Planning Policy Framework.	
Policy STRAT10 (Transport and Accessibility)	In accordance with the key priorities for transport set out in the Local Transport Plan, development and associated transport infrastructure should: - Provide and develop reliable and efficient transport networks that support sustainable economic growth in the borough and the surrounding area - Reduce carbon emissions from transport and take steps to adapt our transport networks to the effects of climate change - Contribute to safer and secure transport and promote forms of transport that are beneficial to health - Improve accessibility to jobs and key services which help support greater equality of opportunity - Ensure that transport helps improve quality of life and enhances the local environment In order to minimise the need for travel, proposals for new development should be located so as they are accessible to local services and facilities by a range of transport modes. New development will be required to demonstrate that: - Additional traffic can be accommodated safely and satisfactorily within the existing, or proposed, highway network - Satisfactory arrangements can be made to accommodate the additional traffic before the development is brought into use - Appropriate provision is made for access to public transport and other alternative means of transport to the car	The impact of the DCO Proposed Development on transport has been considered with an assessment of these made in **Chapter 17** (Traffic and Transport) **[APP-069]** with further mitigation methods described in the OCTMP **[APP-224].** **Chapter 17** of the ES and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the environment in respect of Traffic and Transport. This Chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent effects likely. Some temporary effects will be likely to last longer than others and it is considered appropriate to reflect the predicted duration of effects when determining the likelihood of significant effects. Operation and decommissioning of the proposed pipeline are not likely to be significant for transport effects this is supported by the Transport Assessment **[APP-161]**. The above demonstrates and evidences compliance with STRAT10..

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	- Measures have been incorporated to improve physical accessibility and remove barriers to mobility, especially for disabled and older people. The safety of all road users should be taken into account in the design and layout of new developments. Opportunities to improve public transport facilities will be taken wherever possible, through improved services, interchange facilities and parking at railway stations. Proposals for new industrial and warehousing development should maximise opportunities to transport products by non-road modes of transport. Sites alongside the Manchester Ship Canal, Weaver Navigation and rail network may be particularly suitable for freight use and these opportunities should be integrated into development proposals where feasible. Existing or potential freight movement opportunities will be safeguarded from development which could preclude continued or future freight use. Current and disused transport corridors and infrastructure, including roads, railway lines, sidings and stations, will be safeguarded from development which would preclude their future transport use. Improvements to the Transport Network Improvements to the transport network will be supported through schemes and strategies including the following: - Chester Transport Strategy (Phase 1) - Chester Bus Interchange as shown on the Policies Map - New Bridge Road / A5117 link, Ellesmere Port as shown on the Policies Map	
STRAT 11 Infrastructure	To ensure the delivery of infrastructure improvements, to secure the future of sustainable communities throughout Cheshire West and Chester, and meet the wider sustainability objectives of the borough, the Council will: • support the provision of appropriate new infrastructure, including schemes intended to mitigate and adapt to climate change and any cross boundary schemes necessary to deliver the priorities of the Local Plan where this will have no significant adverse impact upon recognised environmental assets.	This policy supports the provision of new infrastructure, including schemes intended to mitigate and adapt to climate change and any cross-boundary schemes necessary to deliver the priorities of the Local Plan where this will have no significant adverse impact on recognised environmental assets. The DCO Proposed Development is set to support economic growth, employment and enterprise as fully detailed in the Needs Case for the DCO Proposed Development **[APP-049]**. The DCO Proposed Development will strongly support sustainable economic growth via a Gross Value Added of £16.9bn for the North West region with peak employment on the project in any one year expected to reach 11,522 in the North West alone.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	• support measures to protect, enhance or improve access to existing facilities, services and amenities that contribute to the quality of life of residents, businesses and visitors, including access to information and communication technologies (ICT). • facilitate the timely provision of additional facilities, services and infrastructure to meet identified needs, whether arising from new developments or existing community need, in locations that are appropriate and accessible. To facilitate the delivery of the above, new development will, where appropriate, be required to contribute towards the Council's identified infrastructure priorities in accordance with Circular 5/2005, Community Infrastructure Levy regulations or successor regulations/guidance. Other planning obligations will be directly related to the nature and potential impact of a development taking into account material considerations including viability of a development.The timing of provision of infrastructure and facilities will be carefully considered in order to ensure that appropriate provision is in place before development is occupied.	The Applicant would advise this document is reviewed in co-ordination with the submitted Environmental Statement which considers the environmental impact of the DCO Proposed Development.
Policy ECON1 (Economic Growth, Employment and Enterprise)	The Council will promote sustainable economic growth in the borough and wider sub-region, supporting existing businesses, encouraging indigenous business growth and attracting new inward investment. The creation of new job opportunities across a range of sectors will be supported. The Council will promote competitive town centre environments and bring forward sites to meet a range of town centre uses including commercial, retail, leisure, culture and office uses. A flexible supply of land for industrial and business use (falling within use classes B1, B2 and B8) will be provided to meet a range of types and sizes of site in locations across the borough. This supply will be met through existing planning commitments and new sites allocated for employment use. In reviewing the continued suitability of existing employment allocations and in releasing new sites to meet future economic development needs, the following will be considered: - Proposals having the potential to support the growth and expansion of key business sectors as identified in sub-regional and local economic growth strategies.	The DCO Proposed Development is set to support economic growth, employment and enterprise as fully detailed in the Needs Case report **[APP-049].** The DCO Proposed Development will strongly support sustainable economic growth via a Gross Value Added of £16.9bn for the North West region with peak employment on the project in any one year expected to reach 11,522 in the North West alone. The above demonstrates and evidences compliance with ECON1..

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	- Proposals supporting the delivery of major regeneration programmes in Cheshire West and Chester. - Proposals should be in accessible locations by a range of transport modes and compatible with neighbouring land uses. - Where sustainable and viable town centre sites for new office uses are not available, suitable edge of centre sites will be brought forward that are well connected to town centres and by public transport. - There should be a reasonable prospect of the site being developed for employment (B1, B2 and B8 use) within the Plan period. Key employment locations are identified and safeguarded as essential to meeting the future economic growth in the area: - Chester Business Quarter - Chester Business Park - Hooton Park - Ince Park - New Bridge Road - Stanlow The refurbishment and enhancement of existing sites and premises for continued employment use will be supported. Redevelopment to non-employment uses will be permitted where the proposed use is compatible with existing retained employment uses in the locality and where: - the proposal would not limit the range, choice and quality of employment sites available to meet future employment needs; or - it can be demonstrated that the continued use of the premises for employment use is no longer commercially viable or environmentally acceptable. The Council will support initiatives and accessibility to further/higher education facilities in the borough including the University of Chester, West Cheshire College and Mid-Cheshire College, improving skills and links to main employers. The Council will support the delivery of high speed broadband infrastructure across the borough, particularly in the rural area, and the provision of adequate telecommunications.	

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
SOC 4 Gypsy and Traveller and Travelling Showpersons accommodation	The Council will work with its partners to ensure appropriate provision for Gypsies, Travellers and Travelling Showpersons accommodation needs. Development proposals will be permitted for private and public Gypsy, Traveller and Travelling Showpersons accommodation provided that they meet the following criteria. Proposals should: • Not be affected by pollution, contamination, flooding or other environmental factors that would result in unacceptable living conditions • not have unacceptable environmental effects be well located in relation to the highway network with adequate vehicular and pedestrian access, and have provision for parking and circulation • be accessible to local services and facilities by walking and/or public transport be supplied with essential services such as water, sewerage, electricity, drainage and waste disposal • be well related to existing settlements, and have regard to residential amenity not be disproportionate to the scale of the existing settlement whether singly or cumulatively with other sites in the area • be located outside the Green Belt except in very special circumstances with regard to sites for Travelling Showpersons, the development should include appropriate provision for the safe storage and maintenance of equipment The above criteria will be used to guide the site allocation process. There will be a presumption against the loss of existing permanent consented Gypsy, Traveller or Travelling Showpersons sites leading to, or exacerbating an identified shortfall unless suitable replacement provision of equal or enhanced value are provided.	In Cheshire West and Chester, there are no allocations of traveller sites within the Order Limits. A traveller site is located to the South of Stanlow AGI (south of the A5117). A planning application which was within the Order Limits of the DCO Proposed Development was submitted in October 2014 (14/04412/FUL) and accepted on Appeal (APP/A0665/W/15/3129221) in January 2019. However, the most recent Discharge of Condition application brought forward as part of that permission in March 2023 (23/00670/S73) has a reduced Red Line Boundary which does not intersect with the Order Limits. A further planning application was refused in February 2020 and not appealed (20/00773/FUL).
SOC 5 Health and well-being	In order to meet the health and well-being needs of our residents proposals will be supported that: • provide new or improved health facilities across the borough, particularly in areas of recognised need support improved links to healthcare in rural areas • promote safe and accessible environments and developments with good access by walking, cycling and public transport	Chapter 16 of the ES **[APP-068]** and its relevant appendices provides an assessment of the likely significant effects of the DCO Proposed Development on Population and Human Health. It has been identified that potential effects are expected during construction. These effects related to traffic affecting communities in rural and urban areas, noise and vibration, visual, community severance and change in access. There are no significant effects anticipated during operation.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	• support opportunities to widen and strengthen the borough's cultural, sport, recreation and leisure offer • consider the specific requirements of different groups in the community (e.g. families with children, older people, people with disabilities, service families) in all relevant development • work to reduce poverty and deprivation across the borough, particularly in areas of identified need • promote high quality greenspace, and access to this across the borough, particularly in areas of recognised need. Development that gives rise to significant adverse impacts on health and quality of life (e.g. soil, noise, water, air or light pollution, and land instability, etc) including residential amenity, will not be allowed.	Air Quality and Pollution are also relevant and it has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is concluded to be not significant. This is demonstrated in Chapter 6 of the ES **[APP-058]** and its appendices.
Policy SOC6 (Open Space, Sport and Recreation)	The Council will seek to protect, manage and enhance existing open spaces, sport and recreation facilities to provide a network of diverse, multi-functional open spaces. Proposals will be supported that: - Improve the quality and quantity of accessible open space, sport and recreation facilities in the local area - Provide innovative solutions to improving the network of existing open spaces, increase accessibility to green corridors, and enhance biodiversity - Improve access to open space for disabled people, pedestrians and children's play facilities Proposals on existing open space, sport and recreation facilities will only be permitted where: A. Equivalent or better replacement quality and quantity open space, sport or recreation facilities will be provided in a suitable location; or B. An assessment has clearly demonstrated the site to be surplus for its current open space, sport or recreation function; And C. It could not fulfil other unsatisfied open space, sport or recreation needs; And D. In circumstances where the open space, sport or recreation facility has been	An assessment of the DCO Proposed Development is outlined in **Section 9** of this Planning Statement. It concludes that although some open space will be lost the amount lost is minimal and the wider project benefits are considered to outweigh the loss. ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. In addition to this, **Chapter 12 [APP-064]** provides a detailed assessment of the visual impacts of the DCO Proposed Development. This chapter concludes that through appropriate mitigation, the magnitude of the construction can bring a reduction to potential impacts notwithstanding an acknowledgement of a permanent change. The above demonstrates and evidences compliance with SOC6.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	demonstrated to be surplus to need for that function in accordance with part C of this policy any proposed replacement will remedy a deficiency in another type of open space, sport or recreation facility in the local area; or E. The development will be incidental to the use of the open space, sport or recreation facility. Development will be required to incorporate or contribute towards the provision of an appropriate level and quality of open space, sport and recreation provision.	
Policy ENV1 (Flood Risk and Water Management)	The Local Plan will seek to reduce flood risk, promote water efficiency measures, and protect and enhance water quality through the following mechanisms: - All development must follow the sequential approach to determining the suitability of land for development, directing new development to areas at the lowest risk of flooding and where necessary apply the exception test, as outlined in national planning policy. - Developers will be required to demonstrate, where necessary, through an appropriate Flood Risk Assessment (FRA) at the planning application stage, that development proposals will not increase flood risk on site or elsewhere, and should seek to reduce the risk of flooding. New development will be required to include or contribute to flood mitigation, compensation and/or protection measures, where necessary, to manage flood risk associated with or caused by the development. - Development proposals should comply with the Water Framework Directive by contributing to the North West River Basin Management Plan and Dee River Basin Management Plan objectives, unless it can be demonstrated that this would not be technically feasible. - The drainage of new development shall be designed to reduce surface water run-off rates to include the implementation of Sustainable Drainage Systems (SUDS) unless it can be demonstrated that it is not technically feasible or viable. - Proposals within areas of infrastructure capacity and/or water supply constraint should demonstrate that there is adequate wastewater infrastructure and water supply capacity to serve the development or adequate provision can be made available.	**Chapter 18** of the ES (Water Resources and Flood Risk) **[APP-070]** and its relevant appendices make assessment of the possible significant effects of the DCO Proposed Development on water resources and flood risk. Both the BVS and AGI elements of the DCO Proposed Development will be served by a drainage system which will accommodate for the effects of climate change. Additionally, the pipeline will be below ground meaning that this element of the DCO Proposed Development will have therefore will not be at risk of climate change effects on the water environment and flood risk. The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** for flood risk areas in England and a Flood Consequences Assessment (FCA) **[AS-004** to **AS-006]** for Wales The above demonstrates and evidences compliance with ENV1.
Policy ENV2 (Landscape)	The Local Plan will protect and, wherever possible, enhance landscape character and local distinctiveness. This will be achieved by: - The identification of key gaps in the Local Plan (Part Two) Land Allocations and Detailed Policies Plan between settlements outside the Green Belt that serve to protect and maintain their character - Supporting the designation of Local Green Space	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA Methodology **[APP-139]. Chapter 12** concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	- Protecting the character of the borough's estuaries and undeveloped coast. Development should: - Take full account of the characteristics of the development site, its relationship with its surroundings and where appropriate views into, over and out of the site. - Recognise, retain and incorporate features of landscape quality into the design.	and sensitive views as a result of the construction phase of the DCO Proposed Development. Vegetation loss prior to construction would cause a primary impact on views during both construction and operation, though this is temporary and proposed to be screened where required. It has been identified, however, that significant visual effects would be possible from residential properties close to the pipeline route and sections of Public Right of Way that are in close proximity to, or cross, the emerging route. The DCO Proposed Development will not impact any AONB's and Designated National Parks. During operation, above ground infrastructure will be a more permanent fixture on the landscape. Mitigation is proposed as outlined within the REAC **[AS-053]** such as landscape planting. The above demonstrates and evidences compliance with ENV2.
Policy ENV3 (Green Infrastructure)	The Local Plan will support the creation, enhancement, protection and management of a network of high quality multi-functional Green Infrastructure. This will be achieved by: - Development incorporating new and/or enhanced Green Infrastructure of an appropriate type, standard and size or contributing to alternative provision elsewhere. - Increased planting of trees and woodlands, particularly in urban areas and the urban fringe.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soils associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. Impacts on PRoWs are expected through the construction of the DCO Proposed Development but where closures are needed they are to be managed carefully with any closures expecting to be short in duration. After construction all PRoWs are to be returned to their original state which means that no significant expects are expected. The above demonstrates and evidences compliance with ENV3.
Policy ENV4 (Biodiversity and Geodiversity)	The Local Plan will safeguard and enhance biodiversity and geodiversity through the identification and protection of sites and/or features of international, national and local importance. Sites will be protected from loss or damage taking account of:	The effects of the DCO Proposed Development on biodiversity and geodiversity has been established in **Chapter 9** of the ES **[AS-025].** When adopted the mitigation measures which are proposed in **Chapter 9** will ensure that the DCO Proposed Development can avoid having a significant impact on biodiversity and geodiversity.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	- The hierarchy of designations of international, national and local importance - The irreplaceability of habitats, sites and/or features and contribution to the borough's ecological network of sites and features - Impact on priority habitats and protected/priority species Development should not result in any net loss of natural assets, and should seek to provide net gains. Where there is unavoidable loss or damage to habitats, sites or features because of exceptional overriding circumstances, mitigation and compensation will be required to ensure there is no net loss of environmental value.	The above demonstrates and evidences compliance with ENV2.
Policy ENV5 (Historic Environment)	The Local Plan will protect the borough's unique and significant heritage assets through the protection and identification of designated and non-designated heritage assets* and their settings. Development should safeguard or enhance both designated and non-designated heritage assets and the character and setting of areas of acknowledged significance. The degree of protection afforded to a heritage asset will reflect its position within the hierarchy of designations. Development will be required to respect and respond positively to designated heritage assets and their settings, avoiding loss or harm to their significance. Proposals that involve securing a viable future use or improvement to an asset on the Heritage at Risk register will be supported. Development which is likely to have a significant adverse impact on designated heritage assets and their settings which cannot be avoided or where the heritage asset cannot be preserved in situ will not be permitted. Where fully justified and assessed, the Council may consent to the minimal level of enabling development consistent with securing a building’s future in an appropriate viable use. Development in Chester should ensure the city's unique archaeological and historic character is protected or enhanced. *Heritage assets are defined as a building, monument, site, place, structure, area or landscape identified as having a degree of significance meriting consideration in	The potential impacts of the DCO Proposed Development on the Historic Environment have been considered in **Chapter 8** of the ES (Cultural Heritage) **[APP-060]** and its relevant appendices. The historic environment has been considered since the Basic Design stage of the DCO Proposed Development with inputs ensuring the avoidance of direct physical impacts on designated heritage assets. The pipeline route has been selected to reduce the impact on historic environment by avoiding where practicable designated heritage assets. Non-designated and designated heritage assets have been included in the environmental impact assessment as identified within Part 5.8 and assessed against its value based on professional judgements informed by guidance and national policy, this is reported in **Chapter 8** of the ES. Consultation and ongoing engagement with heritage advisors of the local planning authority and Historic England identified the need for, scope and scale of archaeological evaluation in support of the application. The above demonstrates and evidences compliance with ENV5.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	planning decisions, because of its heritage interest. Heritage assets include designated heritage assets and non-designated heritage assets identified in the Cheshire Historic Environment Record, including local assets.	
Policy ENV6 (High Quality Design and Sustainable Construction)	The Local Plan will promote sustainable, high quality design and construction. Development should, where appropriate: - Respect local character and achieve a sense of place through appropriate layout and design - Provide high quality public realm - Be sympathetic to heritage, environmental and landscape assets - Ensure ease of movement and legibility, with priority for pedestrians and cyclists - Promote safe, secure environments and access routes - Make the best use of high quality materials - Provide for the sustainable management of waste - Promote diversity and a mix of uses - Incorporate energy efficiency measures and provide for renewable energy generation either on site or through carbon offsetting measures - Mitigate and adapt to the predicted effects of climate change - Meet applicable nationally described standards for design and construction	The Applicant considers that the DCO Proposed Development meets the Local Plan's requirement for designs to be of high quality as well as constructed sustainably. The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the Planning Statement Application Document **Chapter 1**. This is further expanded on in **Chapter 3** of the ES **[APP-055].** The above demonstrates and evidences compliance with ENV6.
Policy ENV7 (Alternative Energy Supplies)	The Local Plan will support renewable and low carbon energy proposals where there are no unacceptable impacts on: - Landscape, visual or residential amenity - Noise, air, water, highways or health - Biodiversity, the natural or historic environment - Radar, telecommunications or the safety of aircraft operations Proposals should be accompanied by appropriate arrangements for decommissioning and reinstatement of the site when its operational lifespan has ended. Development proposals that could feasibly supply or connect into a district heating network will be encouraged to do so.	The DCO Proposed Development will contribute to the UK's transition to a low carbon future by the UK government's selection of the DCO Proposed Development as a Track-1 cluster project as identified within **Chapter 1** and **Chapter 3** of this Planning Statement and within the Needs Case for the DCO Proposed Development **[APP-049].** The above demonstrates and evidences compliance with ENV7.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	Proposals to exploit the borough's alternative hydrocarbon resources will be supported in accordance with the above criteria and all other policies within the Local Plan.	
Policy ENV8 (Managing Waste)	The waste management needs in the borough will be met by: - managing waste as a resource - promoting waste minimisation and increasing waste awareness - delivering sustainable waste management - providing waste management infrastructure This will be achieved by: - the identification of sufficient land to meet predicted waste requirements for the borough up to 2030 - ensuring proposals for waste management facilities are consistent with the waste hierarchy of - prevention - preparation for reuse - recycling and composting - other recovery/energy generation - disposal as a last resort. - ensuring proposals for waste management are consistent with the principles of national policy and local waste strategies, including net self sufficiency, allowing for cross boundary flows and managing waste at one of the most appropriate installations - supporting the co-location of waste facilities and the integration of new waste facilities into the existing network of waste management sites in the borough - safeguarding the following sites with planning permission for waste uses against alternative development - Ince Park, Ellesmere Port - Lostock Works, Northwich - Kinderton Lodge, near Middlewich - regular review through monitoring of sites with planning consent, but not yet operational, to ensure there is sufficient land available to support new waste development in the borough - safeguarding existing landfill capacity and built waste management facilities from alternative uses and against the encroachment of incompatible uses where they are in locations consistent with the site identification criteria for new waste facilities as set out in Planning Policy Statement 10. These sites are identified within the Waste Need	**Chapter 14** of the ES (Materials and Waste) **[APP-066]** details the impact of the DCO Proposed Development through the stages of Construction, Operation and Decommissioning on material assets and waste. This Chapter which concludes that the DCO Proposed Development will have no significant adverse environmental effects. As such, no additional mitigation measures are required. During construction the diversion of waste from landfill through stockpiling and storage of earthwork arisings to maximise onsite reuse, and off-site recycling and treatment, will reduce the associated adverse impacts, and are hence material considerations in the assessment of likely effects on remaining landfill capacity. The above demonstrates and evidences compliance with ENV8.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	Assessment. - the identification of specific sites in the Land Allocations and Detailed Policies Document to deliver Household Waste Recycling Centres at suitable locations to replace current sites at Frodsham, Chester and Tattenhall. - only supporting other proposals for sustainable waste management facilities after the sites with planning permission but not yet operational, have either: - been brought into operational use; - are demonstrated as no longer deliverable; or -where the new proposal can be shown to deliver greater resource efficiency for communities and businesses - supporting the development of farm scale anaerobic digestion facilities for materials generated on the farm unit.	
Policy ENV9 (Minerals Supply and Safeguarding)	Cheshire West and Chester will make provision for the adequate, steady and sustainable supply of sand, gravel, salt and brine, contributing to the sub-national guidelines for aggregate land-won sand and gravel, whilst ensuring the prudent use of our important natural finite resources. This will be achieved by: - maintaining a minimum seven year landbank for aggregate land-won sand and gravel, making provision for a steady and adequate supply over the Plan period in line with national policy and Local Aggregate Assessments, providing a flexible approach to the location of future minerals development to ensure a diversity of supply for the market. Specific sites and preferred areas will be identified within the Local Plan (Part Two) Land Allocations and Detailed Policies Plan for the future extraction of aggregate land-won sand and gravel as either extensions to existing sites or new sites - safeguarding Cheshire West and Chester's extent of finite natural resources and associated infrastructure from incompatible development by delineating Mineral Safeguarding Areas for sand and gravel, salt and shallow coal, as shown on the Policies Map, together with existing and potential sites for minerals infrastructure - supporting proposals which enable the use of secondary and recycled mineral resources, reducing the reliance on primary aggregate extraction where appropriate - supporting the retention of and proposals for fixed construction, demolition and excavation waste recycling sites in appropriate locations across the borough - supporting environmentally acceptable proposals which enable the use of locally sourced building stone for architectural and heritage purposes	The DCO Proposed Development has looked at a range of impacts on mineral resource. ES **Chapter 11 [APP-063]** provides an assessment relating to land contamination, geology, soils (type and quality) and mineral resource. It provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. A loss of agricultural land is acknowledged as permanent. It concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas but the assessment within ES **Appendix 11.3 [APP-131** and **APP-132]** concludes no adverse impact on this designation. Trenchless construction including Horizontal Direction Drilling is proposed as part of this DCO Proposed Development. The submission is also supported by a Mineral Resource Assessment **[APP-131** and **APP-132].** The above demonstrates compliance with Policy ENV9.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 1) Strategic Policies		
	- ensuring the sustainable and prudent use of all natural mineral resources, including salt and brine, whilst having regard to the need to contribute to the provision of nationally significant gas storage capacity - requiring all proposals for minerals development to include high quality restoration and aftercare proposals in keeping with surrounding land uses.	

