

Officers Report

Planning Application No: 145096

PROPOSAL: Hybrid planning application for proposed 57km pipeline scheme between Elsham and Lincoln, a 1.5km spur at Welton and associated above ground infrastructure at Elsham, together with outline planning application for associated above ground infrastructure at Welton with access to be considered and not reserved for subsequent applications.

LOCATION: Elsham to Lincoln Pipeline

WARD: Dunholme and Welton

WARD MEMBER(S): TBC

APPLICANT NAME: Anglian Water Services

TARGET DECISION DATE: 04/11/2022

DEVELOPMENT TYPE: Major - Other

CASE OFFICER: George Backovic

RECOMMENDED DECISION: Grant permission, subject to conditions

The application has been referred to the Planning Committee as the Development Management Team Manager considers it appropriate to do so, as it is a significant infrastructure project which affects a number of Wards within the District.

Introduction:

This is an application by Anglian Water Services (AWS) for a 57-kilometre potable (drinking water) pipeline. The proposed Elsham to Lincoln Pipeline Scheme covers an area of 368.56 hectares with the proposed 57-kilometre pipeline route running in a north-south alignment from Elsham (North Lincolnshire) to the south of Lincoln. At the northern extent of the proposed pipeline route, the new pipeline will run south from a proposed new covered reservoir and pumping station at Elsham (to the east of the existing Elsham Water Treatment Works) for approximately 52.5 kilometres to an existing pumping station at Waddington. The development will include a new 1.5 kilometre pipeline to the north of Welton, connecting the proposed Elsham to Lincoln pipeline to the existing Welton Water Treatment Works (WTW) site, hereafter referred to as the 'Welton spur'. This is a full planning application. The outline planning application is for additional above ground infrastructure at the Welton Treatment Works with all matters reserved apart from access.

The planning application boundary crosses the four Local Planning Authority (LPA) administrative areas of North Lincolnshire Council, West Lindsey District Council, City of Lincoln Council and North Kesteven District Council. The largest area of the proposed Scheme falls within the administrative area of West Lindsey District Council (230.78 hectares), 81.46 hectares fall within

North Lincolnshire Council, 54.19 hectares within North Kesteven District Council and 2.13 hectares within City of Lincoln Council.

As a statutory undertaker, the applicant AWS explains it has an obligation to develop a Water Resources Management Plan (WRMP) based on statutory guidance for determining the availability of water supplies, forecasting the demand for water, establishing the allowance needed for uncertainties and using these to identify sustainable options for maintaining a secure balance between the demand for and the sustainable supply of water to its customers. It puts in place the plans required to underpin sustainable economic and housing growth, in the context of climate change, in the region for the next 25-year period.

The applicant advises that the East of England is one of the driest regions in England, with only two thirds of the average rainfall and a delicate environmental balance. It is also one of the fastest growing, with the population predicted to increase by 20 per cent over the next 25 years. The East of England is officially classed as 'water stressed' meaning we must make careful use of this precious resource to balance supply and demand in the region. Without taking any action, the applicant states that the East of England would face a water deficit of 30 million litres a day by 2025. This is understood to be a shortfall equivalent of 4,380 Olympic swimming pools of water every year.

Anglian Water's 25-year Water Resources Management Plan (WRMP) assesses the impacts of these challenges and sets out how water management will be addressed across the region. As part of this Water Resources Management Plan, Anglian Water is building up to 500 kilometres of new interconnecting pipelines which will enable water to be moved around the region more freely from areas of surplus in north Lincolnshire to the south and east of the region where supplies are scarcer. The applicant claims that these new pipelines will strengthen local resilience by reducing the number of homes and businesses which rely on a single water source. The proposed Elsham to Lincoln Pipeline Scheme forms part of this new network of interconnecting pipelines and is a critical part of the infrastructure that will tackle the region's water supply challenges.

Scheme description and components

The pipeline will be buried for its entire length.

Open cut pipe laying: The majority of the proposed pipeline will be installed using an open cut pipe laying technique. This involves stripping and storing the topsoil to one side of the working width and excavating an open trench to install the pipe beneath the ground.

Welton spur:

The 1.5-kilometre Welton spur will run from the main Elsham to Lincoln pipeline in a west-east alignment for approximately 850 metres along an existing farm access track to Hackthorn Road. It will then run in a north south

alignment for approximately 550 metres along Hackthorn Road where it will connect into a proposed pumping station with the existing Welton WTW site. The Welton spur is located to the north of Welton and will not cross the Strategic Road Network (SRN) or live railways. This section of the pipeline route does run along a 550-metre section of Hackthorn Road and will cross one watercourse

Welton WTW

A new pumping station, for which outline planning permission is sought, is proposed at the existing 2.5-hectare Welton WTW. The proposed site comprises the existing AWS operational WTW which lies approximately 900 metres north of Welton to the north of Welton Manor Golf Course on the eastern edge of Hackthorn Road. The site is surrounded largely by agricultural land with isolated farmsteads.

The existing WTW site is accessed off Hackthorn Road and has a number of existing structures onsite including two covered water storage reservoirs, sub-station, filter building, transformer and generator compounds, pump house, septic tank and other associated infrastructure. The existing onsite buildings are brick built with tiled roofs

This application seeks outline planning permission for the construction of a new pumping station and associated infrastructure within the existing WTW site which in summary includes:

- A new pumping station up to 8 metres in height, with an indicative footprint of 175m²
- A new fluoride dosing kiosk up to 3 metres in height, with an indicative footprint of 68m²;
- A new generator building up to 4.5 metres in height, with an indicative footprint of 77m²;
- A new internal road layout; and
- associated below ground connecting pipework and cabling.

Indicative details of the main proposed structures have been included. The proposals for this element of the proposed scheme are still subject to change and will therefore be confirmed through the submission of a Reserved Matters application. Permanent operational access and temporary construction access will be via the site's existing access point off Hackthorn Road.

Compounds

In order to facilitate the construction of the pipeline, a number of compounds and laydowns will be established along the length of the pipeline route. These compounds and laydown areas will typically provide offices and welfare

facilities; storage for materials, fuel, construction substances/chemicals; waste containers; plant; equipment; and limited car parking.

These are split into Main Compounds, Satellite Compounds, Laydown Areas and Trenchless Crossing

Main compounds; 3 metre high single storey office/operational and welfare cabins, car parking, delivery/materials storage space, 8 metre high covered fabrication yard, and 2 metre high security fencing with passive infrared (PIR) Lighting.

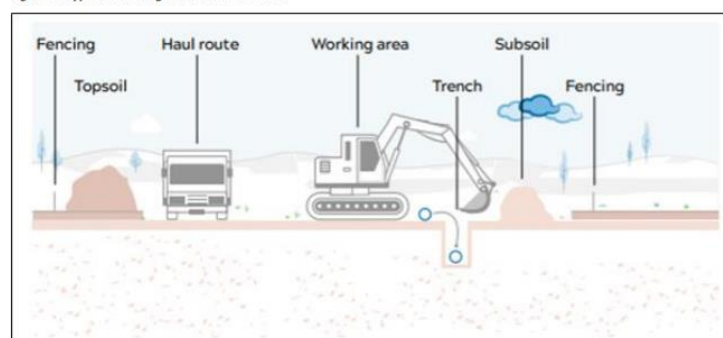
Satellite compounds: 3 metre high single storey welfare cabin, limited car parking, delivery/materials storage space, and 2 metre high security fencing with PIR lighting;

Laydown Areas: delivery/materials storage space, and 2 metre high security fencing with PIR lighting;

Trenchless crossing: 3 metre high single storey office/operational and welfare cabins, limited car parking, delivery/materials storage space, and 2 metre high security fencing with PIR lighting;

Working Width:

The construction of the pipeline will take place within a fenced strip of land, known as the working width. A working width of 40 metres will be put in place for the construction of the pipeline except where the route intersects areas of peat where it will be widened to 60 metres, and along the Welton spur where it will generally be 25 metres wide. The working width is intended to be narrowed at “sensitive locations”, to minimise landscape and ecological impacts. A typical cross-section is reproduced below



Programme

A phased approach will be adopted for the construction of the proposed scheme. An enabling works phase will start in winter 2022/early 2023 and will include activities such as establishing access points, fencing off the working width, environmental mitigation works, and installation of compounds and laydowns. The main construction phase will begin immediately after the enabling works and is anticipated to be completed by summer 2025.

Testing and commissioning of the pipeline and reinstatement of the working width is expected to commence in 2025 for some sections of the pipeline route, whilst construction works are ongoing along other sections of the route. The whole pipeline is expected to be constructed, tested and commissioned and the working width reinstated by the summer of 2025.

Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended):

An Environmental Statement has been submitted by the applicant, meaning the development is “EIA Development” under the regulations, in accordance with reg.5(1)

The documents submitted include:

Transport Statement

Noise and Vibration Assessment including Noise Surveys

Landscape and Visual Impact Assessment (LVIA)

Arboricultural Survey Report

Remedial Land Drainage Design Principles

Public Rights of Way Management Plan

Biodiversity Net Gain Strategy

Designated Ecological Sites Technical Report

Habitat Technical Report

Aquatic Ecology Technical Report

Bat Technical Report

Riparian Mammal Technical Report

Certificate of District Level Licensing for Great Crested Newt

Archaeological Desk Based Assessment

Archaeological Remote Sensing Report

Archaeological Geophysical Survey Report

Geo-archaeological desk-based assessment report

Relevant history:

143985 Request for EIA Scoping Opinion in relation to proposed potable water supply pipeline and associated infrastructure. Issued 02.02.22

Representations are published in full on the Council website. A summary of representations received, is provided as follows:

Greetwell Parish Council: Greetwell Parish Council has no comments to make on this application.

