SCOPING OPINION

PROPOSED PREESALL UNDERGROUND GAS STORAGE FACILITY, LANCASHIRE

November 2010

independent impartial inclusive
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Executive Summary

This is the Infrastructure Planning Commission’s (the Commission’s) Scoping Opinion (the Opinion) in respect of the content of the environmental statement for the development of an underground gas storage facility, to be known as Preesall underground gas storage facility (the Proposal).

The Proposal would be put forward by Halite Energy Group (the Applicant) and is proposed to store gas from the National Transmission System (NTS) in underground salt caverns. This gas would be supplied to the NTS in periods of high demand. Seawater would be extracted from Fleetwood Fish dock to dissolve the salt in the caverns and the resulting brine discharged into the Irish Sea via a new pipeline. A gas pipeline to connect the caverns to the NTS and an electrical connection to the National Grid would be constructed. New road infrastructure would also be constructed.

This report sets out the Commission’s Opinion on the basis of the information provided in the Applicant’s report entitled ‘Peesall Underground Gas Storage Facility – Environmental Impact Assessment Scoping Report’ (the Scoping Report). The Opinion can only reflect the proposal as currently described by the Applicant.

The Commission has consulted on the scoping report and the responses received have been taken into account in adopting this Opinion. The Commission is broadly satisfied that the topics identified in the Scoping Report fully encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. Notwithstanding this, the Commission considers that the scope of the proposed ES has inadequately assessed effects on the marine, estuarine and inter-tidal environment. The ES should sufficiently address the assessment of these matters and others identified within the Commission’s Comments in Section 3 of this Opinion.

The Commission draws attention both to the general points and those made in respect of each of the specialist topics in this opinion. At this stage the main themes and potential issues for consideration within the ES are:

The scope of the Development

- The need to clearly identify and describe the proposal and identifying each distinct element of the development;
- The need to identify the location, number and size of the proposed caverns and the quantities of gas to be stored; and
- The need to clearly identify and describe the proposed connection to the two identified NTS pipelines (Feeders 15 and 21) and how the scheme impacts the Northwest Ethylene Pipeline (see Figure 6).
The Scope of the EIA

- The need to ensure that the physical scope of the assessment is sufficient to enable consideration for all potential impacts, including impacts on the marine, estuarine and inter-tidal environment;
- The need to describe the impact assessment methodology, use of legislation and guidelines or best practice in all cases;
- The need to clearly identify and describe the baseline and ensure that the baseline data is comprehensive and reflects the current environmental setting;
- The need to consider the cumulative effects with other proposed development in the area and the inter-relationship of multiple impacts on the same receptor; and
- The need to consider all aspects of the proposed development, including timescales, at construction, operation and decommissioning stages. This should include commissioning of the caverns (or testing integrity) and after care / restoration following decommissioning.

The Potential Impacts

- The use of land in areas of known subsidence from historic mining activities including salt extraction;
- The treatment and disposal of waste brine and other process chemicals during construction and operation of the proposed gas storage caverns;
- Impacts during construction and operation on the marine, estuarine and inter-tidal environment and the potential effects on aquatic ecology;
- Visual and landscape impacts on nearby sensitive receptors;
- Noise and vibration impacts on sensitive receptors;
- Transport impacts during construction on local highways resulting from the carriage of the pipe lengths, especially abnormal loads, to the site and access onto the proposed development area;
- The potential impact on the natural and built environment, particularly existing defences located on the eastern bank of the River Wyre;
- The impact on the flood defences at the existing Fylde Peninsula seawall;
- Impact on amenity value of the Wyre Estuary, Wyre Way, Lancashire Coastal path and other public rights of way;
- Sustainability of the working/disposal of mineral salt (brine);
- Impact on ecological designations, including the statutory designations Morecambe Bay Ramsar and SAC, and Wyre Estuary SSSI and local Biological Heritage Sites; and
- The potential significant effect on European Protected Species during construction and operation of the development.
1.0 INTRODUCTION

Background

1.1 On 19 October 2010, the Commission received the Scoping Report submitted by Hyder Consulting Ltd on behalf of the Applicant under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (the EIA Regs) in order to request a scoping opinion for the Proposal. This Opinion is made in response to this request and should be read in conjunction with the Scoping Report.

1.2 The EIA Regs enable an applicant, before making an application for an order granting development consent, to ask the Commission to state in writing its formal opinion (a ‘scoping opinion’) on the information to be provided in an environmental statement (ES).

1.3 The proposals fall within Schedule 2 development under the EIA Regulations as being a facility for ‘underground storage of combustible gases’ (paragraph 3(d)). An EIA is not mandatory for Schedule 2 development but depends upon the sensitivity of the receiving environment, the likelihood of significant environmental effects and the scale of the proposals.

1.4 In submitting the information included in their request for a scoping opinion, the Applicant is deemed to have notified the Commission under Regulation 6(1)(b) of the EIA Regs that it proposes to provide an ES in respect of the Proposal. The proposed development is determined to be EIA development in accordance with Regulation 4 of the EIA Regs.

1.5 Before adopting a scoping opinion the Commission (or the relevant authority) must take into account:

- ‘the specific characteristics of the particular development;
- the specific characteristics of the development of the type concerned;
- the environmental features likely to be affected by the development’.

   (EIA Regs 8(9))

1.6 This Opinion sets out what information the Commission considers should be included in the ES for the Proposal. The opinion has taken account of:

   i. the EIA Regs;
   ii. the nature and scale of the proposed development;
   iii. the nature of the receiving environment; and
iv. current best practice in the preparation of environmental statements.

1.7 The Commission has also taken account of the responses received from the statutory consultees. It has carefully considered the matters addressed by the applicant and has used professional judgement and experience in order to come to this Opinion. The Commission will take account of relevant legislation and guidelines when considering the ES. The Commission will not be precluded from requiring additional information in connection with the ES submitted with that application when considering any application for a development consent order (DCO).

1.8 This Opinion should not be construed as implying that the Commission agrees with the information or comments provided by the Applicant in their request for an opinion from the Commission. In particular comments from the Commission in this Opinion are without prejudice to any decision taken by the Commission on submission of the application that any development identified by the Applicant is necessarily to be treated as part of a nationally significant infrastructure project or associated development, or development that does not require development consent.

1.9 Regulation 8(3) of the EIA Regs states that a request for a scoping opinion must include:

i. a plan sufficient to identify the land;
ii. a brief description of the nature and purpose of the development and of its possible effects on the environment;
iii. such other information or representations as the person making the request may wish to provide or make.

1.10 The Commission considers that this has been provided in the Applicant’s Scoping Report.

Consultation

1.11 The Commission has a duty under Regulation 8(6) of the EIA Regs to consult widely before adopting a scoping opinion. A full list of the consultation bodies is given at Appendix 1. The list of respondents, with copies of those comments is given at Appendix 2, to which reference should be made.

1.12 The ES submitted by the Applicant should also demonstrate consideration of points raised by the statutory consultees. It is recommended that a table is provided in the ES summarising the scoping responses from the statutory consultees and how they are considered in the ES.
1.13 Any subsequent consultation responses, received after the statutory deadline for receipt of comments, will be forwarded to the Applicant and should be given due consideration by the Applicant in carrying out the EIA.