LOCAL PLAN (PART 2) LAND ALLOCATIONS AND DETAILED POLICIES

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
Policy EP1 (Ellesmere Port settlement area)	Within the defined settlement boundary of Ellesmere Port as identified on the policies map, development proposals will be supported which are in line with the relevant development plan policies and are consistent with the following principles, where relevant, aimed at delivering the Local Plan (Part One) policy STRAT 4: 1. providing improved links between the town centre, the Waterfront, Rossfield Park and the Stanlow areas; 2. proposals in the Rossmore area are required to contribute towards the provision of new and improved pedestrian and cycle links, including a new railway bridge crossing, as identified on the policies map, to improve connectivity with the town centre; 3. supporting physical and landscape improvements to the gateways, corridors and green spaces within Ellesmere Port including along the M53/Shropshire Union Canal Corridor; 4. supporting improvements to rail services and accessibility to the railway stations; 5. regeneration of previously developed land for a range of uses, particularly to support new housing development; 6. supporting regeneration proposals in and around the town centre including mixed use development and a public services hub; 7. do not give rise to significant adverse impact on air quality in line with Local Plan (Part Two) policy DM 31.	The DCO Proposed Development does not conflict with the settlement boundary at Ellesmere Port. Notwithstanding this, it is considered that the DCO Proposed Development would contribute to the economic development of Ellesmere Port. The Needs Case for the DCO Proposed Development Report **[APP-049]** evidences that the DCO Proposed Development will produce a Gross Value Added of over £30bn for the UK. The applicant considers the DCO Proposed Development to meet the requirements of Policy EP1.
Policy EP2.A (Land at Encirc Glass)	Development on land adjacent to Encirc Glass, as identified on the policies map (use classes B1, B2 and B8), will be supported subject to the following criteria being met; 1. it incorporates sufficient flood risk mitigation measures, including adequate surface water discharge methods;	The DCO Proposed Development falls outside of the land associated with the Encirc Glass Area. Notwithstanding this, a collaborative approach has been shown with developers here to ensure appropriate development is delivered.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	2. it is compatible with surrounding land uses, in particular the amenity of nearby residents; 3. it is compatible with the use of the railway line, and encourages rail based freight movements in accordance with Local Plan (Part One) policies STRAT 4 and STRAT 10; 4. minimises and mitigates harm to the landscape and visual impacts arising from the proposed development; 5. it minimises and mitigates impacts on the surrounding ecological network and designated sites of ecological importance in the vicinity. An Ecological Appraisal, including bird surveys will be required to determine the potential for significant environmental effects on ecological designations and to provide appropriate mitigation measures; and 6. the use and the design of the buildings proposed should be consistent with their location in a hazard consultation zone, in line with Local Plan (Part Two) policies DM 33 and DM 34.	Further design methodology can be found with ES **Chapter 4 [APP-056]** with the design change considered in the Consultation Report **[APP-031].** A record of engagement has been submitted in the Schedule of Negotiations **[APP-028].** Statements of Common Ground are to be submitted post submission. The applicant considers the DCO Proposed Development to meet the requirements of Policy EP2A
Policy EP3 (Stanlow Special Policy Area)	The Stanlow special policy area is identified on the policies map. The Stanlow oil refinery is of national importance and safeguarded for continued use for petrochemical and related industries. Any new development must not prejudice the continuing operation of the refinery. The redevelopment of any vacant, under-used or derelict land for employment use (use classes B1, B2 and B8) that is surplus to the primary operational use of the site will be encouraged, subject to any security restrictions and the criteria below. Proposals for a complementary/synergistic use alongside existing operations should be considered. New employment development (use classes B1, B2, B8 and suitable sui generis uses) will be supported where all of the relevant criteria are met; 1. there should be no material harm to sensitive locations in the locality, or to residential amenity, arising from the appearance of the development, or its potential for pollution, or noise generation, or visual impact. Sensitive locations include the Mersey Estuary SPA/Ramsar, residential areas, commercial centres, areas attracting large numbers of visitors, SSSI, Green Belt, conservation areas and historic assets; 2. proposals for 'potentially polluting development' must be in line with other relevant development plan policies relating to hazardous installations and the potential pollution / amenity impacts; 3. the proposed development must not conflict with the continuing operation of existing businesses in the special policy area or other relevant development plan policies and allocations;	The DCO Proposed Development falls outside of the land associated with the Encirc Glass Area. Notwithstanding this, a collaborative approach has been shown with developers here to ensure appropriate development is delivered. Further design methodology can be found with ES **Chapter 4 [APP-056]** with the design change considered in the Consultation Report **[APP-031].** A record of engagement has been submitted in the Schedule of Negotiations **[APP-028].** Statements of Common Ground are to be submitted post submission. The applicant considers the DCO Proposed Development to meet the requirements of Policy EP3.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	4. the use and the design of the buildings proposed must be consistent with their location in a hazard consultation zone, in line with other relevant development plan policies. Development should be in line with Local Plan (Part Two) policies DM 33 and DM 34; 5. the use, design and location of any plant and buildings should have regard to the areas of flood risk identified by the Environment Agency; 6. the traffic and transport requirements generated by the use, including freight and access by employees and visitors, must be satisfactorily accommodated both on the site and by the surrounding transport network. Non-road and public transport facilities should be used whenever possible; 7. it minimises and mitigates impacts on biodiversity in line with Local Plan (Part Two) policy DM 44; 8. proposals should contribute towards enhancing green infrastructure in line with Local Plan (Part One) policy ENV 3 and Local Plan (Part Two) policy DM 45. The New Bridge Road employment allocation is within the defined Stanlow boundary. Development proposals in this area must take account of the above criteria and also the additional criteria in Local Plan (Part Two) policy EP 2 and EP 2.B. Thornton Science Park is within the defined Stanlow boundary. Development proposals in this area must take account of the above criteria and also the additional criteria in Local Plan (Part Two) policy EP 5. The use and redevelopment of land within Stanlow will be prioritised for employment development in the Ellesmere Port area, in preference to the release of additional greenfield sites. Residential development within the Stanlow boundary will not be permitted.	
EP 6 - Ince Park	Land at Ince Park (Protos) is safeguarded for a multi-modal resource recovery park and energy from waste facility for use in connection with the recycling, recovery and reprocessing of waste materials. Development will be supported where; 1. it is considered in combination with other planned/consented development at Ince Park and nearby areas; 2. it would not compromise the planned/operational capacity of the site to provide waste management facilities for specific waste streams, where this contributes to meeting an identified need in the borough;	The DCO Proposed Development transects along the edge of this area and a small part of the access falls within the defined Protos boundary (EP 6). A collaborative approach has been shown with developers here to ensure appropriate development is delivered. A record of engagement has been submitted in the Schedule of Negotiations **[APP-028].** Statements of Common Ground are submitted at Deadline 1 with adjacent landowners such as Peel (**document reference D.7.2.8**).

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	3. it meets general development requirements for waste management facilities 4. where practicable, it maximises opportunities for freight movements on the Manchester Ship Canal or rail network, particularly to minimise the impact of increased traffic generation on the local road network; 5. it safeguards the provision and delivery of port and rail infrastructure; 6. it minimises and mitigates any adverse impacts on the local environment, health and local residential amenity, particularly on residents of Ince and Elton (including noise, air, land or water pollution and visual impact); 7. it 234inimizes and mitigates adverse impacts on nature conservation within and adjoining the site in line with DM 44; 8. the ecological mitigation areas that form part of the consented resource recovery park are retained, or there is no net loss in the area and type of ecological mitigation provided within the borough; 9. the landscape mitigation areas that form part of the consented resource recovery park are retained either in the consented form or through alternative equivalent provision and there is appropriate landscaping that respects the landscape character of the site and its surroundings; 10. it makes provision for public access on the site (including public transport), where this would not be prejudicial to the industrial operations, rail or other commercial movements on the site and/or to public safety, or would not result in recreational pressure or disturbance on sites of ecological importance; 11. it minimises any flood risk arising from the development both on and off-site; 12. it does not provide unacceptable risks to health and safety in line with Local Plan (Part Two) policy DM 33 and DM 34	Further design methodology can be found with ES Chapter 4 **[APP-056]** with the design change considered in the Consultation Report **[APP-031]**.
Policy R1 (Development in the Rural Area)	In line with Local Plan (Part One) policy STRAT 8, development proposals in the rural area will be supported in key service centres and local service centres (identified settlements) where they meet the relevant policy criteria. Neighbourhood plans or Neighbourhood Development Orders can promote more development than that set out in the Local Plan (Part One) to meet local housing, economic and social needs where appropriate. Policies dealing with design of development will be a key consideration in determining the acceptability of proposals.	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA **[APP-139].** Good practice measures will be used to minimise the impact on rural areas however, there may be some noise impacts temporarily during construction. Ongoing engagement and consultation with the EA, Local Authorities and Natural England to discuss approach.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
		Further information relating to mitigation measures will be contained within the OCEMP **[AS-055].** The DCO Proposed Development is considered to comply with R1.
Policy GBC2 (Protection of Landscape)	The borough's countryside will be protected in line with Local Plan (Part One) policy STRAT 9. Where development requires a countryside location, it must satisfy Local Plan (Part One) policy ENV 2 and: 1. protect and, wherever possible, enhance landscape character and distinctiveness; 2. integrate into the landscape character of the area; and 3. be designed to take account of guidance in the Landscape Strategy. The above will be achieved through appropriate siting, scale, layout, density, design and landscape treatment. The following Areas of Special County Value (ASCV), as identified on the policies map, are designated for their special landscape character and scenic value: A. Beeston/Peckforton/Bolesworth B. Dee Coastal Area C. Delamere/Utkinton D. Grosvenor Estate/Dee Valley E. Helsby and Frodsham Hills F. Weaver Valley G. Willington H. Wych Brook Valley In addition to meeting the criteria above, development in or affecting the setting of an Area of Special County Value must: 4. preserve their special landscape character and scenic value; 5. enhance landscape quality, character and appearance wherever possible; and 6. make suitable provision for improving public access to, and enjoyment of the landscape, where appropriate.	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA **[APP-139].** Good practice measures will be used to minimise the impact on rural areas however, there may be some noise impacts temporarily during construction. **Chapter 12** of the ES **[APP-064]** has assessed the impact of the DCO Proposed Development. Mitigation measures outlined in the OCEMP **[AS-055]** and REAC **[AS-053]** will ensure impacts on the landscape are likely to be insignificant. The above demonstrates and evidences compliance with policy GBC2.
Policy M2 (Minerals safeguarding areas -	In line with Local Plan (Part One) policy ENV 9, minerals safeguarding areas (MSAs) will safeguard Cheshire West and Chester's extent of finite natural resources from	**Chapter 11** of the ES (Land and Soils) **[APP-063]** assesses the effect of the DCO Proposed Development on any impacted mineral safeguarding areas. It

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
prior extraction of minerals)	incompatible development. Within a minerals safeguarding area, as identified on the policies map, non-mineral development or hydrocarbon development will only be supported if the applicant can demonstrate that: 1. mineral sterilisation will not occur; or 2. due to the quantity or quality of the mineral it is no longer of any existing or potential value; or 3. the mineral can be extracted satisfactorily prior to the incompatible development taking place; or 4. the incompatible development is of a temporary nature and can be completed and the site restored to a condition that does not inhibit extraction within the timescale that the mineral is likely to be needed and does not permanently sterilise the mineral; or 5. there is an overriding need for the incompatible development and the material planning benefits of the non-mineral or hydrocarbon development would outweigh the material planning benefits of the underlying or adjacent material; or 6. the development comprises one of the exempt types of development listed in the explanation.	concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas but the assessment with ES **Appendix 11.3 [APP-131 and APP-132]** concludes no adverse impact on this designation. The above demonstrates and evidences compliance with policy M2.
Policy M8 (Minerals Infrastructure)	In line with Local Plan (Part One) policy ENV 9, significant infrastructure that supports the supply of minerals in Cheshire West and Chester will be safeguarded from incompatible development. Non-mineral development (excluding the development types identified in the policy explanation) with the potential to impact on a mineral infrastructure safeguarded site used for mineral processing, handling, and transportation will not be supported unless it can be demonstrated that: 1. the non-mineral development would not unduly restrict the use of the mineral infrastructure site; 2. the material planning benefits of the non-mineral development would outweigh the material planning benefits of the mineral infrastructure site; 3. the mineral infrastructure can be relocated; or 4. alternative capacity can be provided elsewhere.	**Chapter 11** of the ES (Land and Soils) **[APP-063]** assesses the effect of the DCO Proposed Development on any impacted mineral safeguarding areas. It concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas but the assessment with ES **Appendix 11.3 [APP-063]** concludes no adverse impact on this designation. The above demonstrates and evidences compliance with policy M8.
Policy DM 2	In line with Local Plan (Part One) policy SOC 5, all proposals for new development will be expected to safeguard the quality of life for residents within the development and those living nearby. Development will only be supported where it does not result in a	Chapter 16 of the ES **[APP-068]** and its relevant appendices provides an assessment of the likely significant effects of the DCO Proposed Development on Population and Human Health. It has been identified that potential effects are expected during construction. These effects related to traffic affecting communities in rural and urban areas, noise and vibration,