Hackthorn and Cold Hanworth Parish Council: Request that all roads are kept clean when the works are taking place. They ask that there is minimum disruption for farmers whilst the scheme is completed. The Parish Council ask that sufficient notice is given to the community regarding any road closures.

Nettleham Parish Council: No comments.

North Kelsey Parish Council: Have no comments to make at this stage of the planning process.

Scothern Parish Council: Scothern Parish Council has no observations to make on this application.

South Kelsey and Moortown Parish Council: No objections.

Spridlington Parish Council: No objection and refer to the comments made to 143985. Comments made reproduced below:

“Page 117 of report states “majority of construction activity will be undertaken during the standard daytime working hours 0700 – 1900 hours Monday to Friday and 0700 – 1700 hours Saturday”. In table 11-3 (page 120), the time period being measured for baseline noise levels is identical for the Monday to Friday period but only 0700 – 1300 hours for Saturday. Why is there a four-hour reduction in time frame when noise levels are being measured? In table 14-2 (Key scoping assumptions), under item 4. Working hours, it states “Currently expected to be weekdays 07:00- 19:00 and Saturday 07:00-16:00.” Consistency in the definition of working hours for purposes of construction activity would be appreciated. In addition, a glossary of terms would be extremely useful when the planning application report is submitted.”

Welton Parish Council: The Council has no comments or observations on this application.

City of Lincoln: No objections.

LCC (Minerals and Waste): It is considered that having regard to the scale and nature of the proposed development the County Council has no Minerals or Waste safeguarding objections.

Environmental Protection WLDC: With regards to noise I support the measures that have been put in place to protect residential properties and understand that residents will be notified prior to noisy works taking place. The Geo-environmental Risk Assessment demonstrates that ‘there is generally a low potential for ground contamination’, however there are some areas along the route where there is a potential for contamination due to the previous use. These areas will require further investigation in due course to ensure that any risk is minimised. I therefore request the following condition:

If during the course of development, contamination not previously identified is found to be present on the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a method statement detailing how and when the contamination is to be dealt with has been submitted to and approved in writing by the Local Planning Authority. The contamination shall then be dealt with in accordance with the approved details.

Ramblers Association: As a local Area Footpath Officer for the Ramblers, it's good to see such a comprehensive PROW management plan, and to hear that all PROWs crossed by the pipeline will be restored to baseline conditions.

LCC Highways: Could the applicant please submit a drawing demonstrating achievable visibility splays, in accordance with Manual for Streets guidance,

for the proposed operational access off Lincoln Road Nettleham (see drawing 'Nettleham Valve Complex Access Details').

Environment Agency: The proposed development will be acceptable if the following Condition is included on the planning permission's decision notice. Without this, we would object to the proposal due to its adverse impact on the environment.

Condition 1. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework.

In addition, we have various views to make, including a number of other points to be addressed before the application is determined, and recommend some informative comments to add to any Decision Notice as follows:

1. Ground Water and contaminated land (further comments in relation to Condition 1) Despite advice provided for in the Scoping Opinion, we can find no reference made to the 'Environment Agency's approach to groundwater protection' or relevant Groundwater Protection Position Statements, nor to our Land Contamination: Technical Guidance. We recommend that you highlight to Anglian Water that this guidance should be followed. Additionally, we are aware that Anglian Water are currently investigating the installation of an augmentation borehole to support Welton Beck during times of low flows. This development may need to be considered within the context of potential interactions.

Dewatering. The Environmental Statement Volume 2 and Construction and Environmental Management Plan both discuss the potential for dewatering, but there is no mention of the possible need to consider abstraction licensing. This was raised during comments provided on the Grantham to Bexwell section of Anglian Water's overall pipeline proposals, copied here for reference:

Due consideration should be given to the potential impacts of any ground/aquifer dewatering that may be required during the construction phase of the development. There are requirements to identify at-risk water users and features, to assess the potential impacts of dewatering upon these, and to determine any monitoring and/or compensation measures that might be required for their protection. Since 1 January 2018 most cases of new

dewatering operations above 20 cubic metres a day will require a water abstraction licence from the Environment Agency prior to the commencement of dewatering activities. The only exception to this where an abstraction licence would not be required would be if the de-watering meets the exemption criteria as set out in 'Water Abstraction and Impoundment (Exemptions) Regulations 2017'. A condition of any abstraction licence may be that any de-watering water is returned to the source aquifer, and this water will have to meet relevant quality criteria. If applicable, these issues should be considered within the scope of a hydrogeological impact assessment. The implications of dewatering in proximity to contaminated sites should also be considered as this could result in the mobilisation of contaminated groundwater.

Please include an informative comment on any Decision Notice which advises that the developer should determine the need for an abstraction licence at an early stage. We recommend the developer should follow the Hydrological Impact Appraisal for dewatering abstractions guidance. Timescales for processing abstraction licence applications should be factored into the development programme if required. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised.

In addition, depending on the details of dewatering schemes, a permit, regulatory position statement or low risk agreement may be required for the discharge of water. Again, the applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. Related to this, please include the following informative comment in any Decision Notice: Informative comment for applicant about Environmental Permitting This development may require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016. Related to this, it is noted that the Environmental Statement Vol 2 and appendix 14.1 of the scoping application covers potential discharges (12.5.2.2) and construction risk (Appendix 14.1).

In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply. The applicant is advised to find out more information about the permit application process online and to send a pre-application enquiry form via the gov.uk website:

<https://www.gov.uk/government/publications/environmental-permit-pre-applicationadvice-form>

If any activities require an environmental permit, one should be in place prior to commencement of discharge. Please do not underestimate the achievable timescales regarding the current environmental permitting process.

Augered or Directionally Drilled Crossings. There are some crossing points which are likely to need further assessment in terms of risk. This need for further assessment has been recognised in the Construction and Environmental Management Plan (CEMP) in section 14.1.4.41. Ground investigation to determine actual ground conditions is ongoing and a Ground

Investigation Report (GIR) will be produced which will identify areas requiring remediation where appropriate prior to construction. This CEMP should be reviewed and updated if required following the production of the Ground Investigation Report. Also in table 14.1.2: A programme of ground investigation is in progress to determine the underlying geology at each of the trenchless crossing locations. The contractors will be required to use a drilling mud which is environmentally designed specifically for use under watercourses and to follow the break-out procedure detailed in the CEMP.

Flood Risk:

Overall, it is noted that the pipeline will cross the following main rivers: • Kettleby Beck • North Kelsey Beck • Caistor Canal • River Ancholme • Seggimoor Beck • River Witham • South Delph We have reviewed the Flood Risk Assessment (FRA) and feel an appropriate assessment has been carried out identifying all sources of flood risk with suitable mitigation and conclusions suggested.

We appreciate this type of development lends itself more towards significant infrastructure and recommend any critical equipment is located outside of flood zone 2 and 3 and, where this cannot be achieved, all critical infrastructure raised above the 0.1% [1:1000] annual chance event scenario. As we have previously commented on, and discussed with the applicant at various meetings, there is a requirement to obtain a flood risk permit where exemptions or exclusions cannot be met.

The submitted FRA states that main river crossing E2L_WTR_0132 (Kettleby Beck) will installed via open cut. However, drawing no. 07640-100005-ELSLINTM-ZZZ-PLN-T0013: Proposed Site Layout Plan Sheet 4 of 21 appears to show that it will be directional drilled. This anomaly needs clarifying before the planning application is determined. (*This was subsequently confirmed as being open cut by the applicant – see end of report*)

Once this is done, it is recommended that the following additional 2 informative comments are included in any Planning Permission issued in relation to this matter and are added to give some further detail to the one recommended on the topic of Environmental Permitting in Section 1 of this letter:

Works within proximity to a main river or flood defence

Where works are proposed within 8m proximity to a main river or flood defence structure a flood risk permit will be required under the Environmental Permitting (England and Wales) Regulations (EPR) 2016. Permission must be obtained from the Environment Agency (EA) for any proposed activities which will take place:

- in, over, under or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence

- within 16 metres of any main river, flood defence (including a remote defence) or culvert for quarrying or excavation
- in a flood plain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) having the potential to divert flood flows to third parties, if planning permission has not already been granted for the works.

The Flood Risk Assessment (FRA) identifies a combination of trenchless and open-cut techniques when crossing the main rivers. Where possible, river crossings should be facilitated using trenchless techniques. These are the preferred method for installing pipes, ducts or cables underneath our flood defences. These techniques avoid unnecessary disturbance to ground conditions and defence stability. It also significantly reduces the amount of disruption caused by traditional trenching methods. However, from previous discussions, the EA is already aware that this is not possible for all crossings. The EA would welcome detailed pre-application discussions on these crossings. The EA will require detailed methods of work/risk assessments/ plans/drawings/emergency plans be submitted for all EPR applications.