**Structure of the Document**

1.14 This document is structured as follows:

- **Section 2** The Proposed Development;
- **Section 3** EIA Approach and Topics;
- **Section 4** Other Information;
- **Appendix 1** Consultation Bodies;
- **Appendix 2** Respondents to Consultation and Copies of Replies;
- **Appendix 3** Presentation of the Environmental Statement.
2.0 THE PROPOSED DEVELOPMENT

Applicant's Information

2.1 This sub-section entitled 'Applicant's Information' summarises the information provide in the Applicant's Scoping Report. The Commission does not verify the accuracy of the information provided in the Scoping Report.

Background

2.2 The Applicant proposes to create an underground gas storage facility in the salt body at Preesall. The caverns would be created specifically in the salt areas that have been left untouched by previous brine mining operations and would store and supply natural gas to the gas NTS at periods of high demand.

2.3 The proposal would include the following key elements as identified at paragraph 1.2.3 of the Scoping Report:

- Gas Storage Caverns;
- Water Washing Infrastructure;
- Gas Infrastructure; and
- Road Infrastructure.

The Proposed Site

2.4 The location and extent of the proposed development is shown on Figure 2 in Appendix C within the Applicant's Scoping Report.

2.5 The area of the proposed development includes a variety of distinct environments with a variety of landscape characteristics and land uses.

2.6 The proposal covers three broad areas including:

- the River Wyre under which pipes relating to the water washing infrastructure and electricity infrastructure cables are proposed and Preesall to Nateby, where the gas storage caverns and gas connection infrastructure to the NTS are proposed to be located;
- the Fylde Peninsula where the seawater pump station would be located and through which the brine pipe would run; and
- the Irish Sea area through which the outfall pipe carrying the brine would extend for 2.3km.

2.7 The Applicant has identified these areas as illustrated in the three plans which constitute Figure 7 in Appendix C (Study Area Boundaries for the Environment Impact Assessment). The area of the proposed development is identified in Figure 3 of Appendix C (Indicative Master Plan) which shows the indicative layout of the proposal.
Gas Storage Caverns

2.8 The two indicative areas for cavern development are on the east of the River Wyre, situated in a predominantly rural area of farmland, with residential properties identified within the redline boundary of the gas storage caverns area and small villages located nearby.

2.9 The larger of the two gas storage areas as shown in Figure 4, is situated within open agricultural land. Table 3-1 of the Scoping Report describes the land as the best and most versatile agricultural land (Grades 2 and 3).

2.10 Part of the Wyre Way long distance trail crosses the northern part of this area and Public Rights of Way (PRoW) consisting of footpaths are shown crossing the southern part of this area in Figure 8 (Public Rights of Way and other Routes). Cote Walls Farm is shown as being located within this area to the north of the Gas Compressor Compound (GCC) on Figure 4. No ecological designated sites are shown within this area on Figure 9 (sheet 2 of 3) (Nature Conservation, Archaeological and Built Heritage Features).

2.11 The smaller of the two gas storage areas as shown in Figure 4, is located within the mud banks of the River Wyre. This area is within the Morecambe Bay Special Protection Area (SPA) and Ramsar site and Wyre Estuary Site of Special Scientific Interest (SSSI) as shown in Figure 9 (sheet 2 of 3) (Nature Conservation, Archaeological and Built Heritage Features). No PRoW are shown crossing this area. No residential properties are shown within this area.

2.12 The Knott End Regionally Important Geological and Geomorphological site (RIGS) is stated to lie within the proposed footprint but the physical extent and location of the Knott End RIGS is not described (Table 3-5 of the Scoping Report).

Water Washing Infrastructure

2.13 The Seawater Pump Station is proposed to be located on the western bank of the River Wyre adjacent to the Fleetwood Fish Dock as shown in Figure 4, Appendix C. No PRoW, ecological designations, listed buildings, conservation areas or archaeological sites have been identified within the area of this proposed development.

2.14 The extracted water would be transported from the Seawater Pump Station to the gas cavern storage area by pipelines under the River Wyre connecting to the Booster Pump Station and De-Brining facility on the eastern bank of the River Wyre.

2.15 The processed brine would be transported by pipeline under the River Wyre from the de-brining facility, extending westward to the Seawater
Pump Station, following the same route as the extracted water pipeline. It would continue southwards initially following the banks of the River Wyre until it crosses under the former Preston to Wyre Railway Line listed on the National Monuments Record (NMR), then heading west through open land including King George's Memorial Playing Field crossing two roads, where the Jameson Road bridge crossing would be over-ground and crossing under Blackpool-Fleetwood Tramway (also listed on the NMR). The pipeline would then continue west passing through playing fields until it intersects with West Way road and reaches the base of the seawall near Rossall.

2.16 The Lancashire Coastal Way long distance path is shown in Figure 8 (Public Rights of Way and other Routes) as running along the Promenade at Fleetwood and includes the area of the seawall through which the brine pipeline would pass. The pipeline passes through the Fleetwood Promenade Coastal and Dune Grassland and Fleetwood Marsh Industrial Lands non-statutory Biological Heritage Site (BHS). No listed buildings, archaeological sites or statutory conservation sites are located within the proposed pipeline route.

2.17 The proposed brine discharge pipeline extends approximately 2.3km westward from the base of the seawall at Fleetwood Beach near West Way in Rossall, Fleetwood into the Irish Sea.

2.18 Figure 9, Appendix C (Nature Conservation, Archaeological and Built Heritage Features) shows that the proposed discharge pipe has not been identified as being within any designated ecological sites.

Gas and Electrical Infrastructure

2.19 The gas pipeline travels eastwards from the gas cavern area towards the NTS connections through predominantly non-urban areas, crossing several roads and connects with the National Grid Gas Pipelines Feeders 21 and 15 west of Garstang. The proposed route of the gas pipeline as shown in Figure 9, Appendix C (Nature Conservation, Archaeological and Built Heritage Features) goes through the Piling Moss Head Dyke BHS.

2.20 The route of the electricity cable runs underground from the on-site electrical substation located adjacent to the GCC through open agricultural land following a road until it reaches the mudflats of the eastern bank of the River Wyre where it continues south until reaching a proposed compound near Staynall then crossing under the River Wyre to the Stanah Switchyard on the western side of the River Wyre. The proposed cable route crosses the Wyre Way route on both the eastern and western bank of the River as shown in Figure 8 (Public Rights of Way and other Routes). No other PROW are shown crossing the proposed circuit's route. The proposed electricity connection is shown in Figure 9, Appendix C (Nature Conservation, Archaeological and Built Heritage Features) to pass through the Hillhouse Estuary.
Banks BHS on the western bank of the River Wyre adjacent to Stanah Switchyard.

Road Infrastructure

2.21 A new heavy haul road is proposed running from the A585 in Preesall Park through open agricultural land to the proposed site entrance through a security gatehouse, as shown in Figure 4 of the Scoping Report. No ProW, ecological designations, listed buildings, conservation areas or archaeological sites are shown within the proposed location of these structures.

The Surrounding Area

Fylde Peninsula Study Area

2.22 The Fylde Peninsula comprises the residential settlement areas of Fleetwood, Cleveleys and Thornton, industrial developments along the eastern edge of the estuary including water treatment works and a landfill site.

2.23 The brine discharge pipeline travels eastward from the seawall, passing to the north of Rossall School, which has eight Grade II listed buildings.

2.24 Fleetwood Docks is located to the north of the Seawater Pump Station (see Figure 9 of the Scoping Report). The docks have a number of facilities, warehouses and associated industrial buildings listed in the Lancashire Sites and Monuments Record.

2.25 Fleetwood Town Centre is located to the north of the proposed brine pipeline route and is identified on Figure 9 of the Scoping Report as a designated Conservation Area with 39 Grade II listed buildings.