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	significant adverse impact upon the residential amenity of the occupiers of existing properties or future occupiers of the proposed development, including: • Outlook • privacy • light • noise • odour In respect of light, regard will be had to loss of sunlight and daylight, and to the impact of artificial light. Residential development must include an appropriate quantity and quality of outdoor private amenity space, having regard to the type and size of the proposed development.	visual, community severance and change in access. There are no significant effects anticipated during operation. Air Quality and Pollution Air Quality and Pollution are also relevant and it has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is concluded to be not significant. This is demonstrated in Chapter 6 of the ES **[APP-058]** and its appendices. The DCO Proposed Development is not considered to cause a significant or detrimental impact to residential amenity.
Policy DM3 (Design, Character and Visual Amenity)	In line with Local Plan (Part One) policy ENV 6, development will be expected to achieve a high standard of design that respects the character and protects the visual amenity of the local area. Design solutions will be supported that, where relevant: 1. are designed to respect the scale, character and appearance of any existing building within the site and contribute positively to the character of the area; 2. respect and where appropriate enhance the prevailing layout, urban grain, landscape, density and mix of uses, scale and height, massing, appearance and materials; 3. contribute to the legibility of the area, through form, layout and detailing; 4. are sympathetic to the characteristics of the development site, its relationship with its surroundings and where appropriate views into, over and out of the site; 5. respect and where possible enhance local distinctiveness through the use of building layout, design, materials, architectural detailing, public realm and boundary treatment; 6. provide adequate external storage and amenity space; 7. create safe environments and reduce the fear of crime in the area; 8. do not prejudice the long term planning of the area. Development in the countryside will only be permitted where it would respect the key features of the landscape in line with Local Plan (Part Two) policy GBC 2, and is not detrimental to its character.	The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the Planning Statement Application Document **Chapter 3** of the Environmental Statement **[APP-055].** The DCO Proposed Development has been carefully designed to reduce impacts on the landscape and visual impacts. Despite the DCO Proposed Development anticipated to have a residing visual impact during operation mitigation to reduce these impacts have been proposed in the REAC **[AS-053]**. The above demonstrates and evidences how the DCO Proposed Development will retain high design standards and mitigate any impacts accordingly.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	New development within the curtilage of a dwellinghouse will be assessed in line with the development plan, including Local Plan (Part Two) policy DM 21.	
Policy DM4 (Sustainable Construction)	In line with Local Plan (Part One) policy ENV 6, all development proposals (including changes of use) will be expected to achieve the highest levels of energy and water efficiency that is practical and viable, and to maximise opportunities to incorporate sustainable design features where feasible. New dwellings will be required to meet the optional higher National Housing Standard for water consumption of 110 litres per person per day. Non-domestic buildings will be expected to achieve a BREEAM rating of 'Excellent', unless it can be demonstrated that this is not technically or financially viable. Innovative sustainable design solutions for energy efficiency and low carbon energy generation and use over and above Building Regulations and/or National Housing Standards will be supported. In all cases proposals for on-site renewable energy and low carbon generation will also need to meet the requirements of Local Plan (Part One) policy ENV 7. Where appropriate, major development proposals should be designed and incorporate measures to enable connections to a district heat network to be made now or in the future. The Council will encourage the use of sustainable construction techniques that promote the reuse and recycling of building materials, maximise opportunities for the recycling and composting of waste on all new development proposals (residential and non-residential) and reduce CO2 emissions. Where the Council considers it likely that the proposal will result in significant adverse environmental effects during the construction phase a Construction Environmental Management Plan (CEMP) will be required.	The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the Planning Statement Application Document Chapter 3 of the Environmental Statement **[APP-055].** The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. As assessed within ES **Chapter 12** of the ES **[APP-064]** which concludes that with the application of mitigation these there would not give rise to be an adverse significant impact in terms of their visual prominence. and impact. **Chapter 4** (**section 4.2**) of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.5 (Criteria for Good Design for Energy Infrastructure) of the NPS. The above demonstrates and evidences compliance with DM4.
Policy DM29 (Health Impacts of New Development)	Development proposals should take every reasonable opportunity to promote and positively contribute to the health of the borough in line with Local Plan (Part One) policy SOC 5. A statement considering the health implications of new build commercial and residential development should be submitted, with mitigation of negative impacts made proportionate to the scheme.	**Chapter 16** of the ES **[APP-068]** and its relevant appendices provides an assessment of the likely significant effects of the DCO Proposed Development on Population and Human Health. It has been identified that potential effects are expected during construction. These effects related to traffic affecting communities in rural and urban areas, noise and vibration,

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	Where development is likely to have a significant impact, including any cumulative impacts on public health, it must be demonstrated how health and wellbeing has been taken into account through an assessment. Such applications must make a positive contribution to health and wellbeing and any negative impacts adequately mitigated. Development that would give rise to significant adverse effects on health and wellbeing will not be supported.	visual, community severance and change in access. There are no significant effects anticipated during operation. Air Quality and Pollution can be considered here, in accordance an it has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is concluded to be not significant. This is demonstrated in **Chapter 6** of the ES **[APP-058]** and its appendices. The above demonstrates and evidences compliance with DM29.
Policy DM30 (Noise)	In line with Local Plan (Part One) policy SOC 5, development must not give rise to significant adverse impacts on health and quality of life, from noise. Development which generates noise or is sensitive to it will only be permitted where it accords with the development plan and does not have an unacceptable adverse impact on human health or quality of life. Unless it can be demonstrated that a significant adverse impact on residential amenity arising from construction and demolition is unlikely it is expected that demolition and construction works shall be carried out during normal working hours. The Council must be satisfied that the proposed location of any construction/demolition site compound will minimise the noise impact on neighbouring residential uses.	**Chapter 15** of the ES **[APP-067]** and its relevant appendices reports the outcome of the assessment of likely significant environmental effects arising from the DCO Proposed Development on noise and vibration during the construction, operation and decommissioning stages. Significant impacts caused from likely noise effects arising from the DCO Proposed Development construction activities are proposed to be accordingly mitigated as part of the development of the Detailed Design. The Noise Policy Statement for England and other relevant national policies, regulations, guidance and standards have been considered in the environmental assessment of the potential noise and vibration impacts of generated by the DCO Proposed Development. project. A noise and vibration assessment **[APP-146]** has informed the EIA about this assessment. Where the pipeline is to be constructed in urban areas the noise impacts are not considered to be significantly more impactful compared to the typically rural route. Good practice measures will be used to minimise the impact on the closest properties, however, there may be some noise impacts temporarily during construction. Ongoing engagement and consultation has taken place with the EA, Local Authorities and Natural England to discuss the approach. Anticipated likely noise impacts are raised in the ES as significant. Effects arise from the DCO Proposed Development's construction and decommissioning activities, this established in **Chapter 15 [APP-067].** In the most part, significant impacts caused from noise effects arising from construction activities will be adequately mitigated through measures detailed

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
		in the Noise and Vibration Management Plan. The production of a Noise and Vibration Management Plan and agreement with the Local Authorities will be secured as part of the consolidated CEMP as a DCO requirement. This considered to reduce the overall impact. Whilst in most part the construction of the DCO Proposed Development would accord with the objectives of DM30 but in some localised areas there would be a conflict.
Policy DM31 (Air Quality)	In line with Local Plan (Part One) policy SOC 5, development must not give rise to significant adverse impacts on health and quality of life, from air pollution. In particular, development proposals within or adjacent to an Air Quality Management Area will be expected to be designed to mitigate the impact of poor air quality on future occupiers. An air quality assessment will be required for development proposals that have the potential for significant air quality impacts, including those which: 1. are classed as major development and have the potential, either individually or cumulatively, for significant emissions; or 2. are likely to result in an increase in pollution levels in an Air Quality Management Area (AQMA); or 3. are likely to expose people to existing sources of air pollutants. Where an air quality assessment identifies an unacceptable impact on or from air quality, an appropriate scheme of mitigation must be submitted, which may take the form of on-site measures or, where appropriate, a financial contribution to off-site measures. Applicants must demonstrate that appropriate mitigation will be provided to ensure that the new development is appropriate for its location and unacceptable risks are avoided. Development that is likely to produce an odour should demonstrate that there is no negative impact on residential amenity, in line with Local Plan (Part One) policy SOC 5 and Local Plan (Part Two) policy DM 2.	Air Quality has been taken into consideration in the EIA for the DCO Proposed Development. It has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is concluded to be not significant. This is demonstrated in **Chapter 6** of the ES **[APP-058]** and its appendices. It has been identified that air quality changes could occur during construction activity. However, with the application of mitigation measures, the DCO Proposed Development will have no significant adverse effect on air quality during construction, operation and decommissioning stages. The above assessment and evidence demonstrates compliance with DM31.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
Policy DM32 (land Contamination and Instability)	In line with Local Plan (Part One) policies SOC 5 and ENV 4, development proposals on land known or suspected to be unstable or contaminated must demonstrate that they will not give rise to significant adverse impacts on health, controlled waters, ecological receptors, property and quality of life. Contamination Development on previously developed sites or on land known or suspected to be contaminated must be supported by an appropriate contamination assessment which clearly demonstrates that the risk from contamination can be successfully mitigated and managed over the lifetime of the development. Development adjacent to or adjoining known or suspected contaminated land may also need to be supported by an appropriate contamination assessment. Development adjoining or adjacent to a landfill site must be accompanied by a full landfill gas assessment conducted in accordance with current industry best practice guidance and identify the necessary mitigation measures to protect the development from the risks of landfill gas. Instability In areas of potential land instability, an assessment should be made to ensure that the land is suitable for the proposed development, and that development can be undertaken, occupied and used without risk to people and property resulting from underground conditions. Areas of potential land instability will include those of vulnerable topography or geology, as well as those identified on the policies map with evidence of: 1. brine and salt extraction (either currently, or in the past) 2. past or potential future natural subsidence due to salt erosion 3. coal mining Development must not result in an increased risk of subsidence or land instability on the site or in the surrounding area.	ES **Chapter 11 [APP-063]** provides an assessment relating to land contamination, geology, soils (type and quality) and mineral resource. It provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. A loss of agricultural land is acknowledged as permanent. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. The above assessment and evidence demonstrates compliance with DM32.
Policy DM33 (New or Extension to	Hazardous substances consent or development proposals which either creates new hazardous installations or extends existing hazardous installations, including pipelines will be supported where:	The DCO Proposed Development will be constructed in line with Pipeline Safety Regulations 1996 and therefore complies with Policy DM33.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
Hazardous Installations)	1. the development does not create or increase risk to the general public or environmental sensitive areas and retains an appropriate distance from the hazard; 2. it does not significantly restrict the type of development on the surrounding land. Applications for underground hazardous waste storage or containment facility will be supported providing it is demonstrated this is the most sustainable option and the methods and technologies used would be the most appropriate, that ground stability would not be affected and that mineral reserves, which are both workable and economically viable, would not be sterilised.	
DM 37 - Recreational routeways	Development incorporating or adjacent to the following must protect and, wherever possible, enhance and extend: • Public Rights of Way • footpaths/bridleways • cycle routes • canals and waterways Re-routeing should be avoided, but may be supported if the alternative route is acceptable and / or the re-routeing is for a temporary period. Where appropriate, creation of new routeways will be supported. Development proposals that protect and enhance the public access and recreation value of strategic recreational routeways, as identified on the policies map, will be supported.	This policy identifies that development incorporating or adjacent to the following must protect and, wherever possible, enhance and extend: public rights of way, footpaths/bridleways, cycle routes, canals and waterways. This policy also identifies that re-routing should be avoided, but may be supported if the alternative route is acceptable and / or the re-routeing is for a temporary period. The Chapter 16 of the ES **[APP-068]** considers the impacts upon the general population and human health, limiting impacts to the construction phase alone, the impacts on public routeways are considered as part of this assessments. Where diversions to PRoW's are required, these have been identified. The Applicant intends to submit an Outline Public Rights of Way Management Plan **(document reference D.7.9)** at deadline 1. Chapter 17 of the ES **[APP-069]** and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the environment in respect of Traffic and Transport. This chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent effects likely
Policy DM40 (Development and Flood Risk)	In line with Local Plan (Part One) policy ENV 1, flood risk must be avoided or reduced by: 1. locating development within areas of lower flood risk through the application of a borough-wide sequential test and then, where required, applying the exception test in line with the National Planning Policy Framework; and 2. ensuring development proposals in flood risk areas are actively managed and reduce	The Order Limits fall wholly in Flood Zone 1. Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the DCO Proposed Development on potentially sensitive receptors.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	flood risk by applying the sequential approach at site level. Where a site specific Flood Risk Assessment is required in line with the National Planning Policy Framework (NPPF) (vi), this will be expected to demonstrate whether a proposed development is likely to be affected by current or future flooding (including effects of climate change) from any source. Development proposals for sites that are at risk will only be supported where the site-specific Flood Risk Assessment shows that: 3. the effects of climate change have been taken into account; 4. there is no loss in floodplain storage resulting from the development; 5. the development will not increase flood risk elsewhere; 6. there is no adverse effect on the operational functions of any existing flood defence infrastructure; 7. proposed resistance / resilience measures designed to deal with current and future risks are appropriate; 8. where applicable, appropriate Sustainable Drainage System (SuDS) techniques have been considered and are to be incorporated into the design of the site, in line with Local Plan (Part Two) policy DM 41; and 9. the development will be safe and pass the exceptions test, if applicable. A Flood Risk Assessment will be required for development within a Critical Drainage Area (CDA) as notified by the Environment Agency. All development in a designated CDA will be required to incorporate measures to alleviate surface water flood risk through the layout and form of the development, including the appropriate application of SuDS to intercept and attenuate overland flow and drained water in line with Local Plan (Part Two) policy DM 41 and the Council's Draft SuDS Design and Technical Guidance. Flood risk should be considered at an early stage in deciding the layout and design of a site to provide an opportunity to reduce flood risk within the development. Applicants will be required to provide schemes to reduce flood risk on individual sites through flood resilient design and on site flood risk management measures. It is essential that the scheme proposed does not create any additional flood risk outside the development in any part of the catchment, either upstream or downstream. Existing structures and other features that help to reduce the risk of flooding or mitigate its impacts should be protected. Their loss, alteration or replacement will only be	The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES (Water Resource and Flood Risk) **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during then construction phase, rather than operation or decommissioning. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** The above demonstrates compliance with DM40.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	permitted where there would be no increase in flood risk. Where appropriate, the Council may request that phasing of development should be carried out to avoid any cumulative impacts of flood risk.	
Policy DM43 (Water Quality, Supply and Treatment)	In line with Local Plan (Part One) policies ENV 1, ENV 4 and SOC 5, development proposals will be supported where it can be demonstrated that the proposal will not cause unacceptable deterioration to water quality or have an unacceptable impact on water quantity (including drinking water supplies) or waste water infrastructure capacity by ensuring that: 1. sufficient water resources are available and the proposal does not have a detrimental impact on the flow or quantity of groundwater; 2. development does not affect the water quality of surface or groundwater; 3. development does not cause unacceptable harm to biodiversity;. 4. opportunities to improve water quality are used where possible; 5. water efficiency methods are optimised; 6. wastewater infrastructure already exists or can be provided in time to serve the development. Development should connect to the nearest point of adequate capacity. The discharge of surface water to combined drainage systems will be regulated in accordance with requirements set by the relevant utility provider. The Council will support the development or expansion of infrastructure associated with water supply, surface water drainage and wastewater treatment facilities where proposals are consistent with other relevant development plan policies such as the development strategy (including development in the Green Belt), flood risk, contamination, health and wellbeing and protection of the natural and built environment.	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the DCO Proposed Development on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES (Water Resource and Flood Risk) **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during then construction phase, rather than operation or decommissioning. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The above demonstrates compliance with DM43.
Policy DM44 (Protecting and enhancing the natural environment)	In line with Local Plan (Part One) policy ENV 4, development will be supported where there is no net loss of natural assets and, wherever possible, it delivers net gains within the borough. Development likely to have an impact on protected sites (statutory and non-statutory),	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	protected/priority species, priority habitats or geological sites must be accompanied by an Ecological Assessment that complies with industry best practice and guidance, and: 1. identifies the assets of biodiversity/geodiversity value on and within the vicinity of the site; 2. evaluates the value and extent of the assets; 3. assesses the likely expected impact of the development on assets of biodiversity/geodiversity value taking into account the mitigation hierarchy; 4. identifies the net losses and gains for biodiversity/geodiversity, using a biodiversity metric calculation; 5. identifies the options to enhance the value of the assets and contribute towards the borough's ecological network; and 6. provides sufficient information to inform a Habitats Regulations Assessment (HRA), where development could have an individual or in combination significant effect on a European Site or its supporting habitat. Commensurate with the size and scale of potential impact, proposals must: 7. be designed in line with the mitigation hierarchy, with compensatory measures only considered as a last resort; 8. include a long term habitat and species management plan, if applicable; 9. include a management plan for invasive species, if applicable; and 10. utilise native species in landscaping schemes, where appropriate. Development that makes a positive contribution towards the borough's ecological network will be supported. Within the components of the ecological network, as identified on the policies map, proposals should: 11. increase the size, quality or quantity of priority habitat within core areas, corridors or stepping stones; 12. within corridors and stepping stones, improve the connectivity of habitats for the movement of mobile species; 13. in restoration areas, improve the structural connectivity, resilience and function of the network; 14. in buffer zones within core areas and around protected meres and mosses, minimise adverse impacts from pollution or disturbance; 15. contribute towards the integration and creation of green infrastructure and habitats in line with Local Plan (Part One) policy ENV 3.	maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. The DCO Proposed Development application is supported by a Biodiversity Net Gain Report **[APP-231** to **APP-240]** which details how the DCO Proposed Development will meet the 1% net gain requirement through compensation scenarios proposed in the BNG assessment. The above assessment demonstrates compliance with policy DM44.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	Soil resources must be protected and used sustainably to retain ecosystem services, in line with accepted best practice.	
Policy DM45 (Trees, Woodland and Hedgerows)	In line with Local Plan (Part One) policies ENV 3 and ENV 4, development will be supported where it conserves, manages and, wherever possible, enhances existing trees, woodlands, traditional orchards, and hedgerows. All significant healthy trees, woodlands, traditional orchards, and hedgerows should be integrated into the development scheme. Where possible, existing significant trees should be incorporated within public open space. Where it is demonstrated to the satisfaction of the Council that integration is not possible and the above assets would be lost, development proposals must: 1. include replacement trees, woodlands and hedgerows within the site, or where this can be demonstrated to not be practical, contribute to off-site provision, prioritised within the locality of the development; 2. include replacement planting at a ratio of at least two new trees for each tree lost. Replacement trees should be of heavy or extra heavy standard, and where prominent trees are to be removed, large specimen trees may be required; and 3. use locally native species, where appropriate. Development affecting all existing and new woodlands should: 4. support proposals which assist in the positive use of woodlands; 5. promote sustainable management to deliver multiple benefits; and 6. support the aims and policies of the Mersey Forest Plan, where relevant. A tree survey and arboricultural impact assessment to BS5837:2012 standard (or subsequent revisions) will be expected to be submitted with planning applications where existing significant trees are likely to be affected by the proposed development.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. **Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. Vegetation loss prior to construction would cause a primary impact on views during both construction and operation, though this is temporary and proposed to be screened where required. It is proposed to reinstate land to its former use where possible. All ancient woodland areas will be protected. The DCO Proposed Development is also submitted with Hedgerow Plans **[AS-014** and **AS-015]** which illustrates the impact on important hedgerows within the Order Limits. This demonstrates that the Applicant has complied with DM45.
Policy DM46 (Development in Conservations Areas)	In line with Local Plan (Part One) policy ENV 5, development within or affecting the setting of conservation areas, as identified on the policies map, will be expected to pay special attention to the desirability of preserving or enhancing the character or appearance of that area, taking account of the significance of heritage assets.	**Chapter 9** of the Environmental Statement **[AS-025]**outlines that when in place mitigation methos will ensure that the DCO Proposed Development will not have any significant residual effects on conservation areas. No conservation areas are included within the Order Limits, this was a consideration of the route evolution as identified in **Chapter 4 [APP-056].**

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	Where applicable, development proposals should take into consideration: 1. topography, landscape setting and natural features; 2. existing townscapes, local landmarks, views and skylines; 3. the architecture of surrounding buildings; 4. the quality and nature of materials, both traditional and modern; 5. the established layout and spatial character of building plots, the existing alignments and widths of historic routes and street hierarchy (where physically and historically evident); 6. the contribution that open areas make to the special character and appearance of the conservation area; 7. the scale, height, bulk and massing of adjacent townscape; 8. architectural, historical and archaeological features and their settings; 9. the need to retain historic boundary and surface treatments; 10. the local dominant building materials, the building typology that best reflects the special character and appearance of the area and features and detailing; and 11. minimising and mitigating the loss of hedgerows, trees and other landscape features. Development proposals which will not be supported include the following: 12. demolition of non-listed buildings which make a positive contribution to the character or appearance of conservation areas, other than in exceptional circumstances; 13. the erection of buildings and structures which are unsympathetic in design, scale, mass and use of materials; 14. alterations and extensions which are unsympathetic in design, scale, mass and use of materials; 15. the erection or extension of buildings and structures which will obstruct important views within, or views in or out of conservation areas. Where consent for demolition is granted, conditions will be attached to ensure no demolition shall take place until a scheme for redevelopment has been approved and a contract for the works has been made. Where appropriate and on a case by case basis, where permission is granted for the demolition of non-listed buildings, they should be appropriately recorded before demolition. Applicants will be expected to submit a Heritage Impact Assessment for all applications	The above demonstrates compliance with DM46. .