Where possible, an exemption may be useable should the criteria be met. The exemption most suitable for this type of development would be FRA 3. Service crossing below the bed of a main river not involving an open cut technique. The exemption criteria can be found at: Exempt flood risk activities: environmental permits - GOV.UK (www.gov.uk). If the applicant feels this exemption criteria can be met, this can be registered free following the links. For further guidance and advice please visit our website: https://www.gov.uk/guidance/flood-risk-activities_environmental-permits or contact our local Partnership and Strategic Overview team by email at PSOLincs@environment-agency.gov.uk

Pre-application permitting meetings. The Environment Agency would welcome further discussions on proposed works through our pre-application permitting meetings. Our maintenance maps show that, for Kettleby Beck and Seggimoor Beck, we currently use the northern side as an access route for maintenance such as weed control. There is a lagoon on both the plans that may restrict access. However, it is hard to tell the exact distance on the plan provided. In addition, please can a further informative comment be included on any Decision Notice reading:

Works close to Ordinary Watercourse As the proposal crosses a number of 'Ordinary Watercourses' (a non EA Main River) we strongly recommend the relevant Lead Local Flood Authority are consulted to confirm their requirements. Where the water pipe crosses an 'Ordinary Watercourse' within an Internal Drainage Board (IDB) district, we strongly recommend the relevant IDB are consulted to confirm their requirements. A map showing the areas managed by the various IDBS can be found here: https://www.ada.org.uk/member_type/idbs/

Water Quality and Resource. We are pleased to see that Anglian Water have identified 9 surface water abstractions in the area. It is possible that there

could be more, and it is important that they check for any more potential licences as they carry out their works. It is important that mitigation measures are put in place to ensure work does not impact these abstractions, including any groundwater abstractions. Anglian Water may need to apply for permits to carry out constructions, for example, as advised above in Section 1 of this letter, dewatering may need an abstraction licence. We are satisfied that Anglian Water are following appropriate pollution prevention guidelines, as long as they mitigate the surface water impacts and do not degrade it.

Waste. The site location plans do not indicate the pipeline will directly impact any existing waste sites or historical landfill sites. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice, excavated materials that are recovered via a treatment operation can be reused on-site providing they are treated to a standard such that they are fit for purpose and unlikely to cause pollution treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to the position statement on the Definition of Waste: Development Industry Code of Practice The waste management page on GOV.UK and an informative comment should be added to any Decision Notice advising of this.

Installations. The site location plans do not indicate the pipeline will impact any existing installations (active IPPC authorisation) sites. However, the scheme passes close to a number of Farms with IPPC authorisations. The proposal should have no significant impact on the potential for Major accidents to the Environment at the Elsham Water Treatment Work. Although the site is a Control of Major Accident Hazards (COMAH) site, the proposed development on site is away from the area where the hazardous substances are stored. Additionally, the site's management system should consider the impact of the change and ensure any major accident scenarios are assessed and managed appropriately. We would also like to raise that the supply of water from Elsham to the Humber bank is important to a range of activities that the Environment Agency regulates. Whilst we assume that the impact of supplying water from Elsham to Lincoln on other customers has been assessed, we should be grateful if you could ensure that it gives rise to no adverse issues in relation to the water supply for the Humber bank.

(The applicants commented on this by email on 13.12.22: The Scheme will not impact water supplies in the north of our region and will have no negative impact to supplies to the Humber bank. The Scheme will only redistribute the surplus supply that exists in the north to the parts of the region in the south where supply is not so plentiful.)

Fisheries, Recreation and Biodiversity. We wish to make the following comments on the biodiversity aspects of the Environmental Statement, specifically, to the open cut construction method of crossing the smaller water courses: • Pumping of water to maintain flow during construction has the potential to impact End 7 on eels and other fish species. Under the Eel Regulations (2009), screening should be put in place on any pumps to protect eels, in this case 9mm screens. See also Safe passage for eels - GOV.UK (www.gov.uk). You are recommended to include an informative comment on any Decision Notice advising the applicant of this. • Enhancement of habitat for water voles must be carried out well in advance, in order to allow vegetation to establish. In line with comments made in connection with the planning application for other parts of this pipeline in the Lincoln City area (their reference 2022/0464/FUL) and North Lincolnshire (their reference PA/2022/1122) plus other recent pipeline applications by Anglian Water, we would like a Planning Condition to be considered which secures how the scheme will accommodate water voles prior to the commencement of development.

(The applicant responded on 13.12.22 that “the statutory licencing body, Natural England have confirmed they are happy with our approach to water vole mitigation and have granted a DLL on this basis. Flumes have been appropriately sized to maintain connectivity and displacement arrangements have been agreed with Natural England”)

No doubt you will liaise with them on this matter in bringing it to a conclusion. Please also ensure that the culverts are able to accommodate the large fluctuations in water levels which can be seen in the Internal Drainage Board (IDB) areas: 300mm headroom above 'normal' water levels may not be sufficient depending on the 'normal' level chosen

Summary Please can you ensure the Planning Condition on the topic of contamination and all the informative comments recommended above are included in any decision notice and that the other points that have been raised are taken into account before any decision is made on this application. Related to this, we recognise that some of the points raised and suggested informative comments could be more applicable to stretches of Anglian Water’s pipeline proposals outside your Council’s administrative area. However, as they relate to the acceptability of their pipelines as a whole, it is important that they are addressed as part of the overall consideration of this matter by all the Councils that have planning applications for Anglian Water’s proposals. In accordance with the planning practice guidance (determining a planning application, paragraph 019), please notify us by email within two weeks of a decision being made or application withdrawn. Please provide us with a URL of the decision notice, or an electronic copy of the decision notice or outcome.

Natural England 06.12.22: No objection subject to appropriate mitigation.
We consider that without appropriate mitigation the application would:

Have an adverse effect on Best and Most Versatile Agricultural Land. In order to mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

The SMP shall be updated in line with the pre-entry soil assessment, including any plans which will utilise the pre-entry soils data;
The presence of a soil specialist during soil handling shall be stipulated.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

Recommended Planning Condition for Soils Natural England has been in direct communication with the developer regarding their Soils Management Plan (SMP). We are sending further advice directly to the developer regarding recommended adjustments to their current SMP but do not wish to disproportionately delay the case. We therefore will not object to the case provided the following planning conditions are attached:

- The recommendations within the Pre-entry Soil Assessment, including any plans which utilise the pre-entry soils data, should be adopted within the Soils Management Plan.
- The presence of a soil specialist during soil handling should be stipulated as a planning condition, in order to determine the suitability of soil conditions to soil handling using the field tests as set out in the Soil Management Plan.

01.11.2022 Natural England (Summary)

Detailed soil and ALC data is necessary to provide a baseline for the ALC grade as well as soil properties to inform soil handling. Whilst pipeline projects do not typically result in large areas of permanent development, they do result in large swathes of land undergoing temporary disturbance to lay the pipeline. Whilst this disturbance is temporary, the inappropriate management of the soil resource can result in a permanent degradation of the land, including a change in the ALC Grade, which can ultimately result in the permanent loss of BMV agricultural land. Appropriate mitigation to prevent the potential loss of BMV land (including the degradation of agricultural land through inappropriate soil handling) includes the restoration of disturbed land to the baseline ALC Grade. In the absence of a detailed baseline informed by a detailed soil and ALC survey, the restoration cannot be assured. The assessment of the loss of agricultural land should therefore consider that there is the potential for a permanent loss of 266.2 ha of (potentially) BMV if the soil handling or restoration is not appropriate.

Historic England:

07.12.22: Further to our advice letter of the 27 June 2022 expressing our concerns further to paragraph 205 of the National Planning Policy Framework, you have re-consulted us on additional submitted information including on 'An Archaeological Observation' (PCA report on geo-tech pit monitoring) and 'Geophysical Survey Report'. We refer you to the advice of your own

archaeological advisors in respect of the detail of work required and specifically the approval for mitigation strategies in a consistent and holistic approach across the scheme. [We] will continue to provide support to our local authority curator colleagues with regard to archaeological science. The residual risk of un-anticipated remains being encountered during construction should be managed by a scheme of archaeological monitoring and recording during works (additional to evaluation trenching and targeted mitigation excavations). This direct professional archaeological monitoring will need to be appropriately resourced and supported by Anglian including with clear working arrangements set out for the pipeline contractor, this would align with industry good practice.

Historic England has concerns regarding the application on heritage grounds further to NPPF paragraph 205 - in which regard we refer you to the expertise of your own archaeological advisors.

29.07.22: This is an important part of large-scale infrastructure scheme with potential to impact upon numerous undesignated heritage assets, engagement with the advice of local authority archaeological curators is crucial and we welcome the applicant's positive work on this and across the wider scheme. We provide support to our colleagues in local government through the expertise of our Regional Science Advisor. Associated access and compounds etc. should be fully contained within the scope of archaeological protection and mitigation measures with for example sensitively designed physical barriers to vehicle damage to sensitive earthworks and structures (e.g. water weighted blocks) and we welcome the applicant's positive approach to managing these risks. Overall it is important that programme timings enable the results of archaeological evaluation to be accessible and inform mitigation in advance of construction. At this pre-determination stage the emerging results of evaluation works should inform an overall archaeological mitigation strategy which sets out an holistic approach grounded in solid research questions further to NPPF paragraph 205. This overall Archaeological Mitigation Strategy should be submitted prior to determination so conditions for consent can refer to it as a yard against which the submission post consent of archaeological contractor's Written Schemes of Archaeological Investigation can be approved.

LCC Historic Places Manager: 12.12.22:

The Historic Places Team of LCC provides advice on the archaeological impact of development in line with the requirements set out in the NPPF. In the interest of achieving the appropriate outcome as far as this proposal is concerned we have been involved in many pre-application discussions and have been able to monitor the field survey and evaluation programmes commissioned by the applicant. Considerable archaeological evaluation has been undertaken including assessments of the palaeo-environmental impact the scheme might have where deposits of earlier environmental conditions survive.