2.26 The Wyre Way long distance path runs along the western bank of the River Wyre past ICI works and other industrial works before it heads westwards across the Fylde Peninsula, passing Rossall School until it meets the Lancashire Coastal Way long distance path which runs along the front of the Fleetwood Promenade, at the seawall to the south of the proposed pipeline route as shown in Figure 8 (Sheet 1 of 3).

2.27 A number of non-statutory designated BHS's have been identified within the Fylde Peninsula on Figure 9 of the Scoping Report, these are:

- Fleetwood Marsh Industrial Lands;
- Jameson Road Salt marsh;
- Rossall Lane Wood and Pasture;
- Rossall School Fields, Ditches and Bankings;
• Fleetwood Promenade Coastal and Dune Grassland;
• Fleetwood Farm Fields;
• ICI Hillhouse International Pool;
• Hillhouse Estuary Banks; and
• Fleetwood Railway Branch Line in the Fylde Peninsula.

Wyre Estuary and Preesall to Nateby Study Area

2.28 The Preesall to Nateby area is shown as mainly agricultural / rural with some residential properties and settlements at Preesall, Stalmine-with-Staynall and Garstang.

2.29 A sewage works is located adjacent to the proposed Booster Pump Station compound situated between the two proposed areas for cavern development as shown in Figure 3 (Indicative Master Plan). The Clods Carr Lane Fields, ICI Salt Pools and Hackensall Brows BHS sites are located to the north of the proposed gas cavern storage areas.

2.30 The gas pipeline travels eastwards following a parallel route to the former Garstang and Knott End Railway, which is listed on the NMR, runs to the north of the proposed gas pipeline. A number of farms are located on each side of the pipeline route. Cockerham and Winmarleigh Moss Edge BHS are located to the north of the proposed gas pipeline. The Lancaster canal BHS is shown as situated at the eastern end of the gas pipeline where it is proposed to connect into NTS Feeder 15.

2.31 The route of the proposed electricity cable follows the path of a road southwards along the eastern bank of the River Wyre, passes residential properties and through a predominantly rural area of farmland before reaching a temporary compound near Staynall village where it crosses under the River Wyre to reach Stanah Switchyard on the western bank.

2.32 Figure 9 (Sheet 2 of 3)(Nature Conservation, Archaeological and Built Heritage) of the Scoping Report also identifies archaeological find sites and other sites of cultural heritage interest in the vicinity of the proposed gas storage caverns area, access road and electricity cable including Neolithic, Bronze Age and Roman sites.

2.33 There is a number of statutory designated nature conservation sites in the vicinity of the infrastructure located in this part of the study area as identified on Figure 9 of the Scoping Report. These include the Wyre Estuary SSSI which forms part of the Morecambe Bay SPA and Ramsar site. The Wyre Estuary flows into the Morecambe Bay Special Area of Conservation (SAC). Winmarleigh Moss SSSI is located to the north of the gas pipeline.
Irish Sea Study Area

2.34 Statutory designated nature conservation sites in the vicinity of the proposed brine outfall pipeline are identified on Figure 9 of the Scoping Report as:

- Morecambe Bay Ramsar Site, SAC and SPA - to the north of the proposed development;
- Wyre Estuary SSSI – to the north of the proposed development;
- Liverpool Bay SPA – situated to the south-west of the proposed development;
- Shell Flat candidate SAC – situated to the west of the proposed development; and
- Lune Deep possible SAC – north-west of the proposed development.

Description of the Development

2.35 The Proposal includes the following key elements (paragraph 1.2.3 of the Scoping Report) described in more detail below:

- Gas Storage Caverns – created specifically for the Proposal in salt areas previously untouched by brine mining operations;
- Water Washing Infrastructure – including a sea water pipeline from Fleetwood Fish Dock to the Preesall site and a brine discharge pipeline from the Preesall site to approximately 2.3km offshore;
- Gas Infrastructure – to connect the caverns to the GCC and NTS Interconnector; and
- Road Infrastructure – a proposed new road from the A585 to the site and haul roads within the site.

2.36 In addition to the above, the other works identified at paragraph 1.2.55 of the Scoping Report that would be required are summarised below:

- Boreholes lined with steel casing;
- Wellhead compounds to accommodate the drilling rig and security fence;
- Four power, communication, control pipelines from Fish Dock to Preesall site;
- Underground electricity cables from United Utilities switchgear in the Stanah Switchyard to the GCC;
- Temporary drilling compounds at the Fleetwood Fish Dock;
- Modifications to the seawall at West Way to accommodate the brine outfall and new observation platform;
- New landscaping; and
- A number of temporary construction, drilling and storage compounds.
Gas Storage Caverns and Water Washing Infrastructure

2.37 Figure 3, Appendix C (Indicative Master Plan) shows the indicative locations of eight wellhead compounds. The caverns would be created by a solution mining (leaching) process which dissolves the salt in order to create the cavern in the salt body. To access the salt, boreholes would be drilled from a number of wellheads. Wells are proposed to be drilled both vertically to access the shallower salt body and directionally to access the salt under the Wyre Estuary.

2.38 Water would be extracted by the proposed Seawater Pump Station using the existing inlet and associated culvert infrastructure at Fleetwood Fish Dock to pump water through a buried pipeline from the west bank of the Wyre Estuary to the Booster Pump Station on the Preesall site.

2.39 The saturated brine would then be returned to the de-brining facility adjacent to the Booster Pump Station to ensure that the brine contains no dissolved gas. The brine water would then be pumped back under the River Wyre to the Seawater Pump Station on the Fylde Peninsula where it continues westwards towards the seawall at West Way, Rossall.

2.40 The brine pipe at the seawall would pass through an existing gap in the splash wall, trenches across the top of the seawall and down on to the foreshore. The pipeline would be integrated within a new observation platform abutting the face of the seawall. All pipework would be underground with the exception of the Jameson Road bridge crossing. The brine would be conveyed through the outfall to a point approximately 2.3km offshore to a two port single diffuser where it would be discharged into the sea.

2.41 Once the cavern is completed it would be pressure tested and its mechanical integrity tested. Following successful completion of the testing, gas from the National Grid would be introduced under pressure and used to purge the cavern of brine. The cavern and well would be operated as a pressure vessel whilst in natural gas storage service.

Gas Infrastructure

2.42 The gas infrastructure would consist of a GCC located to the east of the indicative gas cavern storage area as shown on Figure 3, Appendix C (Indicative Master Plan). The gas distribution pipelines and manifolds connecting the wellheads to the GCC and a pipeline which links the GCC to the NTS near Nateby approximately 12km away are also shown in Figure 3, Appendix C.

2.43 A connection is proposed to National Grid Gas pipelines (Feeders No.15 and 21). A dual gas metering station is proposed, adjacent to the National Grid Gas's existing valve installed on Feeder 21. The gas
metering station has been identified as permanent infrastructure on Figure 6 of the Scoping Report. The size and description of the gas metering station has not been specified.

2.44 Most of the large diameter pipework would be buried, with small diameter pipework and equipment outside or, where appropriate, incorporated within buildings. The maximum height of the GCC would be 9m. The GCC would have a vent stack (maximum height of 20m) which would be used at times of emergency use and for routine maintenance (see paragraphs 1.2.53 to 1.2.54 of the Scoping Report).

Road Infrastructure

2.45 In order to gain access for the construction and operation phases of the development, improvements would be required to the road infrastructure in the area. Figure 3 of the Scoping Report shows the indicative location of a number of permanent and temporary access points to the development and temporary construction compounds.