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	which affect heritage assets, including as a minimum, a description of their significance and the impact which proposals may have upon this.	
Policy DM47 (Listed Buildings)	In line with Local Plan (Part One) policy ENV 5, development proposals or works, including alterations, extensions and changes of use shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Where relevant, development proposals or works will only be supported which would: 1. conserve the significance of a listed building and its setting, securing its optimum viable use; 2. preserve or enhance a listed building or structure, and any curtilage listed structures or features of special architectural or historic landscape interest. Development proposals or works within or affecting the setting of listed buildings will be expected to achieve a high quality of design, making a positive relationship between the proposed and existing context by taking account of: 3. topography, landscape setting and natural features; 4. existing townscapes, local landmarks, views and skylines; 5. the architecture of surrounding buildings; 6. the need to retain trees; 7. the quality and nature of materials, both traditional and modern; 8. established layout and spatial character; 9. the scale, height, bulk and massing of adjacent townscape; 10. architectural, historical and archaeological features and their settings; and 11. the need to retain historic boundary and surface treatments In the rare event that permission for demolition is granted, conditions will be attached to ensure no demolition shall take place until a scheme for redevelopment has been approved and a contract for the works has been made. This will also apply to any curtilage buildings of the listed building or structures. All applications for development proposals or works to listed buildings must be accompanied by a Heritage Impact Assessment which clearly identifies, as a minimum, the significance of the building; the proposed works of alteration; any loss of historic fabric; and the effect on the character and appearance which the proposed works will	The pipeline route has been selected to reduce the impact on historic environment by avoiding where practicable designated heritage assets. **Chapter 8** (Cultural Heritage) **[APP-060]** and **Chapter 12** of the ES (Landscape and Visual) **[APP-064]** These Chapters conclude that no significant residual effects are anticipated on listed buildings. The above demonstrates compliance with DM47.

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	have. A copy of this statement should also be submitted to the Local Authority's Historic Environment Record.	
Policy DM48 (Non-designated Heritage Assets)	In line with Local Plan (Part Two) policy ENV 5, development proposals will be encouraged and supported where they are designed to preserve or enhance the significance of non-designated heritage assets. The significance of non-designated heritage assets and their setting should be assessed in development proposals or works, against the following criteria, namely the: 1. special qualities of architectural and historic interest; 2. features of interest and the setting of the non-designated historic asset; 3. contribution the non-designated historic asset makes to local distinctiveness; local townscape; or rural character; and 4. conservation of interesting or unusual features; architectural detail; materials; construction; or historic interest. Development which would remove, harm or undermine the significance of such non-designated heritage assets, or their contribution to the character of a place, will only be permitted where the benefits of the development outweigh the harm having regard to the scale of the harm and significance of the non-designated heritage asset. Prior to the loss of the non-designated heritage asset, an appropriate level of survey and recording will be expected including where appropriate archaeological investigation. The results of which should be deposited on the Historic Environment Record. It is recognised that not all buildings, structures or landscapes of significance are captured on either the national lists or local lists and these are termed undesignated heritage assets. Where the significance of these buildings, structures or landscapes can be demonstrated, the above policy consideration should be applied.	The pipeline route has been selected to reduce the impact on historic environment by avoiding where practicable designated heritage assets. **Chapter 8** (Cultural Heritage) **[APP-060]** and **Chapter 12** of the ES (Landscape and Visual) **[APP-064].** These Chapters conclude that no significant residual effects are anticipated on non-designated heritage assets. The above demonstrates compliance with policy DM48.
Policy DM50 (Archaeology)	Development proposals affecting archaeological heritage assets which meet the requirements of Local Plan (Part One) policy ENV 5 will be supported. Development proposals will need to take into account the significance of the heritage asset and their setting, and the scale of any loss or harm.	The pipeline route has been selected to reduce the impact on historic environment by avoiding where practicable designated heritage assets. **Chapter 8** (Cultural Heritage) **[APP-060]** and **Chapter 12** of the ES (Landscape and Visual) **[APP-064].**These chapters conclude that no

Policy	Relevant Policy Text	Policy Assessment
Local Plan (Part 2) Land Allocations and Detailed Policies		
	For sites of known or potential archaeological interest, applications must be accompanied by an appropriate archaeological assessment of the archaeological impact of the development. A field evaluation prior to determination of the planning application may also be required. Where remains are of national significance e.g. within a Primary Archaeological Zone as defined by the Chester Archaeological Plan, detailed agreement on ground impacts should be secured before planning permission is granted. Where necessary to secure the protection of the heritage asset or a programme of archaeological mitigation, conditions will be attached to permissions. These may include requirements for detailed agreement on ground impacts and programmes of archaeological investigation, building recording, reporting and archiving. For development proposals within Chester, the Chester Archaeological Plan must be consulted which defines Areas of Archaeological Significance and the Primary and Secondary Archaeological Character Zones.	significant residual effects are anticipated on sites of archaeological importance, actual or potential. The above demonstrates compliance with DM50.

8.6. TABLE B5: PLANNING POLICY COMPLIANCE ASSESSMENT: LOCAL PLANNING POLICY (FLINTSHIRE)

8.6.1. As of January 24th, FCC formally adopted a new Local Development Plan (LDP) which sets out the planning strategy in Flintshire until 2030. The LDP may be a relevant and important matter to be taken into account in decision making for the DCO Proposed Development.

8.6.2. The DCO Proposed Development was submitted wherein the UDP was a material consideration for the ExA, therefore the compliance assessment is retained for consideration. The Applicant understands that the Adopted LDP, assessed in **Table B6** is the most relevant and up to date development plan. Local Development Policy is not defined to be applicable the DCO Proposed Development. Both the UDP and LDP reflect development within the administrative region and not infrastructure projects of national significance. Notwithstanding this, the policy below is considered of relevance to the SoS decision making under S105 of the PA2008.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
STR1 (New Development)	New development will be: a. generally located within existing settlement boundaries, allocations, development zones, principal employment areas and suitable brownfield sites and will only be permitted outside these areas where it is essential to have an open countryside location; b. required to incorporate high standards of design which are appropriate to the building, site and locality, maximise the efficient use of resources, minimise the use of non-renewable resources and minimise the generation of waste and pollution; c. required to create a safe, healthy and secure environment and protect standards of residential and other amenity; d. required to respect community identity and social cohesion including the adequacy and accessibility of community facilities and services; e. required to respect physical and natural environmental considerations such as flooding and land stability; f. required to minimise or negate pollution to air, water and land; and g. assessed in terms of a precautionary approach whereby development proposals that would have a significant and uncertain environmental, social, economic or cultural impact, will be refused, in the absence of the best available information which proves that the impact can be negated or mitigated through proper risk control measures.	It is considered that by virtue of Table B5 and the main body of the Planning Statement that the DCO Proposed Development would alley with the merits required of New Development as per STR1. The DCO Proposed Development is therefore considered to represent sustainable development.
STR3 (Employment)	The Plan will facilitate a diverse and sustainable economy through: a. the provision of 300 ha of employment land over the Plan period; b. the provision of a range of type and size of employment sites; c. enabling new employment generating development mainly within or adjoining existing settlements, in principal employment areas, development zones, on allocated sites and suitable brownfield sites and through the sensitive conversion of rural buildings and other appropriate rural diversification initiatives; d. existing employment sites and buildings being retained, where necessary and practicable, for that use; and e. appropriate expansion of existing firms and businesses.	The Needs Case Report **[APP-049]** outlines how the DCO Proposed Development will provide the provision for employment opportunities in Flintshire. There is potential for job creation through construction and potential longer term implications subject to the designation of a construction contractor. The above demonstrates compliance with STR3.
STR7 (Natural Environment)	The natural environment of Flintshire will be safeguarded by: a. protecting the open character and appearance of strategic green barriers around and between settlements; b. protecting and enhancing the character, appearance and features of the open countryside and	Provision has been made throughout the development of the DCO Proposed Development to protect the natural environment as is reasonably possible.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	the undeveloped coast; c. protecting and enhancing areas, features and corridors of nature conservation, biodiversity and landscape quality both in urban and rural areas, including urban greenspace; d. protecting and enhancing the Clwydian Range Area of Outstanding Natural Beauty; e. protecting and enhancing the Dee Estuary; f. the protection and enhancement of the water environment; and g. the protection of the quality of land, soil and air.	The DCO Proposed Development is supported by an Environmental Statement which outlines the potential impact of the DCO Proposed Development on the natural environment and where appropriate mitigation measures to protect it. Volume II of the ES **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** provides this environmental assessment. The ES **Chapter 20 [APP-072]** provides a summary of any impacts from the DCO Proposed Development, this in conjunction with Chapter 20. This generally concludes that the natural environment will be safeguarded throughout the construction, operation and decommissioning of the DCO Proposed Development. The overarching benefits are outlined within the Needs Case for the DCO Proposed Development **[APP-049].** The above demonstrates complies with STR7 regarding the natural environment.
STR9 (Welsh Language and Culture)	Development proposals should have regard to and where appropriate reinforce the Welsh language and cultural identity of the community and area.	A Welsh Language Statement **[APP-050]** has been produced in conjunction with the DCO Application which details how the Applicant has considered Welsh language speakers as part of the DCO Proposed Development and pre-application process. The Non Technical Summary of the ES **[APP-052]** has also been translated to Welsh. The above demonstrates compliance with STR9.
STR10 (Resources)	Development will be required to make the best use of resources through: a. the utilisation of suitable brownfield land and buildings wherever practicable in preference to green field land or land with ecological, environmental or recreation value; b. making the most efficient and practicable use of buildings and land in terms of density, siting and layout; c. the winning and working of mineral resources including secondary aggregates provided that they do not have an unacceptable impact on the environment and amenity, and also through the protection of mineral resources from development in order to safeguard Flintshire's contribution to meeting regional and national demand;	**Chapter 11** of the ES (Land and Soils) **[APP-063]** assesses the effect of the DCO Proposed Development on any impacted mineral safeguarding areas. It concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas but the assessment with ES **Appendix 11.3 [APP-131** and **APP-132]**concludes no adverse impact on this designation.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	d. minimising the production, transport and disposal of resources and waste in accordance with the waste management hierarchy which is based around reduction, re-use and material recovery (including recycling and composting), energy recovery with effective use of waste heat, and safe disposal using the proximity principle; e. utilising clean, renewable and sustainable energy generation where environmentally acceptable in preference to non renewable energy generation and incorporating energy efficiency and conservation measures in new development; f. the protection of water resources; and g. the utilisation wherever possible of secondary and recycled materials as part of new development.	The above assessment and supporting documents demonstrate compliance with STR10.
GEN1 (General Requirements for Development)	Development that requires planning permission and is in accordance with the Plan's other policies, should be located on land, or within suitable buildings, which satisfies the following requirements: a. the development should harmonise with the site and surroundings in terms of the siting, scale, design, layout, use of space, materials, external appearance and landscaping; b. the development should take account of personal and community safety and security in the design and layout of development and public/private spaces; c. the development should not have a significant adverse impact on recognised wildlife species and habitats, woodlands, other landscape features, townscapes, built heritage, features of archaeological interest, nor the general natural and historic environment; d. the development should not have a significant adverse impact on the safety and amenity of nearby residents, other users of nearby land/property, or the community in general, through increased activity, disturbance, noise, dust, vibration, hazard, or the adverse effects of pollution; e. the development should provide, where appropriate, safe and convenient access for pedestrians, cyclists, persons with disabilities, and vehicles, together with adequate and suitably located parking spaces and servicing/manoeuvring space; f. the development should not have an unacceptable effect on the highway network as a result of problems arising from traffic generation, and should incorporate traffic calming measures where appropriate; g. the development should have, where appropriate, convenient access to public transport, and wherever possible is well related to pedestrian and cycle routes; h. the development must have regard to the adequacy of existing public services (e.g. gas, water, electricity), with new infrastructure capable of being provided in reasonable time and at minimum public cost; i. the development should not result in/be susceptible to problems related to drainage, land stability, contamination, or flooding, either on or off site;	The DCO Proposed Development in addition to being designed as reasonably as possible is supported by an Environmental Statement. The Environmental Statement identifies the potential effects of the DCO Proposed Development through the stages of Construction, Operation and Decommission and where appropriate mitigation methods to negate the adverse effects of the DCO Proposed Development. The DCO Proposed Development through virtue of its submission and approach is considered to have demonstrated a compliance with the development criterium outline in GEN1.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	j. the development should not prejudice land or buildings safeguarded for other uses, or impair the development or use of adjoining land; and k. the development should not result in the permanent loss of the best and most versatile agricultural land where either suitable previously developed land or land in lower agricultural grades is available.	
GEN3 (Development in the Open Countryside)	Development proposals outside settlement boundaries, allocations, Development Zones and Principal Employment Areas will not be permitted, except for: a. essential worker housing (policy HSG4); b. small scale infill development, comprising one or two housing unit(s) within a clearly identified group of dwellings (policy HSG5); c. conversion, extension, adaptation and re-use of buildings (policies HSG7, RE4, and RE5); d. replacement dwellings (policy HSG6); e. affordable housing exceptions schemes adjoining existing villages (policy HSG11); f. small scale rural enterprise exception schemes adjoining existing settlement boundaries (RE4 and RE5); g. development related to agriculture, minerals extraction, rural diversification, tourism, leisure and recreation, and existing educational and institutional establishments, provided there is no unacceptable impact on the social, natural and built environment; h. essential works associated with statutory undertakers subject to the appropriate environmental considerations i. the expansion of existing employment development (EM5); and j. other development which is appropriate to the open countryside and where it is essential to have an open countryside location rather than being sited elsewhere.	**ES Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soils associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. In addition to this, **Chapter 12 [APP-064]** provides a detailed assessment of the visual impacts of the DCO Proposed Development. This chapter concludes that through appropriate mitigation, the magnitude of the construction can bring a reduction to potential impacts notwithstanding an acknowledgement of a permanent change. The pipeline route has been designed to avoid built development and proposed major development allocations in adopted and emerging local plans. The pipeline falls predominately in rural land. Existing land use of open space, sports and recreational facilities is not affected during the operational stage of the DCO Proposed Development, due to the fact that the pipeline would be mainly located below ground and operating impacts are minimal. During construction there is a temporarily effect considered due to the delivery works.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		Chapter 4 (**section 4.3**) of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.10 (Land use including Open Space, Green Infrastructure and Green Belt) of the NPS. The above assessment demonstrates compliance with GEN3.
GEN5 (Environmental Assessment)	Development proposals that are likely to have a significant impact on the environment and do not require formal assessment under other legislation must be accompanied by suitable supporting environmental impact information.	An Environmental Statement has been produced to support the application of the DCO Proposed Development. In accordance with the EIA Regulations, the Application therefore includes an ES which is broken down into the following Volumes: • Volume One: Non-Technical Summary **[APP-051 and APP-052]**; • Volume Two: Chapters **[APP-053 to APP-060, AS-025, APP-062 to APP-072]**; • Volume Three: Environmental Statement Appendices **[APP-073 TO APP-097, AS-27 to AS-30, APP-100 to APP-101, AS-031 to AS-38, APP-106, AS-039 to AS-042, APP-108 to APP-120, AS-043 to AS-052, APP-131 to APP-167, AS-004 to AS-006, APP-172 to APP-173];** and • Volume Four: Environmental Statement Figures **[APP-174 to APP-167, AS-004 to AS-006, APP-171 to APP-221].** The above demonstrates that an ES has been provided in accordance with GEN5.
GEN6 (Welsh Language and Culture)	Development proposals in areas which have a strong Welsh linguistic and cultural identity: a. must not cause demonstrable harm to the character of that community; b. and, where appropriate, should seek to reinforce the linguistic and cultural identity of that community.	A Welsh Language Statement **[APP-050]** has been produced in conjunction with the DCO Application which details how the Applicant has considered Welsh language speakers as part of the DCO Proposed Development and pre-application process. This demonstrates compliance with GEN6.
D1 (Design Quality, Location and Layout)	All development must incorporate good standards of design. Development will be permitted only if: a. it respects the scale of surrounding development, its location, siting, and layout make the best	The evolution of the design of the DCO Proposed Development is outlined in **Chapter 4** of the ES **[APP-056]** and illustrates how the DCO Proposed Development has