Following the completion of the pre-application assessments an Archaeological Mitigation Strategy has been developed on behalf of the applicant by archaeologists working for SPA. I can confirm that this sets out an appropriate response to the potential impact of the works set out in this application. I am content to see planning permission granted with a condition that requires the implementation of the mitigation strategy (as amended by an exchange of emails with myself) in full. The mitigation strategy provides for a number of archaeological interventions which will see archaeological remains which cannot be avoided by the scheme being recorded by sample excavation.

Witham Third District Internal Drainage Board:

The pipeline within the WLDC boundary goes the Witham Third District Internal Drainage Board extended area. The full length of the pipeline also affects Witham First District Internal Drainage Board and Upper Witham Internal Drainage Board.

Under the terms of the Board's Byelaws, the prior written consent of the Board is required for any proposed temporary or permanent works or structures in, under, over or within the byelaw 9m distance of the top of the bank of a Board maintained watercourse. Under the terms of the Land Drainage Act. 1991 the prior written consent of the Board is required for any proposed temporary or permanent works or structures within any watercourse including infilling or a diversion. Under the provisions of the Flood and Water Management Act 2010, and the Land Drainage Act. 1991, the prior written consent of the Lead Local Flood Authority (Lincolnshire County Council) is required for any proposed works or structures in any watercourse outside those designated main rivers and Internal Drainage Districts. At this location this Board acts as Agents for the Lead Local Flood Authority and as such any works, permanent or temporary, in any ditch, dyke or other such watercourse will require consent from the Board.

The applicant is aware of the need for Land Drainage Consent and has already approached the Boards with regard to this project.

Network Rail: (Summary). Following assessment of the details provided to support the above application, Network Rail has **no objection** in principle to the development, but there are some requirements which must be met.

Works in Proximity to and on Operational Railway Environment

Development Construction Phase and Asset Protection Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

Condition Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority. Contact details for Asset Protection are supplied below and we would draw the developers' attention to the attached guidance on Network Rail requirements.

Easements and Wayleaves. Agreement must be reached with Network Rail in relation to the use of railway land for the pipe and it is imperative that the developer fully engage with our Easements and Wayleaves Team to obtain the necessary agreements and clearances in order to install and operate the pipe through railway land. This will also include agreements to ensure that work to install the pipe can be undertaken safely and without impact to operational railway safety.

We understand that no discussions between the developer and our Easements and Wayleaves Team have as of yet taken place, the necessary agreements must be entered into prior to any work taking place.

Construction traffic/HGV Routing

From the information supplied, it is not clear if construction/HGV traffic associated with work at the site will be using routes that include any Network Rail assets (e.g. bridges and in particular level crossings on the pipeline route). We would have serious reservations if during the construction or operation of the site, construction traffic will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by construction traffic. I would also like to advise that where any damage, injury or delay to the rail network is caused by construction traffic (related to the application site), the applicant or developer will incur full liability.

Condition It is expected that a Construction Traffic Management Plan is agreed with the Local Planning Authority in conjunction with Network Rail prior to work commencing on site.

Reason for above conditions: The safety, operational needs and integrity of the railway.

Canal and Rivers Trust:

The Trust's land ownership of the River Witham is between the north and south banks of the waterway. The River Witham lies between the North Delph and the South Delph with all three waterways proposed to be passed beneath by the pipeline using trenchless methods. The main issues relevant to the Trust as statutory consultee on this application are the impacts of the proposal on the River Witham as an asset within our land ownership; as a navigable waterway and a wildlife corridor. The Trust's land ownership does not include

the Caistor Canal, nor are we aware of any active organisations proposing the restoration of this former canal route and heritage asset. Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is to advise that suitably worded conditions are necessary to address these matters.

Navigational Safety and Structural Integrity

The applicant in carrying out ground investigations needs to note that while the Witham is a river, it has been significantly engineered in pre-industrial times, so ground conditions may be highly variable in the vicinity of the river. Detailed survey work will therefore be necessary to inform methodologies around the design of the pipeline crossing of the waterways including the River Witham. The LPA will want to be satisfied that the proposal adequately assesses land stability and ground conditions in close proximity to the waterways; that their infrastructure will be protected from adverse vibration that could affect their structural integrity; and other matters such as construction noise, dust etc. should also be considered with regards to the wider environment. We recommend the attachment of suitable conditions with regards to all these matters.

The Trust in any event would require such details as would be necessary to protect the navigational safety, structural integrity, water quality etc. of the River Witham in accordance with Part 2, Chapter 2 of our Code of Practice for requirements around Service Crossings. Informatives are requested to enable the applicant/developer to contact our Infrastructure Services Team with regards to this matter and our Utilities Team regarding the necessary commercial agreement for this Service Crossing.

Wildlife Corridor We note that the trenchless pipe crossing of the River Witham will have construction compounds located on land used in the construction of the adjacent by-pass road bridge, however should local top soil have been reinstated since the temporary use of this land we suggest that it be conditioned to be reused to retain native seed stock on completion of the proposed works. This would assist in maintaining the wider biodiversity of the River Witham as a wildlife corridor.

Should planning permission be granted we request that the following informatives are appended to the decision notice:

1. The applicant/developer is advised to contact the Canal & River Trust's Utilities Team to discuss the necessary commercial agreement with us regarding the use of our land. Please contact Beth Woodhouse, Senior Utilities Surveyor, at Beth.Woodhouse@canalrivertrust.org.uk in the first instance.
2. The applicant/developer is advised to contact the Canal & River Trust in order to ensure that any necessary consents are obtained, and the works are compliant with the Trust's current "Code of Practice for Works Affecting the Canal & River Trust". For further advice please contact Keith Boswell, Works

Engineer in the first instance on Keith.Boswell@canalrivertrust.org.uk or by telephone 0303 040 4040.

Relevant Planning Policies:

Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (adopted in April 2017) and the Lincolnshire Minerals and Waste Local Plan (adopted June 2016).

Development Plan

- ***Central Lincolnshire Local Plan 2012-2036 (CLLP)***

Relevant policies of the CLLP include:

LP1 A Presumption in Favour of Sustainable Development

LP12 Infrastructure to Support Growth

LP13 Accessibility and Transport

LP14 Managing Water Resources and Flood Risk

LP16 Development on Land Affected by Contamination

LP17 Landscape, Townscape and Views

LP21 Biodiversity and Geodiversity

LP25 The Historic Environment

LP26 Design and Amenity

LP55 Development in the Countryside

<https://www.west-lindsey.gov.uk/my-services/planning-and-building/planning-policy/central-lincolnshire-local-plan/>

- ***Welton by Lincoln Neighbourhood Plan***

Welton by Lincoln Neighbourhood Plan was formally adopted by West Lindsey District Council at a Full Council Committee meeting on the 5 September 2016.

Relevant policies include

EN1 - Environmental Capital.

Policy EN3 – Flood Risk

- ***Lincolnshire Minerals and Waste Local Plan (LMWLP)***

The site is in a Limestone Minerals Safeguarding Area and policy M11 of the Core Strategy applies.

<https://www.lincolnshire.gov.uk/planning/minerals-waste>

National policy & guidance (Material Consideration)

- ***National Planning Policy Framework (NPPF)***

The NPPF sets out the Government's planning policies for England and how these should be applied. It is a material consideration in planning decisions. The most recent iteration of the NPPF was published in July 2021. Paragraph 219 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."
<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

- **National Planning Practice Guidance**

<https://www.gov.uk/government/collections/planning-practice-guidance>

- **National Design Guide (2019)**

<https://www.gov.uk/government/publications/national-design-guide>

- **National Design Model Code (2021)**

<https://www.gov.uk/government/publications/national-model-design-code>

Draft Local Plan/Neighbourhood Plan (Material Consideration)

NPPF paragraph 48 states that Local planning authorities may give weight to relevant policies in emerging plans

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

- **Draft Central Lincolnshire Local Plan**

Review of the Central Lincolnshire Local Plan commenced in 2019. The 1st Consultation Draft ("Reg 18") of the Local Plan was published in June 2021, and was subject to public consultation. Following a review of the public response, the Proposed Submission Draft ("Reg 19") of the Local Plan was published in March 2022, and was subject to a further round of consultation. On 15th November 2022, the Local Plan Review commenced its examination.

The Draft Plan may be a material consideration, where its policies are relevant. Applying paragraph 48 of the NPPF, the decision maker may give some weight to relevant policies within the submitted "Reg 19" Plan, with the weight to be given subject to the extent to which there may still be unresolved

objections to those policies (the less significant the unresolved objections, the greater the weight that may be given)

Consultation responses can be found in document STA022 Reg 19 Consultation Responses by policy / STA023 Reg 19 Consultation Responses by respondent

Other

Environment Agency: Policy paper –“Meeting our future water needs: a national framework for water resources.” Published 16 March 2020

Main issues

- Principle
- Biodiversity
- Impacts on Heritage Assets
- Noise and Disturbance
- Transport Impacts
- Landscape and Visual Impacts
- Acceptability of outline application
- Impact on Agricultural Land and Soils
- Flood Risk

Assessment:

Principle (LP1, LP12, LP14)

Policy LP12: requires Infrastructure that can support growth with future development dependent on having good access to necessary infrastructure. A Potable (drinking) water supply must therefore be considered essential infrastructure to support growth.

In considering water resources the CLLP at para 4.8.12 states “
“Central Lincolnshire lies within the East Midlands area of serious water stress where drought is a cause for concern. This is a major challenge in the context of Central Lincolnshire’s planned growth, and will require careful conservation and management of water resources to ensure that demand for water can be achieved in a sustainable manner. It also provides the justification to require, via this Local Plan, the higher water efficiency standard of 110 litres per day.”

