



Viking CCS Pipeline

Local Impact Report- DRAFT

EN070008

West Lindsey District Council

April 2024

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1. Introduction and Scope

1.1 This report comprises of the Local Impact Report (LIR) of West Lindsey District Council (WLDC) in response to the DCO for the Viking CCS Pipeline.

1.2 WLDC have had regard to the purpose of the LIRs as set out in s60(3) of the Planning Act 2008 (as amended); Department for Levelling Up, Housing and Communities' (DLUHC) Guidance for the examination of applications for development consent; the Planning Inspectorate's Advice Note One, Local Impact Reports; and the Planning Inspectorate's Example Documents, in preparing this LIR.

1.3 The LIR primarily relates to the impacts of the proposed development as it affects the administrative areas of WLDC; however, it also assesses the impacts of the proposals as a whole, where it is considered to be appropriate. WLDC has responded to the most relevant topics within the District and would defer to the more specialist views of Lincolnshire County Council in relation to highways and archaeology.

1.4 Overview of Proposed Development

1.5 The proposed development known as the Viking CCS Pipeline, would consist of a new onshore underground pipeline at a length of c. 55km. The pipeline would transport carbon dioxide from the industrial area of the Humber to the former Theddlethorpe Gas Terminal on the Lincolnshire Coast. The transported carbon dioxide would then connect into the existing Lincolnshire Offshore Gas Gathering System for 120km to a new 20k section of subsea pipeline connected to offshore connection facilities for permanent storage into the Viking area under the north sea in depleted gas reservoirs below the seabed. Main parts of the proposal comprise of;

- The Immingham Facility- to be located on an area of disused land to the south of the VPI Immingham combined heat and power plant;
- Onshore steel pipeline from Immingham to Theddlethorpe. The pipeline would have an external diameter of 24inches and buried to a max depth of 1.2m to the top of the pipeline;
- Three block valve stations within fenced compounds;
- Theddlethorpe facility- Two options are currently being considered- Option 1 - on the former Theddlethorpe Gas Terminal (TGT) Site and Option 2 - on arable land to the west of the former TGT;
- Replacement of dune isolation valve;
- Three construction compounds, temporary access tracks would be required during the construction period.

1.6 The order limit has been separated into five sections from north to south, a short section, approximately 2km of the pipeline would run through the administrative boundary of West Lindsey to the northeast of the settlement of Riby. The DCO order limit also runs adjacent to the WLDC administrative boundary at Keelby.

1.7 One of the three block valve stations (Washingdales Lane), which lies within the administrative boundary of North East Lincolnshire would be located c. 400m south of the WLDC boundary to the south of Riby.

2. Legislative and Policy Context

2.1 National Policy

2.2 The Secretary of State (SoS) is required to have regard to any relevant national policy statement (NPS), amongst other matters, when deciding whether to grant a DCO. Where there is a relevant NPS in place DCO applications are determined in line with Section 104 of the PA2008. Where there is no relevant NPS in place then Section 105 of the PA2008 takes effect and provides the legal basis for determining DCO applications. Section 105 requires the SoS to consider 'important and relevant' matters which includes this LIR and any matters which the SoS thinks are both important and relevant to its decision.

2.3 The now withdrawn 2011 NPS's EN-1 - Overarching National Planning Policy Statement for Energy and EN-4 - National Planning Policy Statement for Gas Infrastructure and Gas and Oil Pipelines, were replaced in January 2024. However, under the transitional arrangements the Viking CCS Pipeline is required to be considered under the 2011 NPS's. The updated EN-1 and EN-4 (dated November 2023) that came into force 17 January 2024, will however be a significant consideration to the determination of this proposal.