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	use of land, minimise the need to travel, and provide a safe and attractive environment; b. it is of the highest net density appropriate to its setting and function; c. it relates well to local topography, aspect, microclimate, street pattern, orientation and views; d. it creates positive and attractive building alignments and frontages; e. adequate provision is made for space around buildings, setting of buildings, imaginative parking and landscaping solutions; f. maximises the efficient use of resources, minimises the use of non renewable resources and minimises the generation of waste and pollution; and g. it is accompanied by design information commensurate with the scale and type of development proposed.	evolved to ensure the design is as accommodating as reasonably possible to avoid adverse effects. The Planning Statement (**Chapter 1**) sets out how the design of the DCO Proposed Development has evolved in terms of its location, layout and physical design. Consultation with stakeholders can be found within the consultation report **[APP-031]** and its relevant appendices, this record has helped to determine a definitive design in accordance with wider stakeholder views. This demonstrates that the Applicant has complied with D1.
D2 (Design)	Development will be permitted only where: a. the proposed building and structures are of a good standard of design, form, scale and materials; and b. it protects the character and amenity of the locality and adds to the quality and distinctiveness of the local area.	The evolution of the design of the DCO Proposed Development is outlined in **Chapter 4** of the ES **[APP-056]** and illustrates how the DCO Proposed Development has evolved to ensure the design is as accommodating as reasonably possible to avoid adverse effects. The Planning Statement (**Chapter 1**) sets out how the design of the DCO Proposed Development has evolved in terms of its location, layout and physical design. This demonstrates that the Applicant has complied with D2.
D3 (Landscaping)	New development will be required, where appropriate, to include a hard and soft landscaping scheme which considers:- a. landscape or townscape character of the locality; b. the topography of the site; c. aspect, microclimate and soil type; d. existing man-made and natural features; e. existing trees and vegetation; f. use of indigenous species and materials; g. appropriate boundary treatment; and h. nature conservation interests.	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA Methodology **[APP-139]**. **Chapter 12** concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development. Vegetation loss prior to construction would cause a primary impact on views during both construction and operation, though this is temporary and proposed to be screened where required. It has been identified, however, that significant visual effects would be possible from residential

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		properties close to the pipeline route and sections of Public Right of Way that are in close proximity to, or cross, the emerging route. **Chapter 4** (**section 4.3**) of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.9 (Landscape and Visual) of the NPS. This demonstrates that the Applicant has complied with D3.
D4 (Outdoor Lighting)	Development will be permitted only where any associated lighting is restricted to the minimum which is necessary to: a. ensure public safety and security; b. facilitate enjoyment of the physical and visual fabric of the development and its surroundings; and c. prevent light pollution by the creation of excessive glare.	Outdoor lighting will only be utilised at Construction Compounds into the evening during the period of construction. The location of these compounds has been designed to avoid impacts on the general public. The OCEMP **[AS-055]** and the OCTMP **[APP-224]** outline measures as to how lighting associated with the DCO Proposed Development will not adversely impact its surrounding receptors. The above demonstrates compliance with D4.
TWH1 (Development Affecting Trees and Woodland)	The Council will protect from development those woodlands and trees which are considered to be important local landscape, townscape and wildlife features. Where the principle of development affecting trees or woodland is acceptable, the County Council will require that: a. any tree, groups of trees or woodlands of value on or adjacent to the site are retained and that development is sympathetically incorporated around them; b. the pre-planning assessment of the trees and the development complies with the British standard, Guide for Trees in Relation to Construction (BS 5837) 2005; and, c. where the removal of trees is considered acceptable, suitable replacements that are appropriate to the character of the area shall be established elsewhere within the site.	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA Methodology **[APP-139]**. **Chapter 12** concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development. Vegetation loss prior to construction would cause a primary impact on views during both construction and operation, though this is temporary and proposed to be screened where required. It has been identified, however, that significant visual effects would be possible from residential properties close to the pipeline route and sections of Public

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		Right of Way that are in close proximity to, or cross, the emerging route. **Chapter 4** (**section 4.3**) of the Planning Statement provides an assessment of the DCO Proposed Development against Part 5.9 (Landscape and Visual) of the NPS. The DCO Proposed Development is also submitted with Hedgerow Plans **[AS-014** and **AS-015]** which illustrates the impact on important hedgerows within the Order Limits. This demonstrates that the Applicant has complied with TWH11.
TWH2 (Protection of Hedgerows)	Hedgerows which are important for their wildlife, landscape, historic or archaeological value will be safeguarded from significant damage or loss. Where development proposals affect hedgerows the Council will seek to ensure that, wherever possible, they are retained and incorporated into the layout of the development.	As per **Chapter 12** of the ES (Landscape and Visual) **[APP-064]** the removal of hedgerows shall be minimised as much as is reasonably possible and the majority of disturbed will be restored to match the original landscape.
L1 (Landscape Character)	New development must be designed to maintain or enhance the character and appearance of the landscape.	The DCO Proposed Development is anticipate to impact the landscape character of its location during operation. Measures, as outlined in the REAC **[AS-053]**, will be implemented to reduce the impact of the above ground installations.
L3 (Green Spaces)	Within these areas, development will only be permitted which does not unacceptably harm their function or value as a green space nor threaten their value to the community.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soils associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. In addition to this, **Chapter 12 [APP-064]** provides a detailed assessment of the visual impacts of the DCO Proposed Development. This chapter concludes that through appropriate mitigation, the magnitude of the construction can bring a

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		reduction to potential impacts notwithstanding an acknowledgement of a permanent change. The pipeline route has been designed to avoid built development and proposed major development allocations in adopted and emerging local plans. Existing land use of open space, sports and recreational facilities is not affected during the operational stage of the DCO Proposed Development, due to the fact that the pipeline would be mainly located below ground and operating impacts are minimal. Existing land use of open space, sports and recreational facilities not affected during the operational stage of the Project, due to the fact that the pipeline would be mainly located below ground and operating impacts are minimal. The above demonstrates compliance with Policy L3
WB2 (Sites of International Importance)	Development will not be permitted unless:- a. it is demonstrated that it will not have a significant adverse effect on any Ramsar Site or Natura 2000 site (including SPAs, potential SPAs, SACs, candidate SACs); or b. it is demonstrated, following appropriate assessment, that it will not adversely affect the integrity of any Ramsar or Natura 2000 site.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities wouldill be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. The above demonstrates compliance with WB2.
WB3 (Statutory Sites of National Importance)	Sites of Special Scientific Interest (SSSI) will be protected. There will be a presumption against development either within or in the vicinity of a site which would have a significant adverse effect on the nature conservation interest of the site.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities wouldill be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. The above demonstrates compliance with WB3.
WB4 (Local Sites of Wildlife and Geological Importance)	Wildlife Sites and Regionally Important Geological Sites will be protected. Planning permission will not be granted for development that is likely to have a significant adverse effect on their nature conservation or geological value.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities would be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. The above demonstrates compliance with WB4.
WB5 (Undesignated Wildlife Habitats)	Development will be permitted only if it will not have a significant adverse effect on wildlife and habitats of local importance.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities wouldill be short term, temporary and localised. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. The above demonstrates compliance with WB5.
WB6 (Enhancement of Nature Conservation Interests)	The incorporation within development proposals of measures which improve the nature conservation value of an area will be permitted by the Local Planning Authority.	**Chapter 9** of the Environmental Statement **[AS-025]** outlines that when mitigation methods are in place the DCO Proposed Development will not have any significant residual effects Undesignated Wildlife Habitats and therefore adheres to Policy WB5. No conservation areas are included within the Order Limits, this was a consideration of the route evolution as identified in **Chapter 4 [APP-056]**. The above demonstrates compliance with WB6.
HE1 (Development Affecting Conservation Areas)	Development in or affecting the setting of conservation areas will only be permitted if it preserves or enhances the character or appearance of the designated area.	**Chapter 9** of the Environmental Statement **[AS-025]** outlines that when in place mitigation methos will ensure that the DCO Proposed Development will not have any significant residual effects on conservation areas. No conservation areas are included within the Order Limits, this was a consideration of the route evolution as identified in **Chapter 4 [APP-056]**. The above demonstrates compliance with HE1.
HE2 (Development Affecting Listed Buildings and their Settings)	Any development affecting listed buildings or their settings, including internal or external alterations or change of use will be permitted only where: a. there is no adverse effect on the building's special architectural or historic character and appearance and the setting of a listed building; b. it can be demonstrated that the loss of, or damage to its historic fabric is unavoidable, has been	The potential impacts of the DCO Proposed Development on the Historic Environment have been considered in **Chapter 8** of the ES (Cultural Heritage) **[APP-060]** and its relevant appendices. The historic environment has been considered since the Basic Design stage of the DCO

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	minimised and that works which would result in the loss of, or which would conceal parts of a listed building, and which contribute to its interest, will be recorded by a photographic or drawn survey; and c. a change of use of a listed building or structure would increase the likelihood of the survival of the building and where alterations do not harm its character or special interest.	Proposed Development with inputs ensuring the avoidance of direct physical impacts on designated heritage assets. Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under Appendix 8-1 of the Environmental Statement in the Historic Environment Desk Based Assessment (Volume III) **[APP-084** to **APP-086]**. No listed buildings are included within the Order Limits and the assessments acknowledge this. The above shows compliance with HE2.
HE6 (Scheduled Ancient Monuments and other Nationally Important Archaeological Sites)	Development that would remove, damage or obscure a Scheduled Ancient Monument or other nationally important archaeological site, or its setting, will not be permitted.	Where possible the DCO Proposed Development has aimed to avoid impacts on the Historic Environment from the earliest stages of design. The potential impacts of the DCO Proposed Development on the Historic Environment have been considered in **Chapter 8** of the ES (Cultural Heritage) **[APP-060]** and its relevant appendices. The historic environment has been considered since the Basic Design stage of the DCO Proposed Development with inputs ensuring the avoidance of direct physical impacts on designated heritage assets. Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under Appendix 8-1 of the Environmental Statement in the Historic Environment Desk Based Assessment (Volume III) **[APP-084** to **APP-086]**. Where the DCO Proposed Development may have a significant impact on receptors through construction or operation **Section 8.10** of **Chapter 8** of the ES **[APP-060]** proposes a number of methods of mitigation or enhancement. The above shows compliance with HE6.
HE7 (Other Sites of Lesser Archaeological Significance)	Development that affects sites of either known or suspected local and/or regional archaeological interest and their settings will be permitted only where:	There are no impacts on Other Sites of Lesser Archaeological Significance by the DCO Proposed

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	a. an archaeological assessment has been carried out, before a decision is made on the proposal, to the satisfaction of the Council which evaluates the intrinsic importance of the remains; and b. the need to retain the interest that has been identified is outweighed by the need for the proposed development. Where remains are affected but preservation in situ is not merited, excavations and/ or recording must be carried out to the satisfaction of the Council in advance of development commencing.	Development when mitigation methods outlined in **Chapter 8** of the ES **[APP-060]** are implemented. The potential impacts of the DCO Proposed Development on the Historic Environment have been considered in **Chapter 8** of the ES (Cultural Heritage) **[APP-060]** and its relevant appendices. The historic environment has been considered since the Basic Design stage of the DCO Proposed Development with inputs ensuring the avoidance of direct physical impacts on designated heritage assets. Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under Appendix 8-1 of the Environmental Statement in the Historic Environment Desk Based Assessment (Volume III) **[APP-084** to **APP-086]**. The above shows compliance with HE7.
AC2 (Pedestrian Provision and Public Rights of Way)	Development proposals will be permitted only where: a. there is safe, direct, and overlooked foot access to main local pedestrian routes; b. in the case of major publicly accessible development, there are signs and easily identifiable routes to and from public transport facilities and other local amenities; and c. any existing public rights of way are retained and integrated sympathetically into the landscaping of the site. Where diversion or alternative provision is deemed necessary, this should be designed and located to provide at least equivalent convenience and enjoyment and the diversion should be completed before the development commences.	Although every effort has been made for the DCO Proposed Development to avoid impacts on Pedestrian Provision and Public Rights of Way, the Order Limits cross with existing PRoW's. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. In addition to this, **Chapter 12 [APP-064]** provides a detailed assessment of the visual impacts of the DCO Proposed Development. This chapter concludes that through appropriate mitigation, the magnitude of the construction can bring a reduction to potential impacts notwithstanding an acknowledgement of a permanent change. The pipeline route has been designed to avoid built development and proposed major development allocations in adopted and emerging local plans.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		Where PRoW are impacted, it has been agreed through consultation that diversions can be introduced on a temporary basis. No PRoW will be permanently closed. The above demonstrates compliance with AC2.
AC12 (Airport Safeguarding Zone)	Development will not be permitted which would prejudice the safe and efficient operation of Hawarden Airport and RAF Sealand.	The DCO Proposed Development will not impact on the operation or Hawarden Airport. The assessment of Civil and Military Aviation can be found in **Section 4.3.7** of this Planning Statement. There is an Airbus Aerodrome (Part of Hawarden Airport) located in proximity to the Order Limits with FCC. Correspondence and meetings have been held with Airbus and this can be found within Appendix A of the Consultation Report **[APP-031]**. The Applicant does not consider that the construction, operation or decommissioning of the DCO Proposed Development will impact the setting or operation of the Airbus facility. Where mitigation (such as lighting or height limitations) may be required, it will be secured accordingly. The above assessment demonstrates compliance with AC18.
AC13 (Access and Traffic Impact)	Development proposals will be permitted only if: a. approach roads to the site are of an adequate standard to accommodate the traffic likely to be generated by the development without compromising public safety, health and amenity; and b. safe vehicular access can be provided by the developer both to and from the main highway network. Where considered necessary, the Council will require a transport assessment, incorporating a traffic impact assessment.	**Chapter 17** of the ES **[APP-069]** and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the environment in respect of Traffic and Transport. This Chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent effects likely. Some temporary effects would be likely to last longer than others and it is considered appropriate to reflect the predicted duration of effects when determining the likelihood of significant effects. Operation and decommissioning of the proposed pipeline

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		are not likely to be significant for transport effects and this is supported by the Transport Assessment **[APP-161]**. Consultation has been ongoing with both Flintshire County Council (FCC) and Cheshire West and Chester Council (CWCC) Highways Authorities. This consultation has included sharing the scope and conclusions of the transport assessment. The DCO Proposed Development does not propose to provide any improvement to, new or additional permanent highway infrastructure. There are temporary measures, diversions etc. which will be introduced during construction. This will be agreed with the highways authorities. Mitigation measures are outlined in the Outline Construction Traffic Management Plan (OCTMP) **[APP-224]**.Traffic management will be used to mitigate any residual constraints identified along construction traffic routes, as set out in the OCTMP **[APP-224].** This includes the use of restrictions such as speed limit reductions, one-way systems, and traffic signals. The need for these measures has been determined on a case-by-case basis to address identified local risks. **Chapter 4** (**section 4.3**) of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.13 (Traffic and Transport) of the NPS. The above demonstrates compliance with AC13.
RE1 (Protection of Agricultural Land)	Development which would result in the loss of agricultural land of Grades 1, 2, or 3a will be permitted only where: a. there is an overriding need for the development; b. the development cannot be accommodated on derelict, non-agricultural or lower grade agricultural land; or c. available lower grade land has an environmental value or designation which outweighs the agricultural considerations.	Statutory and non-statutory consultation has been completed and the views of the consultees have been given full consideration when selecting the pipeline route as identified within the Consultation Report **[APP-031]** and the **Chapter 4** of the ES **[APP-056]** on consideration of alternatives. The DCO Proposed Development crosses grades 1, 2 and 3 agricultural land. This is assessed in ES **Chapter 11 [APP-063]** which concluded that there will be a net loss of

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		agricultural land through the permanent acquisition of land for above ground infrastructure and land designated for mitigation delivery. Mitigation is proposed, but this does not remove the impact which is acknowledged and considered on balance to be acceptable given the scale of loss. The above indicates that where there is potential for conflict with policy, compliance can be reached through mitigation. Accordance is therefore demonstrated with RE1.
SR4 (Protecting Recreational Open Space)	Development which would result in the loss of playing fields, play areas, informal recreation areas, and other recreational open space will be permitted only where: a. there is already adequate recreational open space in the surrounding area; and b. the County Council as local planning authority is satisfied that the land will not be required in the longer term for school or community use; and c. the site has no visual or amenity value worthy of retention; or d. facilities can best be retained and enhanced through the redevelopment of a small part of the site; or e. where the development of the site would result in an under-provision of open space in the surrounding area, an equivalent area of replacement space is provided in an appropriate location.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soils associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. In addition to this, **Chapter 12 [APP-064]** provides a detailed assessment of the visual impacts of the DCO Proposed Development. This chapter concludes that through appropriate mitigation, the magnitude of the construction can bring a reduction to potential impacts notwithstanding an acknowledgement of a permanent change. The pipeline route has been designed to avoid built development and proposed major development allocations in adopted and emerging local plans. Existing land use of open space, sports and recreational facilities is not affected during the operational stage of the DCO Proposed Development, due to the fact that the pipeline would be mainly located below ground and operating impacts are minimal.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		Chapter 4 (**section 4.3**) of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.10 (Land use including Open Space, Green Infrastructure and Green Belt) of the NPS. The above assessment demonstrates compliance with SR4.
MIN8 (Protection of Mineral Interests)	To ensure that known mineral resources are safeguarded for future use, Mineral Safeguarding Areas (MSA's) have been identified and are shown on the proposals map. Any non-mineral development within a MSA will require evidence as to what extent it may sterilise or restrict the working of mineral resources. Where the evidence is not forthcoming or demonstrates that there will be an unacceptable impact on mineral resources the application will be refused. However, where it is considered that the proposed development is of overriding importance, consideration will be given to the principle of pre-extraction of the minerals.	The DCO Proposed Development has looked at a range of impacts on mineral resource. ES **Chapter 11 [APP-063]** provides an assessment relating to land contamination, geology, soils (type and quality) and mineral resource. It provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. A loss of agricultural land is acknowledged as permanent. It concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas but the assessment within ES Appendix 11.3 **[APP-131** and **APP-132]** concludes no adverse impact on this designation. Trenchless construction including Horizontal Direction Drilling is proposed as part of this DCO Proposed Development. The submission is also supported by a Mineral Resource Assessment **[APP-131** and **APP-132].** **The above demonstrates compliance with Policy MIN8.**
EWP10 (Reusing Development Waste)	Planning permission will not be granted for major development proposals unless it has been demonstrated that consideration has been given to waste prevention or minimisation, and wastes likely to arise from all stages of development can be managed sustainably.	**Chapter 14** of the ES (Materials and Waste) **[APP-066]** details the impact of the DCO Proposed Development through the stages of Construction, Operation and Decommissioning on material assets and waste. This Chapter concludes that the DCO Proposed Development will have no significant adverse environmental effects. As such, no additional mitigation measures are required.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		During construction the diversion of waste from landfill through stockpiling and storage of earthwork arisings to maximise onsite reuse, and off-site recycling and treatment, will reduce the associated adverse impacts, and are hence material considerations in the assessment of likely effects on remaining landfill capacity. The above demonstrates compliance with EWP10.
EWP11 (Development on or Adjacent to Landfill Sites)	Proposals on sites that are on or adjacent to either active or former landfill sites will normally be allowed if they comply with the following requirements: a. an appropriate investigation must be undertaken to determine the actual or potential presence of landfill gases, leachates and/or other pollutants on the land to be developed; b. preparatory groundworks and suitable remedial and/or precautionary measures are approved prior to the primary development beginning; and c. if the development of the site is for a vulnerable use, including residential use, then it must be demonstrated that the landfill site is inert, safe and no longer gassing.	The DCO Proposed Development is in proximity of, but not located within areas of Historic or Operating Landfills. The design has evolved to typically avoid these areas and the route evolution can be found in **Chapter 4** of the ES **[APP-056]**. **Chapter 11** of the ES (Land and Soils) **[APP-063]** provides a detailed assessment of the land use impact of the DCO Proposed Development which includes an assessment of contaminated land. It concludes that no significant residual effects for contamination associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. The above demonstrates compliance with EWP11.
EWP12 (Pollution)	New development which is sensitive to pollution or hazard either directly or indirectly will be permitted only in areas where existing activities pose no potential risk of such impacts. New development which would create an additional risk of pollution or hazard will be permitted only where: a. it would not create or increase risk to the general public outside the boundaries of the site; and b. it would not impose significant restrictions on the use or development of surrounding land. Conditions will be imposed upon the development to ensure that on cessation of the use, reclamation and re-use of the site takes place including appropriate measures to deal with any contamination which exists on the site.	**Chapter 14** of the ES (Materials and Waste) **[APP-066]** details the impact of the DCO Proposed Development through the stages of Construction, Operation and Decommissioning on material assets and waste. This Chapter concludes that the DCO Proposed Development will have no significant adverse environmental effects. As such, no additional mitigation measures are required. During construction the diversion of waste from landfill through stockpiling and storage of earthwork arisings to maximise onsite reuse, and off-site recycling and treatment, will reduce the associated adverse impacts, and are hence