2.46 A new road from the A585 to the site is proposed, constructed to a standard to allow for the movement of large items of equipment such as transformers, inter-connector pipes and compressors. Haul roads would be provided within the site linking the access road to the main permanent structures and wellheads.

2.47 Access to the compound for the Seawater Pump Station on the western side of the Wyre Estuary would be from Herring Arm Road with six car parking spaces provided for staff and visitors.

2.48 An access road and car parking area would also be provided for the gas cavern storage on-site compound on the eastern side of the Wyre Estuary which would include the Booster Pump Station, the Control Room, switchgear a standby generator building and two transformers and a de-brining facility. The number of proposed parking spaces is not specified.

Electricity Infrastructure

2.49 Electricity would be supplied from the United Utilities switchgear compound in the Stanah Switchyard located on the western bank of the Wyre Estuary.

2.50 Cables would be laid underground from the Stanah Switchyard compound, beneath the Wyre Estuary and north through to the Sub-Station at the GCC crossing fields on the Preesall side of the Estuary. Crossing the Wyre Estuary would be achieved by directionally drilling two pipes for two 100% dual circuits.
Landscaping

2.51 Figure 3 of Appendix C shows the indicative location of the Seawater Pump Station, the Booster Pump Station and the GCC which are identified as permanent above ground build development (paragraph 1.2.44).

2.52 Paragraph 1.2.34 of the Scoping Report states that the GCC on the eastern side of the Wyre Estuary would be the largest visible infrastructure of the project. The majority of pipework would be buried or incorporated within buildings with a maximum height of 9m. The tallest structure at the GCC would be the vent stack which would have a maximum height of 20 m.

2.53 The Booster Pump Station on the eastern side of the Wyre Estuary would comprise a switchgear and standby generator building; two transformers within a compound; a de-brine Facility, access roads and car parking area. The height of these buildings has not been specified.

2.54 The Seawater Pump Station on the western side of the Wyre Estuary would be a single storey steel building approximately 430 sq. m with a maximum height of 8 m. The external walls would be finished in facing brickwork. There would also be a building of approximately 43 sq. m containing standby generators with external brickwork to match the Pump Station. Two transformers would be screened by a 2.4 m high brick wall. A 2.4 m perimeter security fence of polyester coated mesh would be provided around the site.

2.55 No further details have been provided of the proposed new landscaping referred to in paragraph 1.2.55 of the Scoping Report.

Employment

2.56 It is not known at this stage how much employment would be generated or displaced by the proposed development during the construction, operation or decommissioning of the Proposal.

Construction

2.57 No details have been provided of the proposed number or physical dimension of the caverns. No details are also provided of the anticipated volume of natural gas to be stored at the site.

2.58 No details are provided of the proposed construction timeframe for creating the caverns or filling the caverns with gas during operation or when the facility is expected to be operational.

2.59 No details are provided of the expected hours of operation or workforce number during the construction process. No details have been provided
of the anticipated traffic activities, vehicle type or vehicle movements during construction.

Decommissioning

2.60 The design life of the project is likely to be in the order of 25 years however this is dependent on demand for gas, gas prices, potential new sources of gas and their reliability.

2.61 Decommissioning would likely involve emptying the caverns of gas and filling them with brine prior to sealing. Wellheads would be maintained and monitored and the remaining infrastructure would either remain in place for alternative uses or be removed in accordance with a scheme to be agreed with Lancashire County Council. No details have been provided of the proposed restoration and management plan which is referred to at paragraph 1.2.59 of the Scoping Report.

Commission Comment

Description of the Development

2.62 The Applicant should ensure that the description of the development that is being applied for is accurate, as this will form the basis for the environmental assessment. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form of the buildings and structures. Lighting proposals should also be described.

2.63 Any proposed works and/or infrastructure required off-site as associated development, or off-site as an ancillary matter, should be considered as part of an integrated approach to environmental assessment. This should include any construction compounds, improvements to access roads, and any ecological and landscaping mitigation and enhancement measures. The Applicant is advised to take their own legal advice when identifying any aspects of development to be included in the proposed DCO. Any cumulative or indirect effects of the proposed development should still be assessed as part of the EIA.

2.64 Information should be provided in the ES on the scale and nature of the development envisaged, dimensions and possible range of cavern shapes, what proportion of the volume of each salt cavern would consist of insoluble minerals and associated brine and what minimum separation distances would be required between adjacent caverns and between caverns and faults or previous brine workings.

2.65 The physical area of the proposed development should be identified with the area of each discreet element of infrastructure clearly
identified, such as the size of the land area required for the proposed GCC.

2.66 The Commission notes the comments in paragraph 1.2.9 of the Scoping Report which state that 'directional drilling techniques to access the salt under the Wyre Estuary' are part of the proposed cavern construction programme. The ES should clarify the areas where the caverns are proposed to be located and whether this includes areas below the Wyre Estuary.

2.67 The Commission recommends that the ES should include a clear description of all aspects of the proposed development, at the construction, operation and decommissioning stages, and include:

- Land use requirements;
- Site preparation;
- Construction processes and methods, including testing the integrity of the gas storage caverns prior to commissioning;
- Transport routes;
- Operational requirements including the main characteristics of the production process and the nature and quantity of materials used, as well as waste arisings and their disposal including from the commissioning of the gas storage caverns when the caverns are purged of the residual brine solution;
- Maintenance activities including any potential environmental or navigation impacts relating to the pipelines and cable crossing under the River Wyre or the outfall pipe located in the Irish Sea; and
- Emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc).

Gas Infrastructure

2.68 Clarification should be provided on the design of the gas metering station and whether it would monitor the gas connection to both NTS Feeder 21 and Feeder 15. Clarification should also be provided on whether the shut-down valve, which is stated would be under National Grid Gas control, is part of the proposed DCO application (paragraph 1.2.33 of the Scoping Report). The ES should clarify whether additional facilities would be required to connect the gas pipeline to the existing NTS pipelines (Feeders 15 and 21). If required, clarification should be provided on whether such facilities would be contained within the gas metering station at Feeder 21, or would be additional external infrastructure.

2.69 The ES should describe and clarify any potential impact on the Northwest Ethylene Pipeline, located between NTS Feeders 21 and 15, as shown in Figure 6, Appendix C (Approximate Extent of Permanent and Temporary Works).
Electricity Infrastructure

2.70 The ES should provide further details on the connection to the electrical national grid and whether any additional works or equipment would be required at the Stanah sub-station.

2.71 Impacts on any crossings, special or otherwise classified as minor crossings, will require particular attention within the ES. Environmental mitigation and management plans relevant to construction will need to consider the river catchments boundaries, displacement of protected species and their habitats, identification and control of agricultural field drainage, surface water runoff from the working strip, disruption to the historic environment, waste management, and any reinstatement of displaced features, habitats or other land uses.

2.72 The potential impact on any utility services should be considered in the ES.

Water Washing Infrastructure

2.73 Clarification should be provided in the ES on the proposed de-brining process to remove any dissolved gas and whether any insoluble substances, liberated by the cavern washing process, would be removed prior to disposal into the Irish Sea.

2.74 Clarification should be provided in the ES of the proposed construction technique to cross the seawall by West Way, Rossall, with a clearer explanation of the existing infrastructure and the proposed use of the ‘existing gap in the existing splash wall’ referred to in paragraph 1.2.31 of the Scoping Report. Any impact on the integrity of the existing sea defences should also be assessed and clearly described.