NPPF para 153 states: Plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk, coastal change, water supply”

Planning practice guidance includes a section on Planning for Water Infrastructure
Paragraph: 005 Reference ID: 34-005-20140306

The principle of the development is therefore accepted

Biodiversity (LP21):

The biodiversity assessment is set out in Chapter 5 of the Environmental Statement (ES) and considered the potential for temporary and permanent habitat loss and disturbance to plant and animal species as a result of the construction and operation of the proposed Scheme. In so doing, the assessment identified any effects that could be considered 'significant'.

It is not possible, however, to avoid tree loss and impacts on habitats as a consequence of the sheer length of the pipeline running through the entirety of West Lindsey on a north to south alignment within a predominantly rural landscape. Approximately 87 trees of 569 surveyed in proximity to the planned route will be removed and 90 sections of hedgerow out of 277 surveyed in proximity to the route will also be affected or lost. Trees and hedgerows vary in quality. Whilst this loss is regrettable, nevertheless habitats affected during the construction phase will be restored in accordance with the Outline Reinstatement Strategy (Appendix 14.2 of the ES). In addition, detailed design for the proposed above ground infrastructure sites at the existing Welton WTW will include the provision of a 10% Biodiversity Net Gain (BNG) target.

Taking these measures in to account, the biodiversity assessment concluded that there would be no significant effects to biodiversity as a result of the construction and operation of the proposed scheme. Having considered this and the evidence submitted which includes an Arboricultural Survey Report; Tree and Hedgerow Survey, Biodiversity Net Gain Strategy; Designated Ecological Sites Technical Report, Habitat Technical Report; Aquatic Ecology Technical Report and Bat Technical Report the case officer is in agreement that notwithstanding unavoidable tree and habitat loss, these findings are considered reasonable. Subject to the imposition of conditions in relation to reinstatement and compliance with the submitted Construction Environment Management Plan which includes measures for protection of biodiversity it would be in accordance with LP21.

It is noted that the Environment Agency made comments in relation to measures for water voles. The applicant responded on 13.12.22 that "*the statutory licencing body, Natural England have confirmed they are happy with our approach to water vole mitigation and have granted a DLL on this basis. Flumes have been appropriately sized to maintain connectivity and displacement arrangements have been agreed with Natural England*"

The proposal would accord with policy LP21 of the Central Lincolnshire Local Plan.

Impact on Heritage Assets: (LP25)

A Historic Environment Desk Based Assessment (DBA) was submitted as part of the application. This was considered alongside the following:

Archaeological Remote Sensing Report: This is sometimes referred to as aerial analysis and transcription; aerial survey; or aerial investigation and mapping. (April 2022)

Archaeological Geophysical Survey Report (June 2022)

Geo-archaeological Desk-Based Assessment (June 2022)

During the course of the application a further document was submitted; An Archaeological Strategy for further Archaeological Investigation (14.11.22).

The historic environment assessment considered the potential impacts from the construction and operation of the proposed Scheme on designated heritage assets, non-designated heritage assets and areas of potential unknown buried archaeology.

The proposed pipeline route has been selected to avoid impacts on Scheduled Monuments, Listed Buildings and Conservation Areas where possible. However, the assessment identified some locations where significant impacts to historic environment assets are unavoidable. The majority of these are believed to be prehistoric or Romano-British enclosures, field systems or settlements. Other sites include prehistoric funerary remains, possible medieval settlement. A programme of trial trenching was undertaken to target potential archaeological features identified during the studies that had already been undertaken. Following this a further strategy was produced. Whilst expressing concern Historic England have not formally objected to the proposals and referred consideration to the expertise “of your own archaeological advisors”. This has been done with LCC Historic Services who have been extensively involved in the process. They consider that the Archaeological Strategy for further Archaeological Investigation produced in November 2022 subject to amendments set out in email communications with them is satisfactory. This will be conditioned to ensure the necessary recording and the production of a Written Scheme of Investigation (WSI). On this basis whilst there would be some unavoidable impact on archaeological remains these would be recorded by sample excavation and the limited level harm is considered to be outweighed by the benefits of the proposal. It is therefore considered that the impact on Heritage Assets does not represent a reason to withhold permission and would be in accordance with policy LP25 of the Central Lincolnshire Local Plan.

Transport Impacts:

The traffic and transport chapter (Chapter 11 of the ES), alongside the Transport Statement (Appendix 11.1 of the ES) set out the assessment of potential impacts from the proposed scheme to transport users affected by changes in traffic flows and collisions and safety.

Temporary access points, laydown areas and compounds will be required along the pipeline route for the storage of pipes, materials and equipment and for the provision of welfare facilities. For the construction of the proposed scheme 37 open cut crossings of public roads and pipe laying along one road is required; an additional 10 crossings of public roads will be trenchless including all crossings of the Strategic Road Network. Trip generation from the proposed scheme during installation of the pipeline will be small, anticipated to be approximately 40 two-way trips at the busiest location along the pipeline for the majority of the construction programme. Road closures that will be required for crossings are short term, with most lasting approximately two weeks. The same is also true for crossings of Public Rights of Way.

Impacts that may arise for transport users affected by changes in traffic flows could be, for example, frustration associated with delays that may arise because of potential increases in traffic movements or changes in route.

An assessment of the potential for impacts on the performance of the transport network is included in the Elsham to Lincoln Transport Statement (Appendix 11.1 of Volume 4). No significant impacts associated with traffic and transport were identified. No objections have been raised by LCC Highways to the proposals with only a request for additional information to demonstrate achievable visibility splays in line with the Design Manual for Streets Guidance, for the proposed Nettleham Valve Complex off Lincoln Road Nettleham. This has been provided and comments from LCC are awaited. A condition is recommended prohibiting above ground works on this section of the scheme until written approval is given by the Local Planning Authority. Subject to this it would be in accordance with policy LP 13 of the Central Lincolnshire Local Plan.

Noise and Disturbance

The noise and vibration assessment is set out in Chapter 9 of the Environmental Statement and includes consideration of construction activity, construction vehicle movements and the operation of both the proposed pipeline and the above ground infrastructure. Noise surveys were undertaken as part of this process. These were used to identify receptors that would experience a Significant Observed Adverse Effect Level (SOAEL). This is defined in planning practice guidance as “*the level of noise exposure above which significant adverse effects on health and quality of life occur.*”

Receptors exceeding SOAEL for weekday, Saturday morning and night-time construction noise effects:

Receptors	Construction activity	Highest predicted noise level (with steps 1-3 applied) (dB LAeq,T)	Comments	Magnitude of effect	Final determination of significance
<i>Daytime</i>					
The Gatehouse, Kettleby Lane, Brigg, DN20 9HG	Trenchless crossing compound (E2L_CP_017)	65.6	Highest predicted noise levels are for pipe ramming methods. Daytime noise levels associated with pipe jacking and other methods are equal to or below the SOAEL.	Moderate	Significant – marginally above SOAEL, possibly for over 10 days, but only if pipe ramming methods selected.
Niveks Farm, Atterby Carr Lane, Gainsborough, DN21 4UU	Road crossing (E2L_RDS_1331)	67.4	Duration will be less than 10 days.	Moderate	Not Significant - 2dB(A) above the SOAEL but less than 10 days duration.
Rose Cottage, Lincoln Road, Lincoln, LN2 2NE	Road crossing (E2L_RDS_1580) Trenchless compounds (E2L_CP087 and 088)	69.2	The highest predicted noise level is associated with an open cut road crossing. However, noise from all trenchless crossing methods would exceed the SOAEL from one or both compounds near this receptor.	Moderate	Significant – up to 4dB(A) above SOAEL if open cut methods are selected, possibly for more than 10 days. If trenchless methods are chosen, noise levels could be more than 2 dB(A) above SOAEL for more than 10 days.
Stoneleigh House and Stone Cottage, Greetwell Road, Lincoln, LN3 4NQ	Road crossing (E2L_RDS_1589)	66.2	Duration will be approximately one week.	Moderate	Not Significant - 1dB(A) above the SOAEL but less than 10 days duration.

Night-time					
The Gatehouse, Kettleby Lane, Brigg, DN20 9HG	Trenchless crossing compounds (E2L_CP_017 and 018)	62.0	Predicted noise levels relate to pipejacking method. Planned duration is approximately 10 nights.	Major	Significant – Noise level is 17dB(A) above the SOAEL, and 7 dB(A) above the threshold recommended by BSS228 for temporary re-housing. Duration may exceed 10 nights.
16 static caravans adjacent to The Gatehouse, Brigg, DN20 9HG Huon House, Kettleby Lane, Brigg DN20 9HG.	Trenchless crossing compounds (E2L_CP_017 and 018)	54.9		Major	Significant – Noise level is over 8 dB(A) above SOAEL for possibly more than 10 nights.
10-12 The Bungalows, Kettleby Lane, Brigg, DN20 8SU	Trenchless crossing compounds (E2L_CP_017 and 018)	51.5		Major	Significant – Noise level is over 6 dB(A) above SOAEL for possibly more than 10 nights.
1-9 The Bungalows, Kettleby Lane, Brigg, DN20 8SU The Elms, Kettleby Lane, Brigg, DN20 8SX	Trenchless crossing compounds (E2L_CP_017 and 018)	49.9		Moderate	Significant - Noise level is approximately 5dB(A) above SOAEL for possibly more than 10 nights.