2.4 NPS EN-1 (2011) sets out national policy for energy infrastructure to be decided against. This type of development is not specifically accounted for in EN-1 (2011), however, paragraph 3.3.5 of EN-1 (2011), states that "*The UK is choosing to largely decarbonise its power sector by adopting low carbon sources quickly. There are likely to be advantages to the UK of maintaining a diverse range of energy sources so that we are not overly reliant on any one technology (avoiding dependency on a particular fuel or technology type). Government would like industry to bring forward many new low carbon developments (renewables, nuclear and fossil fuel generation with CCS) within the next 10 to 15 years to meet the twin challenge of energy security and climate change as we move towards 2050.*"

2.5 NPS EN-1 (November 2023) updates the 2011 EN-1 and sets out the Government's policy for delivery of major energy infrastructure and confirms the commitment to the 2050 net zero Greenhouse Gases (GHG) emission target set through the Climate Change Act 2008 (2050 Target Amendment) Order 2019. EN-1 (2023) places a greater emphasis on Carbon Capture Storage (CCS) and identifies an urgent need for new CCS infrastructure to support the transition to a net zero economy. New CCS infrastructure, CCS technologies, pipelines and storage infrastructure are considered to be critical national priority (CNP) infrastructure.

2.6 EN4 (2023) should be read in conjunction with EN-1 (2023). EN-4 recognises that pipelines could carry different types of gas but states that the NPS only has effect for those nationally significant infrastructure pipelines which transport natural gas or oil. EN-4 states that the need for CCS infrastructure is established in Section 3.5 of overarching EN-1 and the NPS does not have effect for CCS infrastructure, but it may contain information that is important and relevant to the SoS decision on applications for CCS infrastructure.

2.7 The National Planning Policy Framework (NPPF) (December 2023) at paragraph 5 states that the document does not contain specific policies for NSIPs. These are to be determined in accordance with the decision-making framework set out in the Planning Act and relevant NPS's for nationally significant infrastructure projects, well as any other matters that are considered both important and relevant.

2.8 Development Plan

2.9 So far as the development being within the WLDC boundary, the Central Lincolnshire Local Plan (CLLP) forms part of the development plan for West Lindsey (replacing the previous Central Lincolnshire Local Plan, adopted in 2017). The Local Plan was adopted on 13th April 2023 and therefore represents an 'up to date' statutory development plan to which significant weight should be afforded in decision making under section 105 of the PA 2008.

2.10 The relevant policies are as follows:

Policy S1: The Spatial Strategy and Settlement Hierarchy
Policy S5: Development in the Countryside
Policy S16: Wider Energy Infrastructure
Policy S21: Flood Risk and Water Resources
Policy S47: Accessibility and Transport
Policy S48: Walking and Cycling Infrastructure
Policy S53: Design and Amenity
Policy S54: Health and Wellbeing
Policy S57: The Historic Environment
Policy S59: Green and Blue Infrastructure Network
Policy S60: Protecting Biodiversity and Geodiversity
Policy S61: Biodiversity Opportunity and Delivering Measurable Net Gains
Policy S62: Area of Outstanding Natural Beauty and Areas of Great Landscape Value
Policy S66: Trees, Woodland and Hedgerows
Policy S67: Best and Most Versatile Agricultural Land

2.11 There are no Neighbourhood Plans within the WLDC District that are relevant to the development.

3. West Lindsey District Council Identified Impacts

3.1 Approximately 2km of the pipeline would run through the administrative boundary of West Lindsey to the northeast of the settlement of Riby, through agricultural fields and across the A18- Barton Street. In addition to this there is a proposed Block Valve Station (Washingdales Lane- Document reference EN070008/APP/4.14) located c. 400m to the southeast of the WLDC administrative boundary.

3.2 The following sections identify the relevant policies within the development plan and other local policy, the key issues raised by the proposed development, so far as they are relevant to the West Lindsey District and the extent to which the applicant addresses them and thus the proposal complies with local policy.

3.3 Principle of the Development

3.4 Policy S1 of the CLLP states that; *The spatial strategy will focus on delivering sustainable growth for Central Lincolnshire that meets the needs for homes and jobs, regenerates places and communities, and supports necessary improvements to facilities, services and infrastructure.*

3.5 Policy S16 (Wider Energy Infrastructure) of the CLLP states that; *The Joint Committee is committed to supporting the transition to net zero carbon future and, in doing so,*

recognises and supports, in principle, the need for significant investment in new and upgraded energy infrastructure.