2.75 The ES should identify and describe the location of the route of the pipelines connecting the Booster Pump Station and the de-brining facility to the wellhead compounds. Clarification should be provided on how these pipelines relate to the gas pipelines and use and maintenance of these pipelines following creation of the gas storage caverns. The Commission notes the statement in the Scoping Report that ‘the seawater pipes may have particular long-term benefits in respect of flood control’ (paragraph 1.2.58). The ES should also clarify whether these pipelines are permanent or temporary features.

Flexibility of the DCO Application

2.76 The Commission notes that the location of two areas of cavern development and eight wellhead compounds have been identified in Figure 3 (Indicative Master Plan) but the number and capacity of gas storage caverns has not been specified. Whilst the Commission acknowledges that there may be some level of uncertainty in the description of the proposed development in the ES, the Applicant must
provide reasoned justification for this and fully describe all possible scenarios and parameters, any resulting potential impacts and any proposed mitigation measures.

2.77 The Rochdale envelope principle (see *R v Rochdale MBC ex parte Tew (1999) and R v Rochdale MBC ex parte Milne (2000)*) is an accepted way of dealing with uncertainty. The EIA should assess a maximum adverse scenario (the ‘worst case’) in environmental terms. The applicant should in any event explain clearly in the ES which elements of the scheme have yet to be finalised and provide the reasons. The maximum and other dimensions of the proposed development should be clearly described in the ES, with appropriate justification.

2.78 Given that the Applicant has indicated there is still some uncertainty surrounding the location of the gas storage caverns and the associated wellhead compounds, the Commission acknowledges that some flexibility or micro-siting may be required. However, the Commission will expect the Applicant to adopt a reasonable approach i.e. recommend a zone of tolerance and provide a justification for the tolerance being requested and to ensure that, as noted above, the maximum adverse effects are fully assessed.

2.79 The Commission notes that the process of EIA is iterative and therefore the proposals may change and evolve. For example, there may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. Once submitted, the application should not change in any substantive manner as the Commission is not able to entertain material changes to the project once the application is submitted.

2.80 The ES should be able to confirm that any changes to the development within the proposed parameters would not result in significant impacts not previously identified.

2.81 It should be noted that if the proposed development changes substantially during the EIA process, prior to application submission, the applicant may wish to consider the need to request a new scoping opinion.

Scope of the EIA

2.82 The physical extent of the three proposed discrete study areas are not clearly described at paragraph 2.4 of the Scoping Report or clearly identified on Figure 7, Appendix C. The Commission notes that Chapter 8 of the ES proposes to cover both the Fylde Peninsula and the Wyre Estuary and Preesall to Natety Study Areas. However, where reference has been made in Tables 3-1 to 3-13, to previous studies undertaken for the ‘Project’ (as defined in paragraph 1.1.1 of the Scoping Report), it is unclear as to whether the previous study areas cover the same physical extent as the proposed development. This
should be clarified in the ES. The Applicant should have regard to the
timing of previous studies and ensure the baseline information
gathered best reflects the current environmental settings and scope of
the DCO application.

2.83 It is noted that the Applicant proposes Chapter 7 of the ES to cover the
Irish Sea study area. However, little information has been provided on
the existing marine environment. Tables 3-1 to 3-13, do not outline the
proposed approach to assessing the marine environment. The
Applicant should ensure that the ES fully considers all potential
environmental impacts on the estuarine, inter-tidal and marine habitats.

Historic use of the area

2.84 The ES should clearly describe the previous use of the land and
identify the location of the 'historic mine/cavern locations' referred to in
the Scoping Report (Table 3-5). The ES should clarify whether these
mining/cavern locations are in addition to the ongoing maintenance and
monitoring activities that are being conducted for the existing ICI
caverns referred to at paragraph 1.2.58 of the Scoping Report.

2.85 The location and extent of the existing ICI caverns have not been
identified in the Scoping Report. This information should be provided in
the ES. The potential impact of the proposed development through all
life stages on these existing caverns should be clearly explained in the
ES including impacts on the on-going maintenance activities for these
existing caverns.

Alternatives

2.86 The ES must set out an outline of the main alternatives studied by the
applicant and provide an indication of the main reason for the
applicant's choice, taking account of the environmental effects
(Schedule 4, Part 1, paragraph 18 of the EIA Regs). The reasons for
the preferred choice should be made clear and the comparative
environmental effects identified in the ES.

2.87 The Commission welcomes the Applicant’s approach to assessing
alternatives, as described in Table 1-2 of the Scoping Report, including
reference to studies undertaken to establish the proposed route option
for the NTS Interconnector and consideration of the alternative use of
brine as a material. The Commission expects that any such studies are
considered within the ES.

2.88 The Commission considers that the ES should contain information on
the main alternatives studied and justification for the final proposed
electricity connection route, taking into account environmental effects.
Decommissioning

2.89 In terms of decommissioning, the Commission acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption, materials can be reused and the site can be restored or put to a suitable new use.

2.90 The Commission notes the statement in the Scoping Report that an option is under consideration for a long distance pipeline from Halite Energy Group’s Gas Terminal at Anglesey, North Wales to the proposed development (paragraph 1.2.56). The Commission notes potential works associated with the long distance pipeline, which may be developed in the future, to be assessed. It should be made clear in the ES however, as necessary, whether such works will be part of the DCO application.

2.91 Clarification should be provided in the ES of the intended use of the pipeline infrastructure following decommissioning of the facility for both the water washing infrastructure and the gas infrastructure. The Commission notes that reference is made to the seawater pipelines which may have particular long-term benefits in respect of flood control at paragraph 1.2.58 of the Scoping Report, yet Figures 6 and 7 in the Scoping Report identify these pipelines as temporary works. This statement should be clarified in the ES.

2.92 The Commission welcomes the inclusion of a restoration and management plan (Paragraph 1.2.59 of the Scoping Report) however further details should be provided in the ES.
3.0 EIA APPROACH AND TOPIC AREAS

General Comments on the Scoping Report

3.1 The Scoping Report (Table 2-5 and paragraph 3.1.1) sets out the planned format of the Environmental Statement. The Commission notes that the ES should be a stand alone document and should include all appendices as well as any photographs or photomontages. On the basis that such information will be made available and included in the ES, the Commission is satisfied with the approach proposed for the format.

3.2 The Commission recommends that Chapter 2 of the ES ‘Description of the Project’ includes a description of the proposed construction programme and methods.

3.3 The Commission recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.

3.4 The Commission recommends that the baseline data is comprehensive, relevant and up-to-date. Surveys needed to inform the EIA are not always fully defined or indeed identified within the Scoping Report and these will need to be addressed fully in the ES. The timing and scope of all surveys should be agreed with the relevant statutory bodies. In this regard, it is noted that the Applicant proposes to utilise existing data from previous surveys of the site in some instances. Careful consideration needs to be given to the validity and relevance of this data for the proposed development, in particular:

- whether previous survey data can be considered relevant for the current application;
- whether all impacts will be fully and appropriately identified, described and assessed;
- whether a sufficiently robust assessment will result; and
- whether the previous survey data is sufficiently up to date.

3.5 The Commission notes that the Applicant proposes to consider all phases of use (construction, operation and decommissioning) in the assessment and agrees with this approach. The methodology should use up to date regulations and guidance to undertake the assessment and the methodology should be agreed with the relevant consultees.
Where this is not possible, a reasoned justification should be given within the ES.