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		material considerations in the assessment of likely effects on remaining landfill capacity. **The above demonstrates compliance with Policy EWP12.**
EWP13 (Nuisance)	Development which is sensitive to noise, vibration, odour, dust or light pollution and which is proposed near to existing sources of nuisance, such as railways, roads, airfields or industrial activities, will be permitted only if the developer is able to demonstrate that sufficient measures will be taken to mitigate any potential adverse effects. Proposals which are likely to cause an increase in noise, vibration, odour, dust or light pollution will be permitted only if the developer has demonstrated that there will be no detrimental impact on users outside the boundary of the site, who may be sensitive to such nuisance.	**Chapter 15** of the ES **[APP-067]** asserts that significant impacts caused by noise and vibration arising from the DCO Proposed Development will be accordingly mitigated by the Detailed Design, production of a noise mitigation plan and agreement with the Local Authorities. The application is also supported by a Statutory Nuisance Statement **[APP-047]** sets out compliance with Statutory Nuisance within the Environmental Protection Act 1990. Within the Statutory Nuisance Statement, it is concluded that the only matters which has been assessed by the ES as likely to be significant for the DCO Proposed Development (and which may have a bearing on the EPA) are noise and vibration. However, it is demonstrated that the DCO Proposed Development would implement mitigation to minimise the impact and duration of high noise generating construction and decommissioning activities, as far as practicably possible to aim to avoid a nuisance being created. Anticipated likely noise impacts are raised in the ES as significant. Effects arise from the DCO Proposed Development's construction and decommissioning activities, this established in **Chapter 15 [APP-067].** In the most part, significant impacts caused from noise effects arising from construction activities will be adequately mitigated through measures detailed in the Noise and Vibration Management Plan. This is covered within the Statutory Nuisance Statement. The production of a Noise and Vibration Management Plan and agreement with the Local Authorities will be secured as part of the consolidated CEMP as a DCO requirement. This considered to reduce the overall impact.

Unitary Development Plan (UDP) 2000 - 2015		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		Whilst in most part the construction of the DCO Proposed Development would accord with the objectives EWP13 but in some localised areas there may be a conflict.
EWP14 (Derelict and Contaminated Land)	The reclamation and re-use of derelict and contaminated land will be permitted if: a. appropriate measures are taken to deal with any contamination which exists on the site: i. ensuring that no residual risk remains on site for future receptors; and ii. minimising as far as possible the off site disposal of contaminated waste material; and b. measures can be taken to identify and safeguard any significant nature conservation and historic interests which exist on the site.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. The ES is further supported by contaminated land baseline report **[APP-117 to APP-120].** Areas of contaminated land have been avoided through design, as outlined in ES **Chapter 4 [APP-056].** **The above shows compliance with EWP14.**
EWP17 (Flood Risk)	Development which would seek to reduce the impact and frequency of flood risk to areas at risk of flooding will be generally supported provided: a. the design and character of the works is appropriate to the locality: b. the works do not adversely impact on interests of acknowledged nature conservation and recreation importance; and c. the works do not increase flood risk elsewhere Other development within areas at risk of flooding will only be permitted where the Council considers that the development is justified and is satisfied that: a. the consequences of a flooding event can be effectively managed; b. it would not increase the risk of flooding elsewhere; c. appropriate alleviation or mitigation measures have been incorporated into the proposal and will be available for the lifetime of the development; and d. it would not have any adverse effects on the integrity of tidal and fluvial flood defences.	**Chapter 18** of the ES (Water Resources and Flood Risk) **[APP-070]** and its relevant appendices make assessment of the possible significant effects of the DCO Proposed Development on water resources and flood risk. Both the BVS and AGI elements of the Proposed Scheme will be served by a drainage system which will accommodate for the effects of climate change. Additionally, the pipeline will be below ground meaning that this element of the DCO Proposed Development will have therefore will not be at risk of climate change effects on the water environment and flood risk. The submission is also supported with a Flood Consequences Assessment **[AS-004 to AS-006].** **The above demonstrates that flooding can be actively managed in accordance with EWP17.**

8.7. TABLE B6: PLANNING POLICY COMPLIANCE ASSESSMENT: FLINTSHIRE LOCAL DEVELOPMENT PLAN 2015 – 2030 (ADOPTED PLAN 24TH JANUARY 2023)

8.7.1. This section is a policy compliance assessment against the Flintshire Local Development Plan 2015 -2030 (Adopted January 2023). The Applicant has considered the LDP as part of its previous assessment, utilising the consultation version of the Local Plan. The table below highlights how these policies have been updated for adoption and how the DCO Proposed Development is compliant.

8.7.2. The LDP enunciates on various strategic policies, development management policies, and monitoring. The policies are related to creation of sustainable places, building prosperous economy, respecting the environment and meeting the housing needs.

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
STR1 (Strategic Growth)	In order to meet Flintshire's economic ambition between 2015 and 2030, the Plan will make provision for: i. 8,000 – 10,000 new jobs; ii. 124.97 hectares of employment land; iii. 7,870 new homes to meet a housing requirement of 6,950 of which 2,265 will be affordable. The focus of this development will be at sustainable employment locations and in accordance with the sustainable settlement hierarchy and spatial distribution strategy.	The DCO Proposed Development will contribute to the economic ambition of Flintshire which is outlined in Policy STR1. The Needs Case for the DCO Proposed Development **[APP-049]** states that the DCO Proposed Development will provide 6,000 jobs and generate £17bn. **The above demonstrates compliance with policy STR1.**
STR4 (Principles of Sustainable Development, Design and Placemaking)	To promote and create new sustainable places, all development will be designed to a high standard in line with the sustainable placemaking design principles and should achieve local distinctiveness, be inclusive and accessible, and mitigate and adapt to climate change. To achieve this, all development should: i. Be designed to be adaptable, safe and accessible, to respond to climate change, and for housing, adapt to changing needs over time; ii. Respond to local context and character, respect and enhance the natural, built and historic environment, and be appropriate in scale, density, mix, and layout; iii. Be accessible and connected, allowing ease of movement; iv. Make the best use of land, materials and resources; v. Contribute to the well-being of communities, including safeguarding amenity, the public realm, provision of open space and recreation, landscaping and parking provision in residential contexts; vi. Incorporate new, and connect to existing green infrastructure, promoting biodiversity; vii. Incorporate where possible on-site energy efficiency and renewable energy generation; viii. Ensure there is capacity and availability of infrastructure to serve new development; ix. Manage water and waste sustainably; x. Ensure that it supports and sustains the long term well being of the Welsh language.	It is considered that the DCO Proposed Development would support sustainable growth by providing economic support to the region. The innovative technology proposed by virtue of the DCO Proposed Development will enable energy diversity and resilience for local and regional businesses. It will support sustainable development and environmental objectives by supporting the UK's transition to zero carbon and by providing the infrastructure to deliver negative emissions, deliver future decarbonising projects and further decarbonise the industrial sector. It will also generate employment opportunities and provide a positive contribution to socio-economic wellbeing. The accompanying ES Volume II **[APP-053 to APP-060, AS-025, APP-062 to APP-072]** demonstrates and concludes that there are no significant adverse environmental effects associated with the construction and operation of the DCO Proposed Development subject to proposed mitigation. **The above demonstrates compliance with STR4.**
STR5 (Transport and Accessibility)	Sustainable economic growth and development can only be delivered by the maintenance and enhancement of an integrated, accessible, usable, safe and reliable transport network. The development of Flintshire's transport infrastructure therefore underpins the Council's economic	**Chapter 17** of the ES **[APP-069]** and its relevant appendices include an assessment of the likely significant effects of the DCO Proposed Development on the

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	ambition and in turn, informs the provision of a sustainable pattern of development. Where appropriate new development and associated transport infrastructure should therefore: i. Facilitate accessibility to employment, homes, services, and facilities by locating development in places with access to integrated transport infrastructure, thereby reducing the need to travel; ii. Promote the implementation of an integrated transport solution in Flintshire, involving road, rail, bus, park and ride / share and active travel improvements; iii. Promote road and rail improvements to support Flintshire's sub-regional role as a strategic gateway and hub; iv. Ensure that the local highway network either has, or can be upgraded, to provide capacity to accommodate sustainable levels of development; v. Facilitate improvements to the quality, attractiveness and availability of public transport options; vi. Provide walking and cycling routes, linking in with active travel networks and green infrastructure networks; vii. Adopt a sustainable approach to the design, function and layout of new development, including providing appropriate levels of parking; viii. Support the movement of freight by rail or water.	environment in respect of Traffic and Transport. This Chapter identifies a number of sensitive receptors and potential effects which are limited exclusively to the construction period of the DCO Proposed Development, and would therefore, by definition, be exclusively temporary in nature, with no permanent effects likely. Some temporary effects would be likely to last longer than others and it is considered appropriate to reflect the predicted duration of effects when determining the likelihood of significant effects. Operation and decommissioning of the proposed pipeline are not likely to be significant for transport effects and this is supported by the Transport Assessment **[APP-151].** Consultation has been ongoing with both Flintshire County Council (FCC) and Cheshire West and Chester Council (CWCC) Highways Authorities. This consultation has included sharing the scope and conclusions of the transport assessment. The DCO Proposed Development does not propose to provide any improvement to, new or additional permanent highway infrastructure. There are temporary measures, diversions etc. which will be introduced during construction. This will be agreed with the highways authorities. Mitigation measures are outlined in the Outline Construction Traffic Management Plan (OCTMP) **[APP-224].** Traffic management will be used to mitigate any residual constraints identified along construction traffic routes, as set out in the OCTMP **[APP-224]** This includes the use of restrictions such as speed limit reductions, one-way systems, and traffic signals. The need for these measures has been determined on a case-by-case basis to address identified local risks. **The above assessment demonstrates compliance with STR5.**

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
STR7 (Economic Development, Enterprise and Employment)	In order to sustain Flintshire's role as a sub-regional economic hub, the Plan will support this by: i. Facilitating the delivery of jobs from key strategic sites at Northern Gateway, Deeside, and Warren Hall, Broughton; ii. Providing a range of general employment sites to enable a range of businesses to start-up, invest, innovate, expand and grow, benefitting from Flintshire's strategic location and positive quality of life; iii. Emphasising Deeside and its area of influence as the economic focus for Flintshire's long term economic ambition; iv. Providing the opportunity to realise the creation of 8-10,000 jobs in key sectors, over the plan period; v. Supporting the role of Flintshire's main towns as Main Service Centres, providing a range of employment, retail, leisure development, and services and facilities that are accessible to the wider communities they serve; vi. Supporting development related to the provision of higher/further education facilities which offer vocational skills training and direct links to key employers; vii. In rural areas, recognise the continued contribution agriculture makes to the rural economy, whilst also supporting wider rural enterprise, tourism and diversification; viii. Supporting the widespread provision of high speed broadband infrastructure across Flintshire, as well as consistent telecommunications connectivity	The Needs Case Report **[APP-049]** details the significant benefits that the DCO Proposed Development will provide to the local and wider community though its contribution to the economy through the creation of jobs and Gross Value Added. **The above demonstrates compliance with STR7.**
STR12 (Provision of Gypies and Travellers)	The accommodation needs of Gypsies, Travellers and Travelling Showpeople has been assessed and addressed appropriately, as part of Flintshire's overall needs for housing. Under the duty identified in the Housing Act (Wales) 2014, Flintshire has assessed the future accommodation needs which informs the basis for detailed policies. The Plan makes site specific provision for permanent and transit pitches, and a criteria based policy to judge the appropriateness of planning applications for new sites as they arise. The Council will seek to work with the Welsh Government and with neighbouring Authorities on key travelling routes, to ensure that the wider regional needs of Gypsies and Travellers are being consistently and responsibly met.	In Flintshire, the allocations of Magazine Lane (HN8.1) and Riverside Park (HN8.3) of Policy STR12, are the 147 Meters and 584 Meters from the Order Limits, respectively. There are no allocations for traveller sites within the Order Limits.

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
STR13 (Natural and Built Environment, Green Networks and Infrastructure)	Environmental networks can, and do, have a variety of roles in protecting and enhancing biodiversity, defining the landscape setting of places, defining the transition from urban to countryside, and facilitating well-being through amenity, recreation and active leisure. The key is to balance these sometimes conflicting roles, achieving a sustainable balance. Development will identify, respect, protect, enhance and connect Flintshire's environmental assets, to create a multifunctional network of natural and historic resources. To achieve this all development will: i. Protect open countryside and the undeveloped coastline; ii. Protect the open character and appearance of green barriers; iii. Conserve, protect and enhance the quality and diversity of Flintshire's natural environment including landscape, biodiversity, the Dee Estuary and the Clwydian Range and Dee Valley AONB; iv. Promote opportunities to enhance biodiversity and ensure resilience; v. Maintain, enhance, and contribute to green infrastructure; vi. Create and protect green spaces and open space / play environments that encourage and support good health, well-being, and equality; vii. Conserve, protect and enhance the local distinctiveness and quality of Flintshire's built and historic environment including listed buildings, conservation areas, registered historic parks, gardens and landscapes, scheduled ancient monuments and other locally important historic assets; viii. Make financial contributions where appropriate, to facilitate and maintain the favourable conservation status of key environmental assets; ix. Support measures to minimise the consequences of climate change; x. Protect playing fields and open space from development; and xi. Ensure adequate new open space and playing fields are provided as part of new housing development.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. In addition to this, **Chapter 12 [APP-064]** provides a detailed assessment of the visual impacts of the scheme. This chapter concludes that through appropriate mitigation, the magnitude of the construction can bring a reduction to potential impacts notwithstanding an acknowledgement of a permanent change. The pipeline route has been designed to avoid built development and proposed major development allocations in adopted and emerging local plans. Existing land use of open space, sports and recreational facilities are not affected during the operational stage of the Project, due to the fact that the pipeline would be mainly located below ground and operating impacts are minimal. **The above demonstrates compliance with the policies of STR13.**
STR14 (Climate Change and Environmental Protection)	The Council will seek to mitigate the effects of climate change and ensure appropriate environmental protection in the County through: i. Ensuring new development is sustainably located and designed so as to reduce the need for travel by private car; ii. Encouraging the use and development of appropriate or suitable brownfield land; iii. Adopting a sustainable approach to water resource management including supply, surface water	Climate change adaption has been considered throughout the design and selection process for the proposed route. The risk of flooding, effect of greenhouse gas emissions to the atmosphere, and embedded carbon have been considered as part of the design and assessment of impact and mitigation. This is further expanded on in ES **Chapter 7 [APP-059]** on climate resilience, ES **Chapter 10 [APP-062]**

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	run-off and waste water treatment; iv. Directing development away from flood risk areas, assessing the implications of development in areas at risk of flooding and ensuring that new development does not increase the risk of flooding elsewhere; v. Encouraging energy efficient development, environmentally acceptable renewable and zero / low carbon energy generation and combined heat and power and communal / district heating networks; vi. Ensuring that new development has regard to the protection of the environment in terms of air, noise and light pollution, unstable and contaminated land and former landfill sites; vii. Designing development to be adaptable and resilient to future effects of climate change.	on Greenhouse Gases**,** and ES **Chapter 18 [APP-070]** on water resource and flood risk and their associated appendices. Climate Change has also been considered cumulatively across each chapter of the ES, wherein the inter-dependencies are assessed. Where a combined impact is considered, it is mitigated or justified accordingly. The design of the pipeline has considered those measures to make it resilient to climate change, and the ES concludes that there are no significant impacts on climate change resulting from the laying of this pipeline. Generally, the use of pipelines offers a betterment on emissions compared to alternative means of transport such as tanker via road. **Chapter 4 (section 4.2)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.8 (Climate Change Adaptation) of the NPS. **This demonstrates that the Applicant has complied with STR14.**
STR16 (Strategic Planning for Minerals)	Flintshire's important mineral resources will be sustainably managed by: i. Protecting minerals from unnecessary sterilization by directing new development away from areas underlain by mineral of economic importance or where this is not possible through the requirement for prior extraction in accordance with the criteria set out in Policy EN23; ii. Reducing the conflict between mineral development and sensitive development through the use of buffer zones as identified on the constraints map and applied through Policy EN24; iii. Contributing towards the regional supply of mineral through the allocation of at least 3.543 million tonnes of sand and gravel and at least 35.928 million tonnes of crushed rock through the extension to existing quarries, as set out in Policy EN25, new sites and in collaboration with Wrexham County Borough Council; iv. Ensuring new mineral extraction is located so as minimise impacts on communities and the environment; v. Securing appropriate restoration which can deliver specific environmental and community benefits;	The DCO Proposed Development has looked at a range of impacts on mineral resource. ES **Chapter 11 [APP-063]** provides an assessment relating to land contamination, geology, soils (type and quality) and mineral resource. It provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. A loss of agricultural land is acknowledged as permanent. It concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas but the assessment within ES Appendix 11.3 **[APP-131** and