Where planning permission is needed from a Central Lincolnshire authority, support will be given to proposals which are necessary for, or form part of, the transition to a net zero carbon sub-region, which could include: energy storage facilities (such as battery storage or thermal storage); and upgraded or new electricity facilities (such as transmission facilities, sub-stations or other electricity infrastructure).

However, any such proposals should take all reasonable opportunities to mitigate any harm arising from such proposals, and take care to select not only appropriate locations for such facilities, but also design solutions (see Policy S53) which minimises harm arising.

3.6 Policy S16 does not specifically reference CCS infrastructure and whilst the Viking CCS pipeline is not a proposal for energy infrastructure, its development would help contribute towards meeting net zero targets by assisting with the decarbonisation of industry in the Humber region and is therefore considered to be within the broader themes of Policy S16.

3.7 NPS (National Policy Statement) EN-1 sets out the national policy for energy infrastructure and is an overarching document that does not specifically cover CCS. However, it does include high level support for CCS projects. NPS EN-1 outlines the Government's ambition to reach the legally binding net zero target by 2050. NPS EN-1 recognises that: *"the most likely method for transporting the captured CO₂ is through pipelines"*.

3.8 WLDC are generally supportive of the decarbonisation development across the Humber and Lincolnshire regions, and the opportunities for new inward investment into a future low-carbon economy. WLDC recognises that such developments as this, can help to meet targets for reducing carbon emissions, leading to positive impacts. For the Council to be fully supportive of the proposals it must be demonstrated that environmental impacts arising from the development are managed and/or mitigated through the DCO process.

3.9 Ecology and Biodiversity

3.10 Policy S60 (Protecting Biodiversity and Geodiversity) of the CLLP states that: *development proposals will be considered in the context of the relevant Local Authority's duty to promote the protection and recovery of priority species and habitats. Where adverse impacts are likely, development will only be supported where the need for and benefits of the development clearly outweigh these impacts. In such cases, appropriate mitigation or compensatory measures will be required.*

3.11 Policy S61 (Biodiversity Opportunity and Delivering Measurable Net Gains) of the CLLP states that; *all qualifying development proposals must deliver at least a 10% measurable biodiversity net gain (BNG) attributable to the development. The net gain should be calculated using Natural England's Biodiversity Metric and be provided on-site where possible. Unless specifically exempted by Government, a biodiversity gain plan should be submitted providing clear and robust evidence for biodiversity net gains and losses. This plan should also include details of the pre-development biodiversity value of the onsite habitat, the post-development biodiversity value of the onsite habitat following implementation of the proposed ecological enhancements/interventions, and an ongoing management strategy for any BNG proposals.*

3.12 Policy S66 (Trees, Woodland and Hedgerows) of the CLLP states that; *planning permission will only be granted if the proposal provides evidence that it has been subject to adequate consideration of the impact of the development on any existing trees and woodland found on-site. Proposals for new development will also be expected to retain existing hedgerows where appropriate and integrate them fully into the design, having regard to their management requirements.*

3.13 In terms of Ecology, the information within Chapter 6 of the ES has been reviewed, this chapter details the potential ecological effects of the proposed development. The tables 6-12 to 6-15 (inclusive) give a suitable summary of ecological interest features and the likely significant effects. The tables also include mitigation and residual effects from the proposed development. In terms of protected and priority species, a range of desk based and field surveys have been undertaken to identify any species which may be within the DCO limits. The level of survey work and methods within Chapter 6 are considered to be appropriate. Some survey work would be required post application to ensure the surveys and mitigation is still appropriate.

3.14 The applicants ES highlights a series of potential impacts on ecology during the construction stage. Measures to protect species are proposed to be incorporated into a CEMP, this should be secured in the DCO. Subject to the appropriate mitigation measures, WLDC considers that there would be a **minor negative** impact on ecology.

3.15 BNG for NSIP proposals is not mandatory however it is good practice for such schemes so provide 10%. Due to the scale of the development, it is expected that BNG should be delivered and the applicant's intention to deliver 10% is welcomed.