1-2 Stable Block and 2 Carrs Farm Cottage, Bigby High Road, Brigg, DN20 9HF	Trenchless crossing compound (E2L_CP_018)	46.0		Moderate	Significant - Noise level is 1 dB(A) above SOAEL for possibly more than 10 nights.
Stoneleigh House and Stone Cottage, Greetwell Road, Lincoln, LN3 4NQ	Trenchless crossing compound (E2L_CP_096 and 097)	49.2	Predicted noise levels relate to pipejacking method. Planned duration is less than 10 nights.	Moderate	Not significant - Noise level is over 4 dB(A) above SOAEL. However, this is likely to be for less than 10 nights.

In terms of construction noise it is clear that there would be adverse impacts on some residents arising. The impact would however be temporary in nature, and the submitted Construction Environmental Management Plan (CEMP) details measures to be undertaken to minimise impacts. Subject to conditioning implementation of measures within the CEMP this would be considered acceptable.

The noise study also looked at above ground infrastructure being proposed and identified that there would be an adverse impact on Red Bungalow, Grange Farm, Mill Lane located approximately 200m to the south east of the existing Welton Treatment Water Works. This would arise from the proposed pumping station, generator and associated works. This was based on a worst case scenario in the absence of detailed proposals. This part of the application is in outline form and opportunities to reduce noise levels will be sought, and noise control measures identified as part of the Reserved Matters submission. A requirement for a further acoustic report to be submitted as part of the Reserved Matters submission will be conditioned. Subject to this noise and disturbance impacts do not represent a reason to withhold permission and it would be in accordance with policy LP26 of the Central Lincolnshire Local Plan.

Impacts on the character and appearance of the countryside - Landscape and Visual Impacts LP17 and LP26

Landscape and Visual Impact Assessment (LVIA) is the process of evaluating the effects of a development upon both the landscape and visual amenity. This has been submitted as part of the Environmental Statement. Landscape assessment deals with the effects of change and development on landscape resources, and visual impact assessment deals with the effects of

change and development on the people who live in or visit the landscape, and who will experience views of the proposed scheme.

Construction Phase: Potential landscape and visual effects during are likely to arise from additional features/elements that will temporarily introduce new mass, scale, or vertical elements into the landscape including:

Main/satellite compounds, laydown areas, and trenchless crossings; Vehicles, plant, equipment, and any associated movements thereof, including delivery and movements of construction materials; Stockpiles and storage areas within compounds or along access tracks/haul roads for; topsoils, subsoils, and other excavated materials; and construction materials.

The specific locations are shown on the proposed site layouts from sheet 3 of 21 through to sheet 18 of 21.

At the northern limits of the district adjacent the Kettleby Lane railway and road crossing, 2 trenchless compounds and 3 laydown areas are proposed. There are two “main compounds” proposed within West Lindsey. The first is located approximately 760m to the east of Glentham in the open countryside and will be sited next to 2 trenchless crossings and 2 laydown areas to allow the A631 to be crossed. The second is proposed approximately 720m to the west of Welton in the open countryside north of Cliff Road opposite a proposed laydown area to allow Heath Lane to be crossed.

Four “satellite compounds” are located within West Lindsey. The first is located north of Bigby High Road (A1054) between Brigg and Bigby next to and opposite a proposed trenchless crossing; the second north of Sandhayes Lane in the open countryside; the third south of Spridlington in the open countryside and the fourth to the north of Welton in the open countryside.

Operational Phase: The potential for landscape and visual effects arising during the operational phase of the proposed Scheme are likely to arise from additional features/elements that will permanently introduce new mass, scale, or vertical elements into the landscape, specifically:

Above ground infrastructure at the Welton WTW site; and above ground pipeline fittings along the length of the proposed pipeline route.

Landscape Impact

The LVIA concludes that there would be a maximum impact of “*moderate / adverse*” on a single “(group) landscape receptor (L)” in West Lindsey -

L19 (G): Greetwell Medieval Village Scheduled Monument (group receptor, incorporating Church of All Saints Grade II* Listed Building and Greetwell Hall, Stable Block at Greetwell Hall, Monument to Thomas Winn [6 yards southeast of Apse of Church of All Saints], and Monument to Thomas Straw [4 yards southeast of Apse of Church of All Saints] Grade II Listed Buildings);

The magnitude of change would comprise:

- temporary partial loss or noticeable damage to existing landscape character or distinctive features/elements during the construction phase;
- very minor initial loss, damage, or alteration to existing landscape character or one or more features/elements during year one of the operational phase; and
- no noticeable, permanent alteration or improvement of landscape character or existing features/elements during year 15 of the operational phase.

This is considered to be an acceptable impact and does not represent a reason to withhold permission. It would be in accordance with policy LP17 of the Central Lincolnshire Local Plan.

Visual Impact:

During the construction phase, the significance of the temporary effects of the proposed scheme on visual amenity would be:

Large, and likely to be material in the decision-making process, for four visual receptors, of which one is a group receptor and one is a linear receptor:

V20: Gatehouse Cottage, Kettleby Lane;

V28: Curlew Croft, Atterby Lane/Atterby Carr Lane;

V76 (L): Users of Viking Way, northwest of Greetwell Hall, off the B1308/Greetwell Road; and

V84 (G): Receptors of high sensitivity along the route of the proposed pipeline, located within 1 kilometre of the working area but further than 1 kilometre from the main/satellite compounds and the proposed above ground infrastructure at the Welton sites.

During the first year of the operational phase, the significance of the initial effects of the proposed scheme on visual amenity would be:

• Moderate, which can be considered to be a material decision-making factor, for a single group visual receptor:

- V84 (G): Receptors of high sensitivity along the route of the proposed pipeline, located within 1 kilometre of the working area but further than 1 kilometre from the main/satellite compounds and the proposed above ground infrastructure at Welton.

The remaining impacts are classified as “slight” (not material in the decision making process) or “neutral” (no effects, or effects that are beneath levels of perception).

During year 15 of the operational phase, the significance of the permanent effects of the proposed scheme on visual amenity would be:

- Slight, (which is not material in the decision-making process, for three group visual receptors); and
- Neutral (or with no effects/effects that are beneath levels of perception), for the remainder

These effects are considered reasonable and do not represent a reason to withhold consent.

The impacts on the character and appearance of the countryside are considered acceptable and would be in accordance with policies LP17 and LP 26 of the Central Lincolnshire Local Plan.

Outline Application

Whilst all matters are reserved apart from access, indicative plans have been submitted showing how the proposal could fit within the existing site with illustrative drawings submitted showing views from outside the site with the new pumping station and other elements included. This demonstrates that the site is capable of accommodating the proposals at reserved matters submission. It would accord with the criteria set out in Policy LP55 Part E: to support non-residential development in the countryside as set out below.

a. The rural location of the enterprise is justifiable to maintain or enhance the rural economy or the location is justified by means of proximity to existing established businesses or natural features;

The location is justified by proximity to the established WTW

b. The location of the enterprise is suitable in terms of accessibility.

The existing access will be utilised and no objections to this have been received from the Highways Authority.

c. The location of the enterprise would not result in conflict with neighbouring uses; and

It is located within an existing Water Treatment Works and subject to noise attenuation measures being provided (identified as required by the submitted noise report) there will be no conflict. A requirement for an acoustic report to be submitted will be conditioned.

d. The development is of a size and scale commensurate with the proposed use and with the rural character of the location.

Whilst scale and appearance are matters reserved for future consideration the illustrative sketches demonstrate that this can be achieved.

A grant of Reserved Matters approval is therefore considered acceptable.

Agricultural Land Classification and Soil Quality:

It will be necessary to impose conditions requested by Natural England to avoid an adverse effect on Best and Most Versatile Agricultural Land. This is centred around the Soils Management Plan and requiring the presence of a soil specialist during soil handling. Subject to this it would be in accordance with Policy LP55 Part G: Protecting the best and most versatile agricultural land.

Flood Risk

“Water transmission infrastructure and pumping stations” are classified as “water compatible development in Annex 3: Flood Risk Vulnerability Classification, of the NPPF.

The development will cross a number of waterways:

- Kettleby Beck
- North Kelsey Beck
- Caistor Canal
- River Ancholme
- Seggimoor Beck
- River Witham
- South Delph

The ES is supported by a Flood Risk Assessment.

The Environment Agency have been consulted who advise that “We have reviewed the Flood Risk Assessment (FRA) and feel an appropriate assessment has been carried out identifying all sources of flood risk with suitable mitigation and conclusions suggested.”, subject to the imposition of conditions it would be in accordance with Policy LP14

Network Rail:

Their comments are noted, and it is recommended that they are added as an informative to the decision notice

Response from Applicant to Environment Agency 13.12.22:

Appendix 14.1.3.15 Environmental Incidents

I have updated the CEMP and added that any incident should also be reported to the EA via their hotline. It was already covered by the sentence ‘Internal reporting and recording, and reporting to statutory bodies’ but I have added it in explicitly to satisfy their request so it now reads ‘Internal reporting and recording, and reporting to statutory bodies including to the Environment Agency via the EA incident hotline 0800 807060’.

Planning balance and conclusion

This is an application of local and regional importance that seeks to address the “water stressed” nature of our region by securing water supply in line with

Anglian Waters 25-year Water Resources Management Plan (WRMP) with the proposed Elsham to Lincoln Pipeline Scheme forming part of this new network of interconnecting pipelines and is a critical part of the infrastructure that will tackle the region's water supply challenges.