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	vi. Maximising the use of secondary and recycled aggregate in accordance with the criteria set out in Policy EN27.	**APP-132]** concludes no adverse impact on this designation. Trenchless construction including Horizontal Direction Drilling is proposed as part of this DCO Proposed Development. The submission is also supported by a Mineral Resource Assessment **[APP-131** and **APP-132].** There is no proposed mineral extraction, but the Order Limits are in proximity to and cross safeguarding areas. **The above demonstrates compliance with Policy STR16.**
PC2 (General Requirements for Development)	All development should, where appropriate: a. harmonise with or enhance the character, local distinctiveness and appearance of the site, existing building(s) and surrounding landscape/ townscape; b. not have a significant adverse impact on the safety and living conditions of nearby residents, other users of nearby land/property, or the community in general, through increased activity, disturbance, noise, dust, vibration, hazard, or the adverse effects of pollution; c. take account of personal and community safety and security in its design and layout; d. maximise sustainable travel choice by having safe and convenient access by foot, cycle, public transport and vehicles; e. not have an unacceptable effect on the highway network or highway safety as a result of problems arising from traffic generation, inadequate and poorly located parking spaces, servicing and maneuvering; f. not result in or be susceptible to problems related to foul and surface water drainage, land stability, contamination, flooding, or pollution of light, air and water, either on or off site.	Not all of the sub criterium of this policy are relevant to the proposal, of relevance are ‘a’, ‘b’ ‘c’ and ‘e’. The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the Planning Statement Application Document **Chapter 3** of the Environmental Statement **[APP-055].** The ES **Chapter 16 [APP-068]** considers the impacts upon the general population and human health, limiting impacts to the construction phase alone. **The DCO Proposed Development has been designed to be of good, considerate design and to align with the required criteria which have been listed in PC2. Where design has been unable to avoid impacts which are listed in PC2, mitigation methods have been outlined in the applications supporting documents.**
PC3 (Design)	All new development should, where appropriate: a. be of a high quality, distinctive and inclusive design which respects and enhances the site and its surroundings in terms of its siting, layout, scale, height, design, density, use of materials and landscaping, and creates a sense of place;	The DCO Proposed Development will utilise best practice through the available technology, industry standards and construction techniques to minimise impacts and local inconvenience appropriately and effectively as demonstrated within the Planning Statement Application

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	b. retain existing landscape and nature conservation features and incorporate opportunities to enhance biodiversity and ecological connectivity; c. ensure that new materials are appropriate, durable and sympathetic to the character and context of the site; d. protect and enhance the townscape, architectural, historic and cultural built environment; e. incorporate suitable provision of space about dwellings, amenity space, landscaping and planting; f. create attractive, accessible and safe and healthy places with natural surveillance, visibility and sensitive lighting; g. incorporate Sustainable Urban Drainage Schemes to bring about multiple benefits as an integral part of the development. h. protect the living conditions of nearby occupiers from any harmful effects of new development including overlooking, harm to outlook, increased activity/disturbance/noise.	Document **Chapter 3** of the Environmental Statement **[APP-055].** The design development process included the identification of mitigation commitments, both for mitigation embedded in the design and also good practice mitigation. There will be a number of permanent BVS and AGI locations across the pipeline route which will typically consist of a fenced compound, cathodic protection transformer rectifier cabinets and some above ground connection. As assessed within ES **Chapter 12** of the ES **[APP-064]** which concludes that with the application of mitigation these there would not give rise to be an adverse significant impact in terms of their visual prominence. and impact. **Chapter 4** (**section 4.2**) of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 4.5 (Criteria for Good Design for Energy Infrastructure) of the NPS. **The above demonstrates compliance with Policy PC3.**
PC5 (Transport and Accessibility)	New development proposals must be supported by appropriate transport infrastructure, and depending on the nature, scale, location and siting of the proposal, will be required to: a. Incorporate good access to the more sustainable modes of travel, firstly by walking and cycling, secondly by public transport, then by low emission private vehicle and finally by private motor vehicle; b. do not compromise the safe, effective and efficient use of the highway network and do not have an adverse impact on highway safety or create unacceptable levels of traffic generation; c. where significant adverse effects upon the transport network arising from the proposed development are unavoidable, they must be mitigated by, for example, improvements to transport infrastructure and traffic management; d. provide appropriate levels of parking, servicing and maneuvering space and in non-residential development, a minimum of 10% of parking spaces to have electric vehicle charging points; e. create well designed people orientated streets and make provision for people with restricted mobility including those with characteristics as defined by the Equality Act 2010;	**Chapter 17** of the ES **[APP-069]** explains that the DCO Proposed Development has assessed the potential effects on traffic and transport during the construction, operational and decommissioning phases of the development concluding that generally these are mitigable and avoidable. The above assessment has demonstrated compliance with PC10.Through the implementation of mitigation measures which are identified within the OCTMP **[APP-224]** and will be further consolidated at detailed design, the DCO Proposed Development will ensure there are no likely significant effects on traffic and transport during the construction, operational and decommissioning phases. The DCO Proposed Development will not create any new transport infrastructure and impacts will be limited to the construction and decommissioning phase. Any new access

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	f. safeguard, enhance and expand the active travel network, particularly by means of improving connectivity to and from the proposed development	roads will be temporary in nature with the land typically restored following completion of works. **The above assessment demonstrates compliance with Policy PC5.**
PC8 (Airport Safeguarding Zone)	Development will not be permitted which would prejudice the safe and efficient operation of Hawarden Airport.	The DCO Proposed Development will not impact on the operation or Hawarden Airport. The assessment of Civil and Military Aviation can be found in **Section 4.3.7** of this Planning Statement. There is an Airbus Aerodrome (Part of Hawarden Airport) located in proximity to the Order Limits with FCC. Correspondence and meetings have been held with Airbus and this can be found within Appendix A of the Consultation Report **[APP-031].** The Applicant does not consider that the construction, operation or decommissioning of the DCO Proposed Development will impact the setting or operation of the Airbus facility. Where mitigation (such as lighting or height limitations) may be required, it will be secured accordingly. **The above assessment demonstrates compliance with PC8.**
PC10 (New Transport Schemes)	The following transport schemes are safeguarded on the proposals maps: 1. A494(T) / A55(T) / A548 Northop to Shotwick Interchange Improvement; 2. Plough Lane link road; 3. A548 Greenfield to Ffynnongroyw; 4. A5104 Penyffordd Station to Padeswood Junction; 5. A494(T) Improvement Ewloe to River Dee.	The Order Limits and indicative pipeline route crosses the A494 at Ewloe. On the 14th of February 2023 it was announced by the Welsh Government in their response to the Roads Review that all major road projects in Wales are to be ceased, which includes schemes listed in policy PC10 which include the A494(T). **Chapter 17** of the ES **[APP-069]** explains that the DCO Proposed Development has assessed the potential effects on traffic and transport during the construction, operational and decommissioning phases of the development concluding that generally these are mitigable and avoidable. Through the implementation of mitigation measures, identified in the OCTMP **[APP-224],** there will be no likely significant effects on traffic and transport.

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		The above assessment has demonstrated compliance with PC10.
EN1 (Sports, Recreation and Cultural Facilities)	Proposals which would adversely affect or result in the loss of existing open space, sports and recreation facilities will only be permitted where: a. it can be demonstrated that the need for the facility has ceased; and b. it can be demonstrated that there are alternative facilities of at least an equivalent standard and availability in a sustainable and easily accessible location within the settlement or community; c. the facility no longer has significant functional, amenity value or quality; and d. the loss of the facility would not result in or worsen a deficiency in open space and recreation provision. All new residential developments will be required to include provision for public open space or sports and recreational facilities in accordance with the Council's adopted standard of 2.4 hectares per 1,000 population and be well related to the development it is intended to serve. Where it is not reasonably practical to meet these standards on site or where there is already sufficient provision, a financial contribution will be sought for off-site provision and / or the improvement of existing local provision.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. In addition to this, **Chapter 12 [APP-064]** provides a detailed assessment of the visual impacts of the scheme. This chapter concludes that through appropriate mitigation, the magnitude of the construction can bring a reduction to potential impacts notwithstanding an acknowledgement of a permanent change. The pipeline route has been designed to avoid built development and proposed major development allocations in adopted and emerging local plans. Existing land use of open space, sports and recreational facilities are not affected during the operational stage of the Project, due to the fact that the pipeline would be mainly located below ground and operating impacts are minimal. **The above demonstrates compliance with the policies of EN1.**
EN2 (Green Infrastructure)	Development proposals will be required to protect, maintain and enhance the extent, quality and connectivity of the green infrastructure network, including designated and non-designated green spaces (as shown on the proposals maps and listed in the table below), and where appropriate: a. create new green infrastructure linkages from the proposed development to the existing network; b. fill in gaps in the existing network to improve connectivity.	ES **Chapter 11 [APP-063]** provides a detailed assessment of the land use impacts of the DCO Proposed Development. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified.

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	Where the loss or damage of existing green infrastructure is unavoidable, appropriate mitigation and compensation will be required.	**Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance. This chapter identifies specific sites across the order limits wherein community receptors may be impacted, but this is limited to the construction phase alone. During construction existing infrastructure may be restricted but this is a temporary impact due to restricted access. The DCO Proposed Development is considered to be compatible as it will be below ground. **The above demonstrates how the DCO Proposed Development is compliant with EN2.**
EN4 (Landscape Character)	New development, either individually or cumulatively, must not have a significant adverse impact on the character and appearance of the landscape. Landscaping and other mitigation measures should seek to reduce landscape impact and where possible bring about enhancement.	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA **[APP-139]**. **Chapter 12** concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development. Landscape and Mitigation Area Plans **[APP-230]** have been submitted as part of the Outline Landscape and Ecological Mitigation Plan (OLEMP) **[APP-229]** which illustrates the approach to removing the construction impact upon the landscape. **The above demonstrates compliance with EN4.**
EN5 (Area of Outstanding Natural Beauty)	Within the Clwydian Range and Dee Valley AONB and its setting, development will only be permitted where it conserves or enhances the natural beauty of the designated area and its setting. In assessing the likely impact of development proposals on the natural beauty of the AONB,	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	cumulative impact will also be taken into consideration. Development must: a. not have an adverse impact on the special character and qualities of the AONB; and b. contribute to the social, economic and cultural well-being of the local community; and be of a scale, form, density and use that is compatible with the character of the AONB and local area; and c. be of an appropriately high standard of design and use appropriate materials that are compatible with the character of the AONB.	likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The DCO Proposed Development is not located within proximity of any AONBs or National Parks. The DCO Proposed Development is also considered to be compatible with the existing landscape given it will be below ground upon completion. **The above assessment demonstrates compliance with EN5.**
EN6 (Sites of Biodiversity Importance)	Development will not be permitted that would result in an adverse effect on the integrity of sites of international nature conservation importance. Proposals where adverse effects on site integrity cannot be ruled out would not be supported. Development likely to impact the special features of a Nationally Designated Site will only be granted in exceptional circumstances where appropriate compensation can be provided. Development proposals that would have a significant adverse effect on locally designated sites or site with other biodiversity and / or geological interest, including priority species, will only be permitted where: a. it can be demonstrated that the need for the development outweighs the biodiversity or geological importance of the site; and b. it can be demonstrated that the development cannot reasonably be located elsewhere; and c. any unavoidable harm is minimised by effective mitigation to ensure that there is no reduction in the overall biodiversity value of the area. Where this is not feasible compensation measures designed to create, restore and enhance biodiversity must be provided. Development that results in the restoration, enhancement and creation of habitats will be supported especially where this promotes the resilience of ecosystems.	**Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. It is concluded that during the operational phase, given it will be embedded underground, there is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. During construction it is concluded that mitigation and compensation measures are incorporated into DCO Proposed Development so that significant effects can be avoided. A Habitats Regulations Assessment **[APP-226]** has also been undertaken and reported in relation to any likely significant effects. **The above assessment demonstrates compliance with EN6.**

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
EN7 (Development Affecting Trees, Woodlands and Hedgerows)	Development proposals that will result in significant loss of, or harm to, trees, woodlands or hedgerows of biodiversity, historic, and amenity value will not be permitted. Where the impact of development affecting trees, woodlands or hedgerows is considered acceptable, development will only be permitted where: a. the development maximises their retention through sensive design measures; and b. where the removal of trees is considered necessary, suitable replacements shall be provided elsewhere within the site; and c. it results in a net gain in biodiversity.	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. Vegetation loss prior to construction would cause a primary impact on views during both construction and operation, though this is temporary and proposed to be screened where required. It is proposed to reinstate land to its former use where possible. All ancient woodland areas will be protected. **Chapter 9** of the Environmental Statement (ES) **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities will be short term, temporary and localised. The DCO Proposed Development is also submitted with Hedgerow Plans **[AS-014** and **AS-015]** which illustrates the impact on important hedgerows within the Order Limits. **The above demonstrates compliance with EN7.**
EN8 (Built Historic Environment and Listed Buildings)	The County's buildings and features of special architectural and historic importance, and their settings, will be preserved. a. Development proposals affecting listed buildings will be permitted only where: i. the alteration and/or extension to a listed building or its curtilage ensures that the special architectural character or historic interest is preserved; ii. the change of use of a listed building or its curtilage contributes towards the retention of a building or its sustainable re-use without having an adverse effect on its character, special interest	The pipeline route has been selected to reduce the impact on historic environment by avoiding where practicable designated heritage assets. The Order Limits do not include any designated Listed Building but some listing fall in close proximity, therefore the general principles of this policy are relevant. **Chapter 8** (Cultural Heritage) **[APP-060]** and **Chapter 12** of the ES (Landscape and Visual) **[APP-064].** These Chapters conclude that no significant residual effects are anticipated

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	or structural integrity; iii. the total or substantial demolition of a listed building, is accompanied by the strongest justification and convincing evidence that the proposal is necessary and unavoidable. b. Development should preserve Scheduled Ancient Monuments and their settings and where appropriate the preservation of other archaeological remains, having regard to the intrinsic importance of the remains and the need for the proposed development. c. Development should protect and conserve historic landscapes, parks and gardens.	on the Built Historic Environment and Listed Building after the implementation of methods of mitigation which are outline in **Chapter 8** of the ES. **The above assessment and points of evidence demonstrate compliance with EN8.**
EN9 (Development In or Adjacent to Conservation Areas)	Development within or adjacent to a conservation area will only be permitted if it would preserve or enhance the character and appearance of the conservation area or its setting. New development in such locations must also be of a high standard of design, respond to the area's special characteristics, and pay particular regard to: a. important views, vistas, street scenes, roofscapes, trees, open spaces, gaps and other features that contribute to the character or appearance of the conservation area; b. the retention of historically significant boundaries or other elements that contribute to the established form of development; c. the relationship to existing buildings and spaces, and pattern of development; d. scale, height and massing, architectural design and detailing, the use of materials, boundary treatment, and public realm materials.	Where practicably possible the DCO Proposed Development has aimed to avoid impacts on the Historic Environment from the earliest stages of design. The potential impacts of the Proposed Scheme on the Historic Environment have been considered in **Chapter 8** of the ES (Cultural Heritage) **[APP-060]** and its relevant appendices. The historic environment has been considered since the Basic Design stage of the DCO Proposed Development with inputs ensuring the avoidance of direct physical impacts on designated heritage assets. Heritage assets identified as experiencing no change, negligible or minor effects (not significant) during the preliminary assessment of likely impacts and effects have been reported under **Appendix 8-1** of the Environmental Statement and in the Historic Environment Desk Based Assessment (Volume III) **[APP-084** to **APP-086]**. Where the DCO Proposed Development may have a significant impact on receptors through construction or operation **Section 8.10** of **Chapter 8** of the ES proposes a number of methods of mitigation or enhancement. **The above assessment demonstrates compliance with EN9.**
EN11: Green Wedges	The following areas have been designated as green wedges on the proposals map:	The DCO Proposed Development is located within the Green Wedges of

<table>
<tr><th colspan="3">Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)</th></tr>
<tr><th>Policy</th><th>Relevant Policy Text</th><th>Compliance Assessment</th></tr>
<tr><td></td><td>
<table>
<tr><td>1. Gronant – Talacre – Gwespyr</td><td>9. Mold – Gwernymynydd</td></tr>
<tr><td>2. Gorsedd – Carmel</td><td>10. Mold – Mynydd Isa / Sychdyn / New Brighton</td></tr>
<tr><td>3. Flint – Bagillt</td><td>11. Connah’s Quay – Northop Hall / Ewloe / Shotton</td></tr>
<tr><td>4. Flint – Connah’s Quay</td><td>12. Shotton – Mancot – Hawarden – Ewloe</td></tr>
<tr><td>5. Flint – Flint Mountain</td><td>13. Hawarden – Mancot – Hawarden Airport – Saltney (S of R. Dee)</td></tr>
<tr><td>6. Flint Mountain – Northop</td><td>14. Broughton – Hawarden Airport – Saltney – Cheshire Border</td></tr>
<tr><td>7. Gwernaffield – Pantymwyn</td><td>15. Sealand – Cheshire Border (N of R. Dee)</td></tr>
<tr><td>8. Holywell - Greenfield</td><td>16. Buckley – Little Mountain – Dobshill – Drury – Hawarden – Ewloe</td></tr>
</table>
Within the designated green wedges development will only be permitted for:
a. justified rural enterprise needs;
b. essential facilities for outdoor sport and outdoor recreation, cemeteries, and other uses of land which maintain the openness of the green wedge and which do not conflict with the purpose of including land within it;
c. limited extension, alteration or replacement of existing dwellings;
d. small scale diversification within farm complexes where this is run as part of the farm business; or
e. the re-use of buildings provided that:
i. the original building is substantial, permanent and capable of conversion without major reconstruction;
ii. the new use will not have a greater impact on the openness of the green wedge and the purposes of including land within it; an
</td><td>

1. Gronant, Talacre, Gwespyr
5. Flint – Flint Mountain;
11. Connah’s Quay – Northop Hall / Ewloe / Shotton;
12. Shotton – Mancot – Hawarden – Ewloe;
13. Hawarden – Mancot – Hawarden Airport – Saltney (S of R. Dee);
15. Sealand – Cheshire Border (N of R. Dee).