3.16 The Applicant sets out the methodologies and details the baseline and post development BNG assessment for the Proposed Development in [APP-125] 6.7.1 Initial Biodiversity Net Gain Assessment and sets out the approach to delivering BNG in [APP-126] 6.7.2 Draft Biodiversity Net Gain Strategy. Post development, the metric shows that there would be *Areas of permanent habitat loss related to above ground installations are predicted to result in a net loss of 7.44% for area-based habitat units, a net loss of 30.24% for hedgerow units and a net loss of 0.68% for watercourse units.*"

The applicant considers that the following should be achievable. *"a net gain of 10.42% for area-based habitat units, a net gain of 2597.43% for hedgerow habitats and a net gain of 26.12% for watercourse habitats"*

3.17 So far as the pipeline running through the WLDC boundary is concerned the development would involve the removal of some trees and partial removal of hedgerows in the section of the pipeline route that runs through the WLDC district. The trees within the DCO limits have been assessed in the ES Appendix 6-10 Arboriculture Report (EN070008/APP/6.4.6.10) upon reading the submission the trees to be removed are either Category B or C trees as well as partial hedgerow removal.

3.18 WLDC recognises that the routing of the pipeline has been done to minimise as much as practicable the impacts upon the trees and woodland to be retained and welcomes the proposed protection measures, minimal hedgerow removal and working width reductions where necessary. In terms of mitigation, this will be in the form of new tree planting and associated landscaping works detailed within the Outline Landscape and Ecological

Management Plan which will in turn provide compensatory measures for the loss of habitats. Overall the council considers that the development would bring **positive** benefits in terms of BNG and compensatory tree and hedgerow planting.

3.19 Landscape and Visual

3.20 Policy S53 (Design and Amenity) of the CLLP states that; *all development must achieve high quality sustainable design that contributes positively to local character and landscape. Development proposals should be based on a sound understanding of the context, integrate into the surroundings, relate well to the site, contribute to the sense of place, and protect any important local views into, out of, or through the site.*

3.21 Policy S62 (Area of Outstanding Natural Beauty and Areas of Great Landscape Value) of the CLLP seeks to protect the Lincolnshire Wolds AONB from adverse impacts from development proposals within or affecting the setting of the AONB. Proposals which will result in an adverse impact on the AONB or which fail to demonstrate that they will not have an adverse impact taking into account any mitigation proposed, will not be supported. The policy also seeks to protect locally designated Areas of Great landscape Value (AGLV).

3.22 The proposals include a block valve station at Washingdales Lane (c.400m to the southeast of the WLDC boundary and adjacent to the AGLV designation)- See Appendix 1. The WLDC section of the pipeline would run adjacent to an Area of Great Landscape Value nearby to Riby.

3.23 Much of the visual impacts within the district would likely be through the construction process and would therefore be temporary. A temporary access road is proposed along Barton Street and a construction laydown area is sited directly adjacent to the north boundary of the WLDC boundary, again these are temporary during the construction period and would not have a permanent visual impact upon the landscape. Once complete, the operation and maintenance of the buried pipeline would not have significant impacts upon landscape character or the AGLV designation.

3.24 The proposed Washingdales Lane Block Valve Station would be sited close to the AGLV designation. Cumulatively the compound measures 38m by 43m, visual mitigation is in the form of 10m wide planting strips surrounding the 3.2m high mesh fencing. The scale of the block valve station itself is minor and it is due to this scale that the council considers that visual impacts would not be harmful upon the character of the AGLV. The council considers that there would be a **neutral** impact upon the landscape and AGLV.