Having reviewed the Environmental Statement, it is the reasoned conclusion of the LPA that the development would not have significant effects on the environment subject to suitable mitigation. The mitigation measures that allow this conclusion to be reached including the proposed reinstatement strategy will be secured by planning conditions. Subject to the imposition of planning conditions full planning approval is recommended.

Recommendation for full planning application for proposed 57km pipeline scheme between Elsham and Lincoln, a 1.5km spur at Welton and associated above ground infrastructure.

Approve subject to the following conditions:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

None

Conditions which apply or are to be observed during the course of the development:

2. Above ground works to the proposed Nettleham Valve Complex shall not commence until written approval has been received from the Local Planning Authority to drawing 07640 – 100005 –ELSINTM –ZZZ-PLN-T-0031 REV

Reason. In the interests of Highway Safety in accordance with policy LP13 of the Central Lincolnshire Local Plan.

3. With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved shall be carried out in accordance with the following drawings:

Figure 2.1 Scheme Overview
Drawing No. 07640-100005-ELSINTM-XXX-MAP-T-0001

Scheme Location Plan Sheet 1 of 2

Drawing No. 07640-100005-ELSINTM-TWT-MAP-T1-0001

Scheme Location Plan Sheet 2 of 2

Drawing No. 07640-100005-ELSINTM-TWT-MAP-T1-0002

ELW – Welton New Connection

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0009

Proposed Site Layout Plan Sheet 3 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0012

Proposed Site Layout Plan Sheet 4 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0013

Proposed Site Layout Plan Sheet 5 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0014

Proposed Site Layout Plan Sheet 6 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0015

Proposed Site Layout Plan Sheet 7 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0016

Proposed Site Layout Plan Sheet 8 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0017

Proposed Site Layout Plan Sheet 9 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0018

Proposed Site Layout Plan Sheet 10 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0019

Proposed Site Layout Plan Sheet 11 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0020

Proposed Site Layout Plan Sheet 12 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0021

Proposed Site Layout Plan Sheet 13 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0022

Proposed Site Layout Plan Sheet 14 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0023

Proposed Site Layout Plan Sheet 15 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0024

Proposed Site Layout Plan Sheet 16 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0025

Proposed Site Layout Plan Sheet 17 of 21 Rev P01

Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0026

Proposed Site Layout Plan Sheet 18 of 21 Rev P01
Drawing No. 07640-100005-ELSINTM-ZZZ-PLN-T-0027

Figure T & T 1: Scheme Layout 2 of 20
Figure T & T 1: Scheme Layout 3 of 20
Figure T & T 1: Scheme Layout 4 of 20
Figure T & T 1: Scheme Layout 5 of 20
Figure T & T 1: Scheme Layout 6 of 20
Figure T & T 1: Scheme Layout 7 of 20
Figure T & T 1: Scheme Layout 8 of 20
Figure T & T 1: Scheme Layout 9 of 20
Figure T & T 1: Scheme Layout 10 of 20
Figure T & T 1: Scheme Layout 11 of 20
Figure T & T 1: Scheme Layout 13 of 20
Figure T & T 1: Scheme Layout 14 of 20
Figure T & T 1: Scheme Layout 15 of 20
Figure T & T 1: Scheme Layout 16 of 20
Figure T & T 1: Scheme Layout 17 of 20

Figure T&T 2: Compounds 2 of 8
Figure T&T 2: Compounds 3 of 8
Figure T&T.2: Compounds 4 of 8
Figure T&T.2: Compounds 5 of 8
Figure T&T.2: Compounds 6 of 8
Figure T&T.2: Compounds 7 of 8

The works shall be carried out in accordance with the details shown on the approved plans and in any other approved documents forming part of the application.

Reason: To ensure the development proceeds in accordance with the approved plans in the interests of proper planning.

4. All works on the site must be undertaken in full accordance with the Construction Environment Management Plan at Appendix 14.1.

Reason: To provide the necessary mitigation measures identified in the Environmental Statement (ES) to prevent or reduce any potentially significant environmental impacts from the construction or operation of the development in accordance with policies LP13, LP14, LP16, LP21, LP25 and LP26 of the Central Lincolnshire Local Plan.

5. Work shall be in full accordance with the "Archaeological Strategy for further Archaeological Investigation dated 14.11.22 as amended by an exchange of emails between Ian George (LCC Historic Services) and Helen Oakes (Anglian Water) and available to view on the website of the Local Planning Authority.

Reason: In the interests of heritage assets including archaeological remains in accordance with policy LP 25 of the Central Lincolnshire Local Plan.

6. The recommendations within the submitted Pre Entry Soil Assessment must be adopted and implemented within the Soils Management Plan (SMP). A soil specialist should be present during soil handling to determine the suitability of soil conditions using the field tests set out in the SMP .

Reason: To prevent degradation of the land leading to the permanent loss of Best and Most Versatile agricultural land in accordance with policy LP55 of the Central Lincolnshire Local Plan

7. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution from previously unidentified contamination sources at the development site in accordance with Policy LP16 of the Central Lincolnshire Local Plan.

Conditions which apply or relate to matters which are to be observed following completion of the development:

8. Following completion of the construction works the reinstatement of the land utilised as set out in the Outline Reinstatement Strategy must be completed before first use of the approved development.

Reason: In the interests of biodiversity and the character and appearance of the countryside in accordance with policies LP17, LP21 and LP26 of the Central Lincolnshire Local Plan.

Notes to the Applicant

Comments from the Environment Agency:

1. Ground Water and contaminated land (further comments in relation to Condition 1) Despite advice provided for in the Scoping Opinion, we can find no reference made to the 'Environment Agency's approach to groundwater protection' or relevant Groundwater Protection Position Statements, nor to our Land Contamination: Technical Guidance. We recommend that you highlight to Anglian Water that this guidance should be followed. Additionally, we are aware that Anglian Water are currently investigating the installation of an augmentation borehole to support Welton Beck during times of low flows. This development may need to be considered within the context of potential interactions.

Dewatering. The Environmental Statement Volume 2 and Construction and Environmental Management Plan both discuss the potential for dewatering, but there is no mention of the possible need to consider abstraction licensing. This was raised during comments provided on the Grantham to Bexwell section of Anglian Water's overall pipeline proposals, copied here for reference:

Due consideration should be given to the potential impacts of any ground/aquifer dewatering that may be required during the construction phase of the development. There are requirements to identify at-risk water users and features, to assess the potential impacts of dewatering upon these, and to determine any monitoring and/or compensation measures that might be required for their protection. Since 1 January 2018 most cases of new dewatering operations above 20 cubic metres a day will require a water abstraction licence from the Environment Agency prior to the commencement of dewatering activities. The only exception to this where an abstraction licence would not be required would be if the de-watering meets the exemption criteria as set out in 'Water Abstraction and Impoundment (Exemptions) Regulations 2017'. A condition of any abstraction licence may be that any de-watering water is returned to the source aquifer, and this water will have to meet relevant quality criteria. If applicable, these issues should be considered within the scope of a hydrogeological impact assessment. The implications of dewatering in proximity to contaminated sites should also be considered as this could result in the mobilisation of contaminated groundwater.

Please include an informative comment on any Decision Notice which advises that the developer should determine the need for an abstraction licence at an early stage. We recommend the developer should follow the Hydrological Impact Appraisal for dewatering abstractions guidance. Timescales for processing abstraction licence applications should be factored into the development programme if required. The applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised.

In addition, depending on the details of dewatering schemes, a permit, regulatory position statement or low risk agreement may be required for the discharge of water. Again, the applicant is advised to contact the Environment Agency on 03708 506 506 for further advice and to discuss the issues likely to be raised. Related to this, please include the following informative comment in any Decision Notice: Informative comment for applicant about Environmental Permitting This development may require an environmental permit under the Environmental Permitting (England and Wales) Regulations 2016. Related to this, it is noted that the Environmental Statement Vol 2 and appendix 14.1 of the scoping application covers potential discharges (12.5.2.2) and construction risk (Appendix 14.1).

In circumstances where an activity/operation meets certain criteria, an exemption from permitting may apply. The applicant is advised to find out

more information about the permit application process online and to send a pre-application enquiry form via the gov.uk website:
<https://www.gov.uk/government/publications/environmental-permit-pre-applicationadvice-form>

If any activities require an environmental permit, one should be in place prior to commencement of discharge. Please do not underestimate the achievable timescales regarding the current environmental permitting process.

Augered or Directionally Drilled Crossings. There are some crossing points which are likely to need further assessment in terms of risk. This need for further assessment has been recognised in the Construction and Environmental Management Plan (CEMP) in section 14.1.4.41. Ground investigation to determine actual ground conditions is ongoing and a Ground Investigation Report (GIR) will be produced which will identify areas requiring remediation where appropriate prior to construction. This CEMP should be reviewed and updated if required following the production of the Ground Investigation Report. Also in table 14.1.2: A programme of ground investigation is in progress to determine the underlying geology at each of the trenchless crossing locations. The contractors will be required to use a drilling mud which is environmentally designed specifically for use under watercourses and to follow the break-out procedure detailed in the CEMP.

Works within proximity to a main river or flood defence

Where works are proposed within 8m proximity to a main river or flood defence structure a flood risk permit will be required under the Environmental Permitting (England and Wales) Regulations (EPR) 2016. Permission must be obtained from the Environment Agency (EA) for any proposed activities which will take place:

- in, over, under or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- within 16 metres of any main river, flood defence (including a remote defence) or culvert for quarrying or excavation
- in a flood plain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if tidal) having the potential to divert flood flows to third parties, if planning permission has not already been granted for the works.