3.6 The EIA Regs require the identification of the *likely significant effects of the development on the environment* (Schedule 4 Part 1 paragraph 20). The Commission recommends that the ES should set out clearly the interpretation of ‘significant’ in terms of each of the EIA topics and for significant impacts to be clearly identified. Quantitative criteria should be used where available. The Commission notes that section 2.6 of the Scoping Report sets out a general approach for assessing significance and Appendix B details significance criteria for specific topics. Consideration should be given to the need to ensuring that a consistent approach for the interpretation of ‘significance’ is applied across each topic area (see Appendix 3 of this Opinion).

3.7 The Commission recognises that the way in which each element of the environment may be affected by the proposals can be approached in a number of ways but considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topics. The Commission recommends that a common format should be applied where possible but considers that the scope – the breadth of topic, the physical and temporal should be described and justified.

3.8 The Commission draws attention to the commentary at Appendix 3 of this Opinion and in particular to the terminology regarding cumulative impacts and inter-relationship between impacts, which suggests a preferred approach to be adopted. The Commission suggests that a clear terminology should be applied such that impacts resulting from a number of impacts on one receptor can be addressed in the ES (termed inter-relationship) and that these are clearly differentiated from any impacts associated with those arising from other proposals in the area (cumulative impacts).

3.9 The inter-relationship between specialist topics is a requirement of the EIA Regulations (see Schedule 4 Part 1). Inter-relationship impacts occur where a number of separate impacts, such as noise and air quality, affect a single receptor, for example people. This will help to ensure that the ES is not a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development as a whole.

3.10 The Commission considers that details should be provided as to how inter-relationships will be assessed in order to address the environmental impacts of the proposal as a whole. This is particularly important in considering these impacts in terms of any permutations or parameters to the scheme proposals.

3.11 The Commission notes the Applicant does not propose to undertake a cumulative assessment with other projects in the area. Regulation 19
of Schedule 4 of the EIA Regulations requires information about, inter alia, the likely significant cumulative effects of the development to be included in the ES. The Commission therefore recommends that major developments in the area should be taken into account for the purposes of assessing cumulative impacts through consultation with the local planning authorities and other relevant consenting bodies on the basis of major developments that are:

- built and operational;
- under construction;
- permitted application(s), but not yet implemented;
- submitted application(s) not yet determined;
- projects on the Commission’s Programme of Projects;
- identified in the Development Plan (and emerging Development Plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited; and
- identified in other policy documents, as development reasonably likely to come forward.

3.12 Any proposed mitigation should be discussed and agreed with the appropriate consultees.

3.13 Reference should be made to Appendix 3 regarding the presentation of the environmental statement.

Matters Proposed to be Scoped Out by the Applicant

3.14 Matters are not scoped out unless specifically addressed and justified by the Applicant and confirmed as being scoped out by the Commission.

3.15 The Applicant has proposed that the following matters are to be scoped out from inclusion within the ES, the text is the justification provided by the Applicant at this stage:

- subsidence in the landscape assessment (Table 3-2) and ecological and nature conservation assessment (Table 3-4) ‘should the assessment of subsidence identify no likely significant effects’;
- intrusive archaeological and built heritage survey work ‘is not envisaged to be required’ (Table 3-3);
- hydrological and hydraulic modelling (Table 3-7);
- odour assessment during construction and decommissioning – ‘it is considered unlikely that there would be significant odour emissions’ (Table 3-8);
- road vehicle exhaust emissions during decommissioning – ‘as most of the infrastructure would remain in place, it is not
considered that there would be a significant number of vehicle movements generated' (Table 3-8);

- vibration assessment in terms of BS 6472 - 'it is unlikely that vibration impacts would arise from plant processes however this will be confirmed after a desktop study to review the plant design, plant power and potential structural losses' (Table 3-9);

- traffic induced noise assessment during operation - 'operational activities are not expected to produce a significant increase in traffic on the local road network' (Table 3-9); and

- assessment of change in micro-climate (Table 3-11).

3.16 The method of decommissioning has not been confirmed in the Scoping Report. Paragraph 1.2.58 states that infrastructure could remain in place or that the buildings and pipelines would be removed. As a result of this uncertainty, the Commission does not agree that road vehicle exhaust emissions associated with this stage of the Project should be scoped out.

3.17 The Commission recommends that subsidence is assessed in the ES with regard to any potential loss of habitat resulting from mechanical / geological failure of the proposed caverns including caverns located under the inter-tidal marshes or the estuary itself which may affect the interest features of the Morecambe Bay Ramsar and SPA sites as well as the Wyre Estuary SSSI. The full extent of environmental impacts from subsidence resulting from cavern failure should be assessed across the scope of all EIA topics.

3.18 The Commission does not consider sufficient information has been provided to support the scoping out of the following matters:

- intrusive archaeological and built heritage survey work;
- hydrological and hydraulic modelling;
- odour assessment during construction and decommissioning;
- traffic induced noise assessment during operation; and
- assessment of change in micro-climate.

3.19 Where the Applicant has noted that a matter may be scoped out of the EIA if no significant effects are deemed likely as a result of further assessment, this should be discussed and agreed with the relevant statutory bodies prior to submitting the DCO application and a full justification provided in the ES.

**Topic Areas**

**General Comments**

3.20 The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in an ES.
3.21 Schedule 4 Part 1 of the EIA Regulations sets out the aspects of the environment likely to be significantly affected by the development which should include ‘in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors’ (paragraph 19).

3.22 Part 2 sets out the minimum requirements and is included below for reference:

Schedule 4 Part 2

- a description of the development comprising information on the site, design and size of the development;
- a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;
- the data required to identify and assess the main effects which the development is likely to have on the environment;
- an outline of the main alternatives studies by the applicant and an indication of the main reasons for the applicant’s choice, taking into account the environmental effects;
- a non-technical summary of the information provided [under the four paragraphs above].

3.23 The scoping report has considered the environment under the following topics:

- Human Environment, Land Use and Marine Activities
- Landscape, Townscape, Seascape and Visual Assessment
- Archaeology and Built Heritage
- Ecology and Nature Conservation
- Geology and Stability
- Hydrogeology, Soils and Contaminated Land
- Water Environment
- Air Quality
- Noise and Vibration
- Transport and Access
- Climatic Factors
- Socio-Economics
- Sustainability

3.24 The Commission is broadly satisfied that the topics identified in the Scoping Report fully encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. Notwithstanding this, the Commission considers that the scope of the proposed ES has inadequately assessed effects on the marine, estuarine and inter-tidal environment. The scope of the assessment should address all potential environmental impacts.
3.25 The Commission notes that Chapter 2 of the proposed ES will cover waste arisings and recommends that the ES will need to identify and describe the control processes and mitigation procedures for storing and transporting residual waste off-site, and indeed if any pre-treatment is expected prior to its removal. All waste types should be quantified and classified and an assessment of the environmental effects associated with the generation and elimination of waste be undertaken in accordance with Schedule 4, Part 1, paragraph 20(c) of the EIA Regs. This assessment should identify impacts associated with relevant traffic movements of waste and routes taken.

3.26 Each of the specialist topics are considered in turn below. It should be noted that the general points made above and elsewhere in this opinion are not repeated under each of the specialist topics. However the applicant should ensure that such issues are addressed fully before the ES is submitted to the Commission. Consideration should also be given to the scoping responses, copies of which are provided in Appendix 2.

Human Environment (section 3.3)

3.27 The Scoping Report at Table 3-1 states the proposed development is likely to disrupt marine and beach activities. However no assessment methodology has been proposed to demonstrate how the Applicant will draw from baseline information to determine likely significant effects. In addition the scope of works and study area has not been defined. Consideration should therefore be given to assessing the impact on offshore commercial and leisure activities. The scope of assessment should include marine, estuarine and terrestrial activities. The inter-relationship with other topic areas should be addressed. Consideration should be given to how this information is presented within the ES in relation to socio-economic effects.