3.25 Archaeology and Historic Environment

3.26 With regard to Archaeology, Policy S57 (The Historic Environment) of the CLLP states that; *Development affecting archaeological remains, whether known or potential, designated or undesignated, should take every practical and reasonable step to protect and, where possible, enhance their significance. Planning applications for such development should be accompanied by an appropriate and proportionate assessment to understand the potential for and significance of remains, and the impact of development upon them. If initial assessment does not provide sufficient information, developers will be required to undertake field evaluation in advance of determination of the application. This may include a range of techniques for both intrusive and non-intrusive evaluation, as appropriate to the site.*

3.27 With regard to Listed Buildings and their settings Policy S57 states that; *Development proposals that affect the setting of a Listed Building will, in principle, be supported where they make a positive contribution to, or better reveal the significance of the Listed Building.*

3.28 There are no designated heritage assets within the WLDC section of the DCO pipeline route. Nearby designated heritage assets, so far as they are within the WLDC boundary are as follows;

Riby- Grade II* Listed Buildings; Church of St Edmund, Riby [129].

Grade II Listed Buildings; Barn at Church Farm, Riby [153]; Church Farmhouse, Riby [154].

Keelby- Grade I Listed Buildings; Church of St Bartholomew, Keelby [134]; No 9 shop and Church End Farm, Keelby [135];

Grade II Listed Buildings; Village hall, Keelby [157]; Manor House, Keelby [158]; No 1 and outbuildings and railings, Keelby [159]; Churchyard cross at Church of St Bartholomew, Keelby [120] (also a scheduled monument); Rifle range, Keelby [160];

Numeric references above are taken from the ES Volume IV- Appendix 8-1: Historic Environment Desk Based Assessment. Document Ref: EN070008/APP/6.4.8.1.

3.29 It is not considered that the pipeline itself would result in a permanent change to the setting of the designated assets detailed above. The ground will be reinstated once construction and laying of the pipeline has been undertaken. The temporary construction access and laydown areas would also be removed following the development. So far as the impacts upon designated heritage assets within the WLDC district boundary the council considers the impacts would be **neutral**.

3.30 With regard to below ground archaeological impacts, to the east of the Lindens in Riby, a possible moated site is visible on aerial photographs with an associated leat extending to the west across the site boundary, it is located immediately east of the DCO site boundary. The construction of the pipeline would have a direct physical impact upon the leat. It is not considered that the impact would be significant, however WLDC would defer to the comments and specialist views of Lincolnshire County Councils Archaeologists, as a whole, in this regard.

3.31 WLDC has been informed by the applicant that the trial trenching programme will be commencing on site and a WSI for the trenching programme has been produced and is to be reviewed and discussed with the relevant authority.

3.32 The Applicant's evaluation of the impact on buried heritage assets concludes that during construction, in all sections, there would be direct physical permanent impact on any as of yet unidentified archaeological remains within the DCO boundary, the applicants have concluded in their ES that the development as a whole would have a **negative** impact upon heritage assets, the council would agree with this at this stage.

3.33 Agriculture and Soils

3.34 Policy S67 (Best and Most Versatile Agricultural Land) of the CLLP states that *proposals should protect BMV agricultural land so as to protect opportunities for food*

production and the continuance of the agricultural economy. Significant development resulting in the loss of BMV agricultural land will only be supported if:

- The need for the proposed development has been clearly established and there is insufficient lower grade land available;*
- The benefits and/or sustainability considerations outweigh the need to protect such land, when taking into account the economic and other benefits of the BMV agricultural land;*
- The impacts of the proposal upon ongoing agricultural operations have been minimised through the use of appropriate design solutions; and*
- Where feasible, once any development which is supported has ceased its useful life, the land will be restored to its former use.*

3.35 The Applicant has undertaken a desk-based study to assess the impact of the development on agriculture and soils. Within Chapter 10 (Doc reference EN070008/APP/6.2.10) of the applicants ES, the WLDC section of the pipeline lies within Section 2 of the Study Area. Within Section 2 the Proposed Working Area covers 29.59 ha, comprising 9.02 ha of Grade 2 (Very Good) and 20.57 ha of Grade 3 land (good to Moderate).

3.36 During the construction phase the development would result in the loss of use and disturbance to large areas (whole development) of large areas of BMV agricultural land. Permanent loss would occur through the development of the Theddlethorpe facility and its new access road as well as the three block valve stations. During the development there would be a loss of use and disturbance to areas of BMV land, this would be short term. The applicant considers that there would be no permanent loss of BMV land along the pipeline route. The applicant has outlined Soil management during construction in their Outline Soil Management Plan ES Volume 2 Appendix 10-1, the measures in the plan are welcomed. So far as the pipeline runs through the WLDC district the council consider that there is **neutral** impact upon BMV land.