This Planning Statement considers the impact on these green wedges in Section 5.4 and demonstrates compliance with EN11.
</td></tr>
</table>

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	iii. the building is in keeping with its surroundings. Certain other forms of development may be appropriate in the green wedge provided they preserve its openness and do not conflict with the purposes of including land within it. These are: mineral extraction; renewable and low carbon energy generation; engineering operations; and local transport infrastructure. Other forms of development would be inappropriate development unless they maintain the openness of the green wedge and do not conflict with the purposes of including land within it.	
EN12 (New Development and Renewable and Low Carbon Energy Technology)	New development will be required to maximize the potential for renewable or low carbon energy technology to meet the energy needs of the proposal. (n.b. remainder of policy relates specifically to residential developments and so has not been included).	The DCO Proposed Development directly contributes to the UK's transition to a low carbon future. This is demonstrated by the UK government's selection of HyNet Northwest as a designated track 1 cluster project to achieve Net Zero Targets. This is further expanded on in the Needs Case for the DCO Proposed Development **[APP-049]**. **Chapter 1** of this Planning Statement establishes the fundamental need for the DCO Proposed Development and wider HyNet North West Project. **The above demonstrates compliance with EN12.**
EN14 (Flood Risk)	In order to avoid the risk of flooding, development will not be permitted: a. in areas at risk of fluvial, pluvial, coastal and reservoir flooding, unless it can be demonstrated that the development can be justified in line with national guidance and is supported by a technical assessment that verifies that the new development is designed to alleviate the threat and consequences of flooding; b. where it would lead to an increase in the risk of flooding on the site or elsewhere from fluvial, pluvial, coastal or increased surface water run-off from the site; c. where it would have a detrimental effect on the integrity of existing flood risk management assets: or d. where it would impede access to existing and proposed flood risk management assets for maintenance and emergency purposes.	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the DCO Proposed Development on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood Risk. This chapter concludes that significant impacts are likely during the construction phase, rather than the

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		operation or decommissioning phases. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** for flood risk areas in England and a Flood Consequences Assessment (FCA) **[AS-004** to **AS-006]** for Wales. These have been informed through ongoing engagement with EA, NRW internal drainage boards, local authorities and Natural England. These documents are considered to be in accordance with paragraph 5.7.5 of EN-1 which sets out the minimum requirements in addition to supplementary guidance documents, Planning Policy Statement 25 (PPS25), TAN15 for Wales (or the latest versions since the adoption of EN-1). **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.7 (Flood Risk) of the NPS. **This demonstrates that the Applicant has complied with EN14.**
EN15 (Water Resources)	Development affecting water resources will only be permitted if: a. it would not have a significant adverse impact on the capacity and flow of groundwater, surface water, or coastal water systems; b. it would not pose an unacceptable risk to the quality of groundwater, surface water, or coastal water; and c. it would have access to adequate water supply, sewerage and sewage treatment facilities which either already exist, or will be provided in time to serve the development, without detriment to existing abstractions, water quality, fisheries, amenity or nature conservation d. there is no adverse effect on the integrity of the River Dee and Bala Lake SAC in particular through the treatment of waste water.	Initial assessments of groundwater and surface water quality and resource, fluvial geomorphology and flood risk have been carried out in order to identify the potential significant effects associated with the construction, operation and decommissioning of the DCO Proposed Development on potentially sensitive receptors. The pipeline route was selected and designed to reduce the impact on flood risk, avoiding high levels of flood risk with the whole route within FZ1. **Chapter 18** of the ES **[APP-070]** and its associated appendices assess the likely significant effects of the DCO Proposed Development on Water Resources and Flood

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	(Further text in policy – to be clarify if originally left out as it is irrelevant or if needs to be copied across)	Risk. This chapter concludes that significant impacts are likely during the construction phase, rather than the operation or decommissioning phases. Embedded mitigation is proposed to remove any adverse impacts regarding water resource and flood risk. The DCO Proposed Development is supported with a Flood Risk Assessment (FRA) **[APP-166** and **APP-167]** for flood risk areas in England and a Flood Consequences Assessment (FCA) **[AS-004** to **AS-006]** for Wales. These have been informed through ongoing engagement with EA, NRW internal drainage boards, local authorities and Natural England. These documents are considered to be in accordance with **paragraph 5.7.5** of EN-1 which sets out the minimum requirements in addition to supplementary guidance documents, Planning Policy Statement 25 (PPS25), TAN15 for Wales (or the latest versions since the adoption of EN-1). **Chapter 4 (section 4.3)** of the Planning Statement **[APP-048]** provides an assessment of the DCO Proposed Development against Part 5.7 (Flood Risk) of the NPS. No foul connection is proposed. **This demonstrates that the Applicant has complied with EN15**
EN16 (Development on or near Landfill Sites or Derelict and Contaminated Land)	Development proposals on or adjacent to either active or former landfill sites or derelict and contaminated land will be permitted if: a. an appropriate investigation has been undertaken to determine the actual or potential presence of landfill gases, leachates and/or other pollutants on the land to be developed; b. appropriate measures are taken to deal with any contamination which exists on the site prior to the development commencing; c. the development of the site is for a vulnerable use, including residential use, then it must be demonstrated that the site is inert, safe and no longer gassing and ensuring that no residual risk remains on site for future receptors;	The DCO Proposed Development is in proximity of, but not located within areas of Historic or Operating Landfills. The design has evolved to typically avoid these areas and the route evolution can be found in **Chapter 4** of the ES **[APP-056].** **Chapter 11** of the ES (Land and Soils) **[APP-063]** provides a detailed assessment of the land use impact of the DCO Proposed Development which includes an assessment of contaminated land. It concludes that no significant residual

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	d. the off-site disposal of contaminated waste material is minimised as far as possible; and e. measures can be taken to identify and safeguard any significant nature conservation and historic interest which exist on the site.	effects for contamination associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified.
EN18 (Pollution and Noise)	New development which is sensitive to the effects of existing noise, vibration, odour, dust, light or other pollution or nuisance, will be permitted only if it can be demonstrated that appropriate measures can be taken to mitigate any potential adverse effects. New development which would create an increased risk of noise, vibration, odour, dust, light or other pollution or hazard will only be permitted if: a. it would not unacceptably harm general amenity or living conditions; and b. it would not impose significant restrictions on the use or development of surrounding land. If new external lighting is proposed, particularly in or near to the AONB, this should be considered as part of an overall landscaping scheme and kept to a minimum to avoid light pollution.	The potential impact that the DCO Proposed Development may have on pollution and noise has been assessed in the Environmental Statement within **Chapters 13 [APP-065]** and **Chapter 15 [APP-067].** The impacts associated with transportation of materials and waste will be considered as part of the air quality, climate, traffic and transport, and noise and vibration assessments – as part of the wider ES. Before construction measures listed in the OCEMP **[AS-055]** will be consolidated and will adhere to best practice and sustainable methods of construction.
EN19 (Managing Waste Sustainably)	Proposals for new development should: a. demonstrate how the production of waste will be minimised during all stages of the development and how wastes which do arise would be managed in a sustainable way, in accordance with the waste hierarchy. b. demonstrate, where relevant, that adequate facilities and space for collection, composting and recycling of waste materials has been made.	**Chapter 14** of the ES (Materials and Waste) **[APP-066]** details the impact of the DCO Proposed Development through the stages of Construction, Operation and Decommissioning on material assets and waste. This Chapter concludes that the DCO Proposed Development will have no significant adverse environmental effects. As such, no additional mitigation measures are required. During construction the diversion of waste from landfill through stockpiling and storage of earthwork arisings to maximise onsite reuse, and off-site recycling and treatment, will reduce the associated adverse impacts, and are hence material considerations in the assessment of likely effects on remaining landfill capacity. **The above demonstrates compliance with Policy EN19.**
EN23 (Minerals Safeguarding)	Non-mineral development within Mineral Safeguarding Areas as defined on the proposals map will only be permitted where it can be demonstrated that:	The DCO Proposed Development has looked at a range of impacts on mineral resources.

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	a. the mineral underlying the site does not merit extraction, or b. the need for the non-mineral development outweighs the need to protect the resource, or c. the mineral can be satisfactorily extracted prior to the non-mineral development, or d. the development is of a temporary nature or can be removed within the timescales within which the mineral is likely to be needed, and e. essential infrastructure that supports the supply of minerals, including Mostyn Docks and Padeswood Cement Works (as shown on the proposals maps), would not be compromised or would be provided elsewhere. All applications for development, with the exception of householder applications, in these areas shall be supported by a Mineral Safeguarding Assessment. Proposals for non-mineral development on sites of 4ha or more, which are underlain by Category 1 sand and gravel shall be supported by a Prior Extraction Assessment	ES **Chapter 11 [APP-063]** provides an assessment relating to land contamination, geology, soil (type and quality) and mineral resources. It provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. A loss of agricultural land is acknowledged as permanent. It concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas but the assessment within ES **Appendix 11.3 [APP-131** and **APP-132]** concludes no adverse impact on this designation. Trenchless construction including Horizontal Direction Drilling is proposed as part of this DCO Proposed Development. The submission is also supported by a Mineral Resource Assessment **[APP-131** and **APP-132].** There is no proposed mineral extraction, but the Order Limits are in proximity to and cross safeguarding areas. **The above demonstrates compliance with Policy EN23.**
EN24 (Minerals Buffer Zones)	Development in the minerals buffer zones as identified on the Proposals Map will only be permitted where it can be demonstrated that it would not compromise current or planned mineral extraction. Applications for mineral extraction within buffer zones will only be permitted where it can be demonstrated that a sufficient buffer between mineral extraction and sensitive development can be maintained.	The DCO Proposed Development has looked at a range of impacts on mineral resources. ES **Chapter 11 [APP-063]** provides an assessment relating to land contamination, geology, soil (type and quality) and mineral resources. It provides a detailed assessment of the land use impacts of the project. It concludes that no significant residual effects for Land and Soil associated with the Construction, Operational or Decommissioning Stages of the DCO Proposed Development are identified. A loss of agricultural land is acknowledged as permanent. It concludes that there is no likely adverse impact on minerals. The DCO Proposed Development crosses through mineral safeguarding areas

Flintshire Local Development Plan 2015 – 2030 (Adopted Plan 24th January 2023)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		but the assessment within ES **Appendix 11.3 [APP-131** and **APP-132]** concludes no adverse impact on this designation. Trenchless construction including Horizontal Direction Drilling is proposed as part of this DCO Proposed Development. The submission is also supported by a Mineral Resource Assessment **[APP-131** and **APP-132].** There is no proposed mineral extraction and the Order Limits do not cross a buffer zone. **The above demonstrates compliance with Policy EN24.**

8.8. TABLE B7: PLANNING POLICY COMPLIANCE ASSESSMENT: INCE EMERGING NEIGHBOURHOOD PLAN

8.8.1. Ince Neighbourhood Plan (2023-2030) is, to date, not formally adopted and was open to public consultation between 30th January and 14th March 2023. This has been included at the request of CWCC through consultation received during the Relevant Representation Period.

8.8.2. The table below has been produced to provide an overview of all important and relevant policy. It only includes policy relevant to the DCO Proposed Development.

Ince Neighbourhood Plan (2023-2030)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
Policy LGS1 – Local Green Space	The following sites are designated as Local Green Spaces, in line with NPPF paragraphs 101 and 102, and Local Green Space guidance in PPG:- LGS1 – St. James' Churchyard LGS2 – Cricket Field LGS3 - King's Croft Field LGS4 - Fens Wood LGS5 – Goldfinch Meadows LGS6 – Ince Reservoir LGS7 - The North Hills LGS8 – Park Field Pool Lane LGS9 – The Meadows Kinsey's Lane LGS10 – Wood Farm Field LGS11 - Big Wood LGS12 – Decoy Wood LGS13 – The Parish Field LGS14 - Lower Marsh Lane Field LGS15 - Pool Lane Pasture	**Chapter 12** of the ES (Landscape and Visual) **[APP-064]** and its relevant appendices provide an assessment of the likely significant effects of the DCO Proposed Development on landscape character and visual amenity. The appendices contain an LVIA Methodology concludes that whilst all proposed mitigation will bring a reduction to the visual impact, some significant effects are expected to result on the landscape character and sensitive views as a result of the construction phase of the DCO Proposed Development.
Policy NAT1 – Wildlife Sites, Indicative Wildlife Corridors and Biodiversity	Development must have regard to Cheshire West and Chester Local Plan policies ENV4 and DM44. The local wildlife sites (Figure G), the areas of high distinctiveness (Figure H) and the indicative wildlife corridor network shown on Figure I shall be protected from inappropriate development unless it can be demonstrated that the benefits of development clearly outweigh the impact it is likely to have on the site and the wider network of sites. The enhancement of these sites will be supported. The indicative wildlife corridors, buffer zones and areas of high distinctiveness apply outside of the strategic allocations (see Figure B) and extant planning permissions. Areas identified on Figure H as supporting high distinctiveness habitat, which are not covered by strategic land allocations in the Cheshire West and Chester Local Plan (policies ENV8/ STRAT4/ ECON1/ EP6 and EP2) shall be protected by at least a 15m buffer zone. Development likely to have an impact on protected sites (statutory and non-statutory), protected/priority species, priority habitats or geological sites must be accompanied by an Ecological Assessment to meet the requirements of Cheshire West and Chester Local Plan policy DM44 and industry standards. This may include bird surveys to determine the potential for any likely significant effects on the designated features of the	**Chapter 9** of the ES **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities would still be short term, temporary and localised.

Ince Neighbourhood Plan (2023-2030)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
	Mersey Estuary SPA/Ramsar. The indicative wildlife corridor network which lies out of the strategic land allocations in the Cheshire West and Chester Local Plan (policies ENV8/ STRAT4/ ECON1/ EP6 and EP2) shall be protected by a 15m buffer zone. New developments must, where possible, not create divisions between existing indicative wildlife corridors (Figure I) and where possible should contribute to the creation of new or improved links. Development proposals where the primary objective is to conserve or enhance biodiversity shall be permitted. New developments shall demonstrate a net gain in biodiversity using a biodiversity metric calculation and avoidance/ mitigation strategies. Compensatory measures (for example biodiversity offsetting) will be required if a net loss of biodiversity is required.	
Policy NAT5 – Trees and Hedgerows	Any development that would result in the loss of, or the deterioration in the quality or setting of trees and hedgerows which contribute to the setting and character of Ince will not normally be permitted. Proposals must be designed in line with the mitigation hierarchy detailed in Cheshire West and Chester Local Plan Policy DM44, with compensatory measures only considered as a last resort. The retention of trees and hedgerows in situ will always be preferable. Where the loss of such features is unavoidable, replacement provision must be at a ratio of at least two new trees for each tree which is lost, with hedgerows requiring a 3:1 replacement ratio. New tree planting will be supported within new developments, and throughout the Parish in line with The Mersey Forest Plan.	**Chapter 9** of the ES **[AS-025]** identifies the baseline biodiversity value and sensitive receptors alone the route of the pipeline. The impact of construction and operation has been considered. There is a negligible concern to ecological receptors. Mitigation is applied to seek some minor, positive, long terms effects at a local scale. Whilst maintenance of the Newbuild Carbon Dioxide Pipeline may be required throughout its lifecycle, potentially resulting in the need to excavate ground to access the Newbuild Carbon Dioxide Pipeline, this is likely to be a rare occurrence and impacts associated with such maintenance activities would still be short term, temporary and localised.
Policy CC2 – Air Quality	Development proposals should be in accordance with Local Plan policies SOC5 and DM31 air quality. Proposals for major development (as defined in the Town and Country Planning (Management Procedures) (England) Order 2010) must be accompanied by an appropriate air quality assessment that demonstrates that the proposed development would not lead to deterioration of the air quality in any part of Ince such that the air quality of such part ceases to meet the legal requirements for air quality. Where an air quality assessment identifies an unacceptable impact on or from air quality, an appropriate scheme of mitigation must be submitted, which may take the form of onsite measures or, where appropriate, a financial contribution to off-site measures.	Air Quality has been taken into consideration in the EIA for the DCO Proposed Development. It has been identified that air quality changes could occur through dust and changes in pollutant levels caused by emissions during construction, through plant machinery and dust pollution and also during operation. However, with the implementation of mitigation measures and controls, the likely effect on human health, amenity and ecological receptors during construction is concluded to be not significant. This is demonstrated in **Chapter 6** of the ES **[APP-058]** and its appendices. It has been identified that air quality changes could occur during construction activity. However, with the application of mitigation measures, the DCO Proposed Development will

Ince Neighbourhood Plan (2023-2030)		
Policy	**Relevant Policy Text**	**Compliance Assessment**
		have no significant adverse effect on air quality during construction, operation and decommissioning stages.
FBC1 - Footpaths, Bridleways and Cycleways	Access to the countryside will be promoted through protection and maintenance of the existing Public Right of Way (PROW) network and cycleways (Figure M), their enhancement where possible, and the safety of users of rural roads and lanes. The construction and appearance of any new tracks, paths or links between existing footpaths must be appropriate and sensitive to the character of the locality and the surrounding area. Any development that leads to the loss or degradation of any PROW or cycleway will not be permitted in other than very special circumstances, and then only if a suitable alternative can be provided. Proposals to divert PROWs or cycleways should provide clear and demonstrable benefits for the wider community. Any new development must provide easy, accessible traffic-free routes for nonmotorised users (to include pedestrians, disabled people, people with prams or babybuggies, cyclists and where appropriate equestrians) to the nearby countryside. The provision of any such additional routes will be supported. The needs of non-motorised users (as described above) must be taken into account in all traffic planning, but especially in relation to rural lanes and roads. Measures to be taken to ensure this may include, for example, separation of pedestrians/cyclists from vehicular traffic where possible, improvements to signage, or means of speed reduction. Any proposals to create new links or routes including the following lost footpaths and bridleways in the parish will be supported (Figure N) 1. The path from Marsh Lane through Holme Farm (on map but not required) 2. The path/bridlepath from Middle Lane towards the Protos factory on Lordship Lane 3. The path from the restricted byway towards Elton Lane 4. Path across field to Lordship Lane 5. Path across Kemira road bordering the ENCIRC factor	Although every effort has been made for the DCO Proposed Development to avoid impacts on Pedestrian Provision and PRoW's, the Order Limits cross with existing PRoW's. **Chapter 16** of the ES **[APP-068]** summarises that there would be a residual impact associated with the DCO Proposed Development during construction on community receptors, PRoW's and green infrastructure. Mitigation is included to reduce its significance.
Policy ECDEV2 - Employment Development	Industrial or large- scale employment uses in the Parish will be directed to the existing and designated employment areas as detailed in Cheshire West and Chester Local Plan policies STRAT4 (Ellesmere Port); ECON1 (Economic growth, employment and enterprise); and EP2 (Employment land provision in Ellesmere Port). Employment development must be appropriately sited, designed and constructed to limit its influence on the rural setting and with extensive mitigation planting as necessary, and where appropriate indicative wildlife corridors within employment developments should be protected and enhanced.	The DCO Proposed Development will contribute to the economic ambition of Flintshire which is outlined in Policy STR1. The Needs Case for the DCO Proposed Development **[APP-049]** states that the DCO Proposed Development will provide 6,000 jobs and generate £17bn.