3.28 The Commission welcomes discussions with the Centre for Fisheries and Aquaculture Science (CEFAS), Defra, North Western and North Wales Sea Fisheries Committee, however it is unclear how the results of the consultation will inform the assessment methodology or interpretation of survey findings. It is recommended that an agreed approach is clarified in the ES. The Applicant may also wish to consider consultation with harbour authorities and other non-statutory organisations such as local mariner’s and fisherman’s organisations, and the United Kingdom Hydrographic Office as suggested by the Maritime and Coastguard Agency (see Appendix 2).

3.29 The Applicant’s attention is drawn to the comments of Trinity House with regards to assessing the impact of the outfall pipe on navigation during construction and operation including the potential requirement for navigational markings. Clarification should also be provided in the ES on whether the outfall pipe may affect any recreational or commercial activities such as mineral extraction.
3.30 Clarification should be provided in the ES on the quantity of water to be extracted from the Fleetwood Fish Docks to be used for the cavern washing process which is described as 'very large' (paragraph 1.2.26 of the Scoping Report). The frequency, duration and volumes of water to be abstracted should be quantified in the ES. The assessment should also clarify whether the quantity of water to be extracted would impact on navigation and access within the port for larger fishing vessels. Appropriate cross-reference should be made to the Water Environment topic in the ES.

3.31 The Commission welcomes the intent to obtain information on future land uses and suggests this information is used to inform an assessment of cumulative effects.

3.32 The assessment should consider other infrastructure in the vicinity of the project. The Commission notes and welcomes the Applicant’s consultation with Electricity North West but seeks assurance that other infrastructure which could be affected or could result in an indirect effect of development has been identified and considered. Care should be taken to ensure the ES has considered the environmental consequences of re-alignment to the 33kV power line.

3.33 The Applicant’s attention is drawn to the comments of NHS North West and the Health Protection Agency regarding the potential impact on human health and addressing public safety and security and community concern. The Applicant’s attention is also drawn to the Commission’s comments in Chapter 4 of this Opinion.

Landscape, Townscape, Seascape and Visual Assessment (section 3.4)

3.34 The Applicant should provide information in the ES about the form and siting of any materials and colours proposed to minimise the adverse visual impact of these structures. Views from across the estuary should be included within the assessment, as well as night time views.

3.35 The visual impact of the vent stack and associated plumes will need to be considered. The Zone of Theoretical Visibility (ZTV) should seek to ensure that all potential sensitive receptors are considered.

3.36 The Commission draws the attention of the Applicant to the need to take account of updates to legislation, in particular the need to reference PPS 5; together with the need to liaise with the local planning authorities to ensure the most up to date policy documents are used in the EIA.

3.37 The scope of the landscape and visual impact assessment should be based on terms of reference agreed with the relevant statutory authorities, including Wyre Borough Council, Lancashire County Council, English Heritage and Natural England. The viewpoints
selected for assessment should also be agreed with these bodies. The Commission advises that the ES should describe the model used, provide information on the area covered and the timing of any survey work and the methodology used.

3.38 The proposed assessment on visual receptors during construction and operation assumes the worst case scenario as daytime winter, when foliage and screening is at a minimum. Consideration should be given to daytime summer when weather conditions result in high visibility and increased footfall along PRoW.

3.39 Fleetwood Town Centre is a designated Conservation Area and impacts to the character of this feature should be identified and appropriately considered within the ES. If necessary, suitable mitigation should be presented to ameliorate impacts associated with construction.

3.40 The Commission suggests that consideration is given to the Forest of Bowland Area of Outstanding Natural Beauty (AONB) located within approximately 5km of the proposed connection to the NTS Feeder 15 near Garstang.

3.41 Visual effects on the gas pipeline route may not be limited solely to the construction phase. The ES should consider the duration of visual effects as a result of land sterilisation and hedgerow removal, if applicable.

3.42 Any long term impacts following decommissioning should be addressed to ensure the site is returned to its original baseline state. With this in mind, the Commission welcomes the Ecological and Landscape Enhancement Strategy and recommends the local authority is also consulted during its preparation.

3.43 The Applicant’s attention is drawn to the comments of English Heritage (see Appendix 2) and their reference to a Rapid Costal Zone Assessment that includes the Wyre Estuary. Consideration should also be given to the inter-relationship with other key topics such as Archaeology and Built Heritage.

3.44 The Commission would expect the landscape and visual assessment to consider the cumulative effect of other developments. The assessment should refer to other specialist topics within the ES including, in particular historic environment; highways and movement; socio-economics; ecology; air quality and dust and lighting.

Archaeology and Built Heritage (section 3.5)

3.45 The setting of cultural heritage resources could be affected; this includes historic buildings, historic landscapes and archaeological sites and the Commission considers that these should be addressed in the
ES. Both designated and non-designated heritage assets that would be impacted by the scheme should be identified and the significance of impact assessed.

3.46 Although Table 2-5 ‘Proposed Structure of the Environmental Statement’ makes reference to marine archaeology, no further details are provided in Table 3-3 ‘Proposed Scope of Work for the Archaeology and Built Heritage Assessment’. The Commission recommends that, in order to achieve an understanding of the marine historic environment, the proposed archaeological assessment is extended to cover the offshore area.

3.47 The Commission welcomes the proposed consultation with the relevant statutory authorities and recommends all assessment methodology is agreed with English Heritage and the County Archaeologist. The Commission does not accept that intrusive survey work should be scoped out of the assessment without the prior agreement of statutory consultees.

3.48 The Applicant’s attention is drawn to the comments of English Heritage (see Appendix 2) and their reference to a Rapid Costal Zone Assessment that included the Wyre Estuary (also applicable to the Landscape, Townscape, Seascape and Visual Assessment section).

Ecology and Nature Conservation (section 3.6)

3.49 The Commission welcomes the Applicant’s consultation with Natural England (NE), Lancashire County Council and the RSPB with regard to the requirement to update field surveys. However, the Commission is concerned with the intention to rely upon field surveys in the ES, which were undertaken for the previous underground gas storage and NTS applications, as the baseline environment may have since changed. It is also unclear whether the physical extent of the previous survey areas sufficiently cover the whole of the new proposed application area, as the extended Phase 1 surveys undertaken in 2010 were to cover ‘those areas that were unaffected by previous schemes’ (Table 3-4). The Commission recommends that surveys should be thorough, up to date and take account of other development in accordance with the Commission's comments on cumulative impacts (see Section 2 of this Opinion). The Applicant is referred to the comments of the Environment Agency (EA) on further updated species surveys required in Appendix 2 of this Opinion.

3.50 The Commission notes that a number of statutory nature designations have been identified in paragraph 3.2.1 of the Scoping Report as significant receptors. The Commission suggests that the Applicant may wish to give consideration to other designated sites within the vicinity of the development. These are:

- Bowland Falls SPA;
• Lune Estuary SSSI;
• Cockerham Marsh SSSI;
• Rough Hey Wood SSSI;
• Bowland Falls SSSI; and
• Marton Mere, Blackpool SSSI.

3.51 The Irish Sea proposed study area as shown on Figure 7, Appendix C (Study Area Boundaries for the Environmental Impact Assessment), does not appear to include any of the statutory ecological designations which affect the marine environment including the designated sites which have been identified as significant receptors at paragraph 3.2.1 of the Scoping Report and are referred to as being ‘within the study areas’. The Commission recommends that the physical extent of the study area includes these designated sites and of the other designated sites within the vicinity of the proposed development, where appropriate.