3.37 Traffic and Transport

3.38 Policy S47 of the CLLP states that; *Development proposals which contribute towards an efficient and safe transport network that offers a range of transport choices for the movement of people and goods will be supported.*

All developments should demonstrate, where appropriate, that they have had regard to the following criteria:

- a) Located where travel can be minimised and the use of sustainable transport modes maximised;*
- b) Minimise additional travel demand through the use of measures such as travel planning, safe and convenient public transport, car clubs, walking and cycling links and integration with existing infrastructure;*
- c) Making allowance for low and ultra-low emission vehicle refuelling infrastructure.*

3.39 Within the WLDC district boundary a new temporary access road would be installed along Barton Street, a laydown area is also to be located directly north of the WLDC boundary to the northeast of Riby.

WLDC has had regard to the assessment within the ES Volume II- Chapter 12, Transport and Accessibility is appropriate and provides a realistic estimate of HGV and car traffic associated with the development during construction and shows that the impact would be within acceptable levels on the road network. This information has also included trip generation for construction traffic and workers. WLDC agrees that the operational phase of the development would not result in any severe impact. During construction mitigation is proposed to be managed by the detailed Construction Traffic Management Plan (CTMP), this is considered to be acceptable.

3.40 WLDC would further defer to any comments/impacts made by Lincolnshire County Council as the Highways Authority for WLDC in this regard.

3.41 Major Accidents and Disasters

3.42 ES Chapter 19: Major Accidents and Disasters gives an assessment of the major accidents and disasters that have the potential to arise from construction to decommissioning stage. Included within this is the assessment of reasonably foreseeable worst case environmental consequences and measures to prevent or mitigate the significant adverse effects on the environment.

Other key documents and systems of note are as follows;

- Risk management system and adherence to all applicable HSE guidelines;
- Adherence to the CEMP;
- Undertaking additional studies, where required, to produce an inherently safer design and to ensure residual risks are managed to be ALARP;
- Preparation of bespoke incident response plans to ensure reasonably foreseeable incidents can be managed appropriately; and
- Developing detailed emergency plans for dealing with potential major incidents.

3.43 It is noted that Carbon Dioxide (CO₂) is not defined as a dangerous fluid under Pipeline Safety Regulations and, as such, CO₂ pipelines are not classified as Major Accident Hazard Pipelines (MAHPs). CO₂ is not flammable and will not support combustion and the risk from explosions is low. The key risks to people relate to its potential to act as a toxic material by inhalation at concentrations in excess of 5%v/v and as an asphyxiant at concentrations in excess of 50%v/v where it displaces oxygen in air to dangerously low levels. , It is noted the ES considers the most likely cause is due to an external event (e.g. a landslide) rather than an operational issue. The ES concludes that the risk of a pollution accident is very low.

3.44 One of the key documents is the Draft Construction Environmental Management Plan (CEMP) (ES Volume IV Appendix 3.1 (Application Document 6.4.3.1.)), this sets out additional mitigation measures identified in this assessment of likely significant effects within the Mitigation Register. Section N of the register sets out additional mitigation measures in respect of major accidents and disasters. N11 relates to fire detection and states that fire protection measures will be installed at other development and at the Proposed Development. The Operational Phase Mitigation (ES Volume IV, Appendix 3.6 (Application Document 6.4.3.6)) sets out mitigation measures identified in this assessment of likely significant effects during operation, the design of the proposed development will allow for it

to be shutdown safely in an emergency. It is noted that the ES concludes that the risks are mitigated to a 'tolerable' level and the effects are concluded 'not significant'.

3.44 WLDC agrees with assessment, risk descriptions and mitigation measures contained within table 19-6- Assessment of Short -Listed Major Accident and Disasters and the methodology contained within the Draft Emergency Response Plan as well as the proposed three-level response plan. Such mitigation and emergency response plans should be secured in the DCO.