The Flood Risk Assessment (FRA) identifies a combination of trenchless and open-cut techniques when crossing the main rivers. Where possible, river crossings should be facilitated using trenchless techniques. These are the preferred method for installing pipes, ducts or cables underneath our flood defences. These techniques avoid unnecessary disturbance to ground conditions and defence stability. It also significantly reduces the amount of disruption caused by traditional trenching methods. However, from previous discussions, the EA is already aware that this is not possible for all crossings. The EA would welcome detailed pre-application discussions on these

crossings. The EA will require detailed methods of work/risk assessments/ plans/drawings/emergency plans be submitted for all EPR applications.

Where possible, an exemption may be useable should the criteria be met. The exemption most suitable for this type of development would be FRA 3. Service crossing below the bed of a main river not involving an open cut technique. The exemption criteria can be found at: Exempt flood risk activities: environmental permits - GOV.UK (www.gov.uk). If the applicant feels this exemption criteria can be met, this can be registered free following the links. For further guidance and advice please visit our website: https://www.gov.uk/guidance/flood-risk-activities_environmental-permits or contact our local Partnership and Strategic Overview team by email at PSOLincs@environment-agency.gov.uk

Pre-application permitting meetings. The Environment Agency would welcome further discussions on proposed works through our pre-application permitting meetings. Our maintenance maps show that, for Kettleby Beck and Seggimoor Beck, we currently use the northern side as an access route for maintenance such as weed control. There is a lagoon on both the plans that may restrict access. However, it is hard to tell the exact distance on the plan provided. In addition, please can a further informative comment be included on any Decision Notice reading:

Works close to Ordinary Watercourse As the proposal crosses a number of 'Ordinary Watercourses' (a non EA Main River) we strongly recommend the relevant Lead Local Flood Authority are consulted to confirm their requirements. Where the water pipe crosses an 'Ordinary Watercourse' within an Internal Drainage Board (IDB) district, we strongly recommend the relevant IDB are consulted to confirm their requirements. A map showing the areas managed by the various IDBS can be found here: https://www.ada.org.uk/member_type/idbs/

Water Quality and Resource. We are pleased to see that Anglian Water have identified 9 surface water abstractions in the area. It is possible that there could be more, and it is important that they check for any more potential licences as they carry out their works. It is important that mitigation measures are put in place to ensure work does not impact these abstractions, including any groundwater abstractions. Anglian Water may need to apply for permits to carry out constructions, for example, as advised above in Section 1 of this letter, dewatering may need an abstraction licence. We are satisfied that Anglian Water are following appropriate pollution prevention guidelines, as long as they mitigate the surface water impacts and do not degrade it.

Waste. The site location plans do not indicate the pipeline will directly impact any existing waste sites or historical landfill sites. The CL:AIRE Definition of Waste: Development Industry Code of Practice (version 2) provides operators with a framework for determining whether or not excavated material arising from site during remediation and/or land development works is waste or has ceased to be waste. Under the Code of Practice, excavated materials that are recovered via a treatment operation can be reused on-site providing they are

treated to a standard such that they are fit for purpose and unlikely to cause pollution treated materials can be transferred between sites as part of a hub and cluster project some naturally occurring clean material can be transferred directly between sites. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays. We recommend that developers should refer to the position statement on the Definition of Waste: Development Industry Code of Practice The waste management page on GOV.UK and an informative comment should be added to any Decision Notice advising of this.

Installations. The site location plans do not indicate the pipeline will impact any existing installations (active IPPC authorisation) sites. However, the scheme passes close to a number of Farms with IPPC authorisations. The proposal should have no significant impact on the potential for Major accidents to the Environment at the Elsham Water Treatment Work. Although the site is a Control of Major Accident Hazards (COMAH) site, the proposed development on site is away from the area where the hazardous substances are stored. Additionally, the site's management system should consider the impact of the change and ensure any major accident scenarios are assessed and managed appropriately.

Fisheries, Recreation and Biodiversity. We wish to make the following comments on the biodiversity aspects of the Environmental Statement, specifically, to the open cut construction method of crossing the smaller water courses:

- Pumping of water to maintain flow during construction has the potential to impact End 7 on eels and other fish species. Under the Eel Regulations (2009), screening should be put in place on any pumps to protect eels, in this case 9mm screens. See also Safe passage for eels - GOV.UK (www.gov.uk).

Comments from Network Rail

Works in Proximity to and on Operational Railway Environment
Development Construction Phase and Asset Protection Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

Contact details for Asset Protection are supplied below and we would draw the developers' attention to the attached guidance on Network Rail requirements.

[Asset Protection Eastern](#)

For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email assetprotectioneastern@networkrail.co.uk.

Easements and Wayleaves Team

For enquiries relating to agreements for the carrying out of works on operational railway land, please email Easements&wayleaves@networkrail.co.uk

Easements and Wayleaves. Agreement must be reached with Network Rail in relation to the use of railway land for the pipe and it is imperative that the developer fully engage with our Easements and Wayleaves Team to obtain the necessary agreements and clearances in order to install and operate the pipe through railway land. This will also include agreements to ensure that work to install the pipe can be undertaken safely and without impact to operational railway safety.

We understand that no discussions between the developer and our Easements and Wayleaves Team have as of yet taken place, the necessary agreements must be entered into prior to any work taking place.

Construction traffic/HGV Routing

From the information supplied, it is not clear if construction/HGV traffic associated with work at the site will be using routes that include any Network Rail assets (e.g. bridges and in particular level crossings on the pipeline route). We would have serious reservations if during the construction or operation of the site, construction traffic will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by construction traffic. I would also like to advise that where any damage, injury or delay to the rail network is caused by construction traffic (related to the application site), the applicant or developer will incur full liability.

Comments from Canal and Rivers Trust

Navigational Safety and Structural Integrity

The applicant in carrying out ground investigations needs to note that while the Witham is a river, it has been significantly engineered in pre-industrial times, so ground conditions may be highly variable in the vicinity of the river. Detailed survey work will therefore be necessary to inform methodologies around the design of the pipeline crossing of the waterways including the River Witham.

The Trust in any event would require such details as would be necessary to protect the navigational safety, structural integrity, water quality etc. of the River Witham in accordance with Part 2, Chapter 2 of our Code of Practice for requirements around Service Crossings. Informatives are requested to enable the applicant/developer to contact our Infrastructure Services Team with

regards to this matter and our Utilities Team regarding the necessary commercial agreement for this Service Crossing.

Wildlife Corridor We note that the trenchless pipe crossing of the River Witham will have construction compounds located on land used in the construction of the adjacent by-pass road bridge, however should local top soil have been reinstated since the temporary use of this land we suggest that it be conditioned to be reused to retain native seed stock on completion of the proposed works. This would assist in maintaining the wider biodiversity of the River Witham as a wildlife corridor.

Should planning permission be granted we request that the following informatives are appended to the decision notice:

1. The applicant/developer is advised to contact the Canal & River Trust's Utilities Team to discuss the necessary commercial agreement with us regarding the use of our land. Please contact Beth Woodhouse, Senior Utilities Surveyor, at Beth.Woodhouse@canalrivertrust.org.uk in the first instance.
2. The applicant/developer is advised to contact the Canal & River Trust in order to ensure that any necessary consents are obtained, and the works are compliant with the Trust's current "Code of Practice for Works Affecting the Canal & River Trust". For further advice please contact Keith Boswell, Works Engineer in the first instance on Keith.Boswell@canalrivertrust.org.uk or by telephone 0303 040 4040.

Recommendation for outline planning application for above ground infrastructure at Welton , (site shown on location plan 07640-10005-ELSINTM ZZZ PLNT 0002) with access to be considered and not reserved for subsequent applications.

Approve subject to the following conditions:

Conditions stating the time by which the development must be commenced:

1. Application for approval of the reserved matters must be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

2. No development must take place until, plans and particulars of the **appearance, layout and scale** of the buildings to be erected and the **landscaping** of the site (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority, and the development must be carried out in accordance with those details.

Reason: The application is in outline only and the Local Planning Authority wishes to ensure that these details which have not yet been submitted are appropriate for the locality.

3. The development hereby permitted must be begun before the expiration of two years from the date of final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: To conform with Section 92 (2) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

4. The reserved matters application required under condition 2 above must include an acoustic report outlining proposed mitigation measures to avoid noise and disturbance identified by the Noise Report to Red Bungalow, Grange Farm. The findings of the noise report and proposed mitigation must be approved in writing by the Local Planning Authority prior to commencement of development. The approved mitigation measures must be implemented in full prior to bringing the development hereby approved into operation.

Reason: In accordance with the recommendations of the Noise Report to avoid noise and disturbance impacts in accordance with policy LP26 of the Central Lincolnshire Local Plan.

5. No development shall take place until a scheme of ecological enhancements that will deliver a 10% Biodiversity Net Gain have been submitted to and approved in writing by the Local Planning Authority.

Reason: As set out in Section 8.3 of the Design and Access Statement to protect and enhance the biodiversity value of the site to accord with the National Planning Policy Framework and LP21 of the Central Lincolnshire Local Plan.

6. No development shall take place until details of a scheme for the disposal of foul/surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the local planning authority. No use shall occur until the approved scheme has been carried out.

Reason: To ensure adequate drainage facilities are provided to reduce the risk of flooding and to prevent the pollution of the water environment to accord with the National Planning Policy Framework and local policy LP14 of the Central Lincolnshire Local Plan 2012-2036.