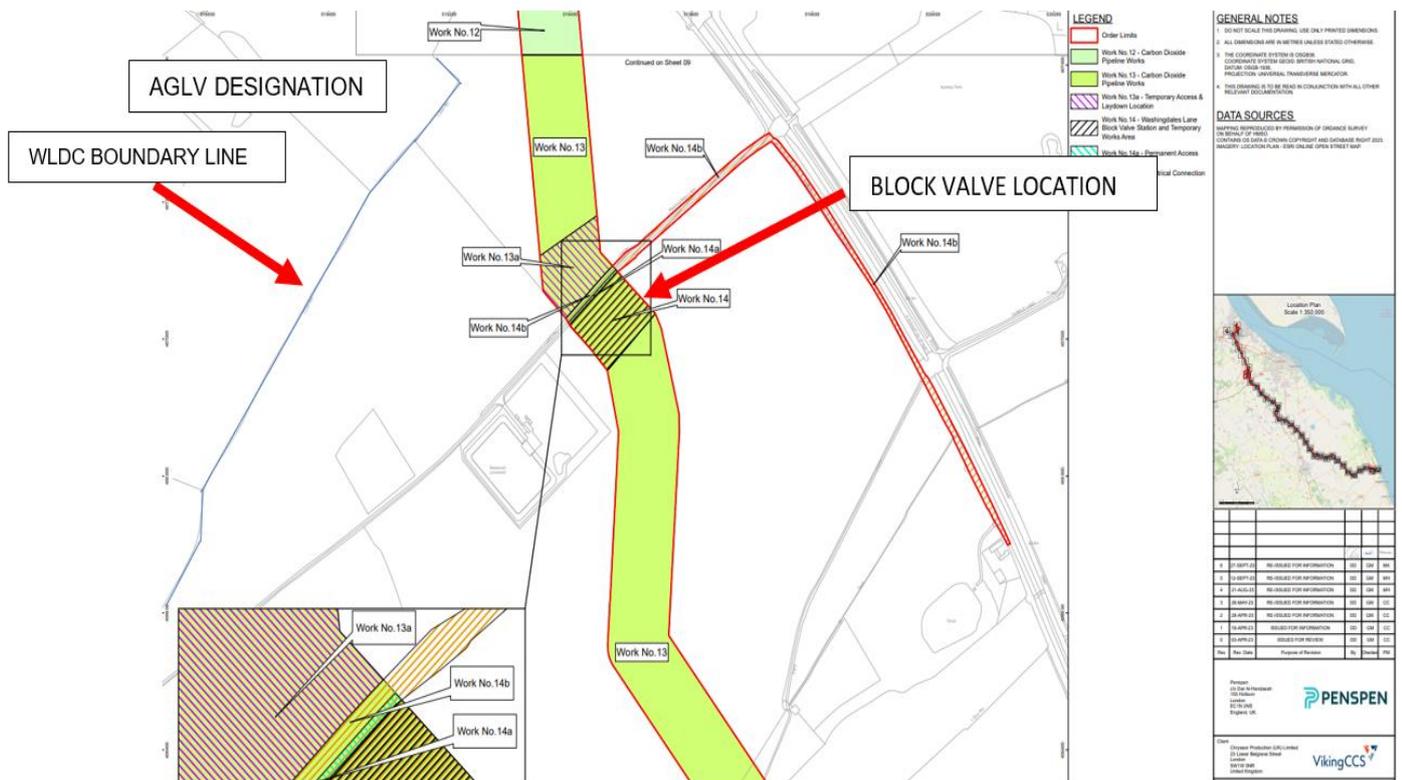
4. Conclusion

4.1 To conclude, WLDC consider the overarching aims of the Viking CCS pipeline accord with the Central Lincolnshire Local Plan's aims to result in carbon reduction and aim towards net zero. It is overall considered that the effects of development will be **neutral** at a District Level. The necessary mitigations should be secured by the DCO to minimise the negative impacts identified in the applicant's submission.

4.2 WLDC requests that the Examining Authority and Secretary of State have regard to this Local Impact Report when making its decision in addition to any further written representations that WLDC may wish to make during the Examination process.

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Appendix 1- Block Valve Location in relation to WLDC and AGLV Boundaries



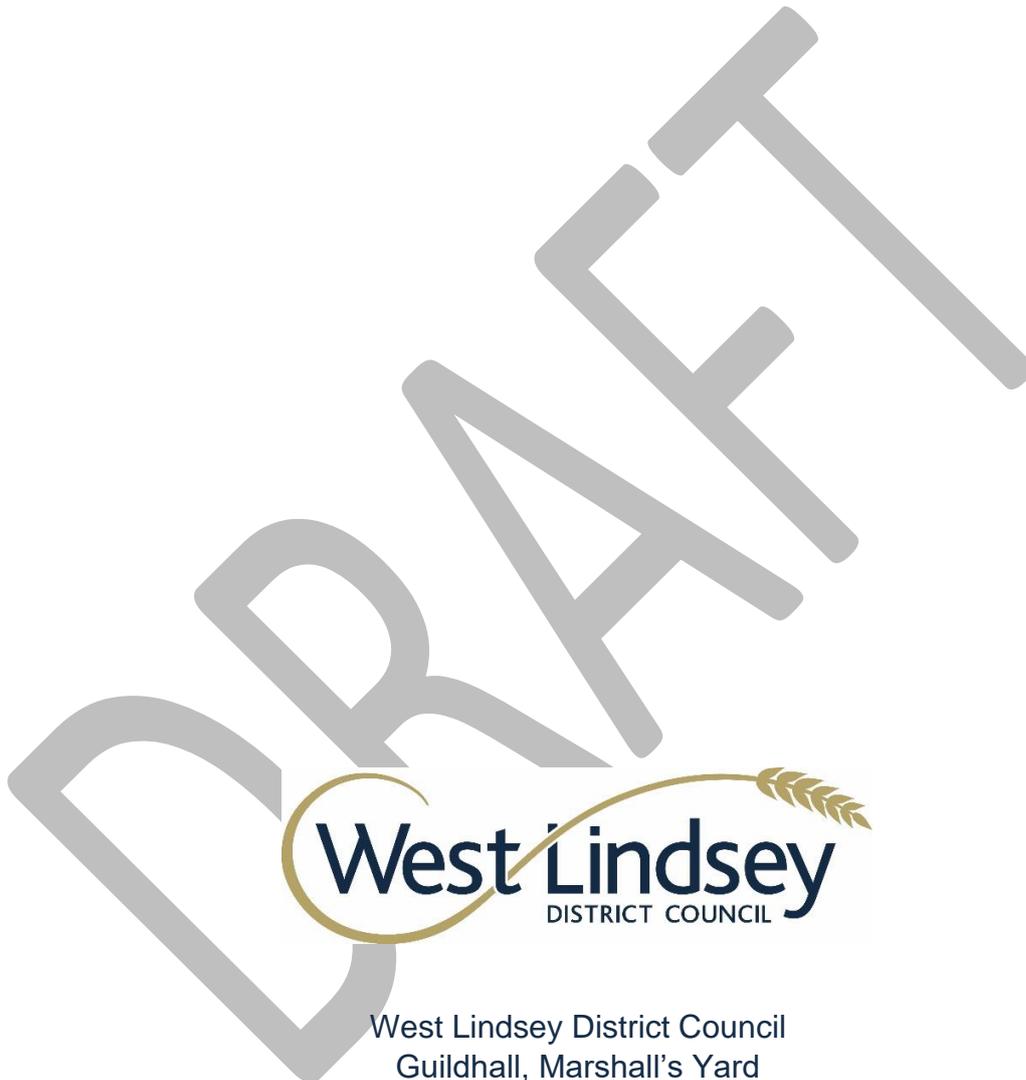
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Appendix 2 – Central Lincolnshire Local Plan (Adopted April 2023)

[CLLP to be inserted]

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