3.52 The ES should consider the network of Marine Conservation Zones (MCZ), under the Marine and Coastal Access Act 2009, including any potential impacts on the regional projects covering the Irish Sea (Irish Sea Conservation Zones). The ES should recognise that MCZ’s may in place before the proposed construction of this proposal and provide more detail with regards to new designations such as the MCZ, taking into account the significance of these designations.

3.53 The Commission recommends that the proposals should address fully the needs for protecting and enhancing biodiversity. The assessment should cover habitats, species and processes within the proposed development areas and surroundings. The Applicant’s attention is drawn to comments made by the Environment Agency (dated 11 November see Appendix 2) recommending that further information is provided on the assessment of potential impacts on the following habitats and how any such impact will be avoided or minimised:

• Coastal Saltmarsh;
• Saline Lagoons;
• Ponds; and
• Drainage Ditches.

3.54 The ES should set out in full the potential risk to European Protected Species (EPS) and confirm if any EPS licences will be required. The Applicant should also be aware that the decision maker under the Planning Act 2008 has, as competent authority, a duty to engage with the Habitats Directive. Before making a decision to grant development consent the competent authority must, amongst other things, address the derogation tests in Regulation 53 of the Conservation of Habitats and Species Regulations 2010 where development might damage or destroy a breeding site or resting place of a EPS whether or not the decision maker is also licensing the activity. Therefore, the Applicant
may wish to provide information within the ES which will assist the
decision maker to meet this duty.

3.55 The Commission notes that previous field surveys identified ponds that
may be affected. However, no existing ponds have been shown on
Figure 4 (Aerial View of Proposed Presell Development Area). However, a new pond appears to be proposed as part of the Ecological
and Landscape Enhancement Strategy and is shown adjacent to the
access roads. These points should be clarified in the ES.

3.56 The Applicant’s attention is drawn to the comments of the EA with
regard to consultation on undertaking surveys and the production of the
ES with other conservation bodies in addition to those identified in
Table 3-4 of the Scoping Report (see Appendix 2). The Applicant is
also referred to the comments of Cumbria County Council with regard
to consultation with Morecambe Bay Partnership (see Appendix 2).

3.57 The Commission notes that Chapter 7 of the proposed ES is intended
to assess the Irish Sea Study Area environment which would include
marine ecology (Table 2-5). The only reference is to a ‘marine benthic
ecology and habitats’ survey undertaken in October 2001 and no
further surveys are proposed (Table 3-4). The Applicant should ensure
that the ES fully considers all potential environmental impacts on
marine ecology including any potential impacts on marine species from
noise and vibration as a result of the proposed works and the impact of
the discharge into the Irish Sea of fine particles not removed by the de-
brining process including anticipated flow rate, volume and
concentration. It is unclear in the Scoping Report whether plume
modelling has been undertaken, this should be clarified in the ES. The
assessment should also identify and describe the implications of the
brine discharge at different times of year including around periods of
spawning for particular fish species.

3.58 It is unclear whether surveys have been undertaken to assess any
potential impacts on the estuarine and inter-tidal environment. The
ecology topic of the ES should assess impacts on these environments
including the potential impacts due to loss of bentonite through the
drilling procedures under the River Wyre. The ES should outline
measures to prevent and control any impact on benthic fauna which
may otherwise have a negative impact on the interest features of the
Morecambe Bay Ramsar, SPA and Wyre Estuary SSSI (see EA
comments in Appendix 2).

3.59 Clarification should be provided in the ES on the type of filter to be
used at the Seawater Pump Station to minimize the entrainment of
aquatic / estuarine organisms.

3.60 The Commission recommends that subsidence is assessed in the ES
with regard to any potential loss of habitat resulting from mechanical /
geological failure of the proposed caverns including caverns located
under the inter-tidal marshes or the estuary itself which may affect the interest features of the Morecambe Bay Ramsar and SPA sites as well as the Wyre Estuary SSSI.

3.61 Appropriate cross-reference should be made to the proposed Flood Risk Assessment when identifying potential impacts on ecology within both statutory and non-statutory designated sites within the vicinity of the development due to breaches of the existing flood defences caused by subsidence.

Geology and Stability (section 3.7)

3.62 The baseline for the ES should explain in detail the extent of the study area and justify the reasons for this with appropriate reference to the potential extent of any subsidence caused by the development to ensure that the impacts are considered over a sufficiently wide area.

3.63 The Commission notes the review undertaken in 2010 to reassess whether a suitable salt body exists within which caverns for gas storage can be constructed and operated to appropriate safety standards. These results should be articulated in the ES and include consideration of the geological structure of the proposed cavern development area. The presence of faults and fissures in the salt body, which may act as pathways for migrating gas and risk from seismic activity, should be adequately addressed.

3.64 The methodology should set out the proposed approach to surveying the two defined areas for cavern development as shown in Figure 3 (Indicative Master Plan) and reasoning of the defined zones. Details should be provided of any potential impact the geological survey activity may have on the Wyre Estuary mudflats and inter-tidal zone located below the smaller indicative gas cavern area as identified on Figure 3, which fall within the Morecambe Bay Ramsar, SPA and Wyre Estuary SSSI as shown in Figure 9 (Nature Conservation, Archaeological and Built Heritage).

3.65 The Commission notes the intention of the Applicant to undertake further analyses to establish a more detailed risk assessment of gas migration and the potential for subsidence. These impacts on both infrastructure required by the proposal and on the existing natural and built environment (including residential houses, rivers, lakes, roads and power lines) caused by any potential subsidence from the new caverns and the existing mining activities should be assessed. The assessment should also consider impacts resulting in breaches of the seawall and subsequent risk of flooding due to subsidence affecting the integrity of existing defences. Appropriate cross-reference should be made to the human environment and land use topics in the ES with regard to impacts on landowners, including tenant farms, from subsidence. Impacts on ecology, particularly designated habitats and species, and
landscape and visual impacts from subsidence should also be cross-referenced to these specialist topics in the ES.

3.66 The assessment should also consider subsidence strains on surface and sub-surface infrastructure including risk from directional drilling techniques and the different types of proposed pipework connecting the wellheads to the caverns, such as the ‘S’ pipe-work, affecting the integrity of the caverns.

3.67 The Applicant should clearly identify and describe in the ES the location of the former mine workings and existing brine wells against the proposed location of the gas cavern storage areas. Plans should show the depth and width of these previous workings. Where there is any uncertainty regarding the location or extent of these previous workings this should be explained. The potential impact and interaction of the proposed development on these previous mining features including subsidence and gas or solution migration should be assessed in the ES.

3.68 The ES should assess and show that there is no opportunity for migrating gas stored in the caverns through the geology or via any former mining activities and for gas contained in ancillary equipment such as the GCC or gas pipelines.

3.69 The Commission recommends that the potential impact on aquifers is assessed, including the risk of changing levels of aquifers and the infiltration of water. Appropriate cross-reference should be made to the topic on Hydrogeology in the ES.

3.70 The Commission notes the Applicant’s intention to commission further analysis of the extent of wet rockhead by hydrological modelling. These areas should be clearly identified on any plans provided within the ES with an assessment of the potential impact this may have on cavern design, location and risk of gas migration.

3.71 Information should be provided on any residual geological uncertainty which may remain follow detailed site investigations and the potential impacts such uncertainty may have on cavern design, location and any risk of gas migration.

3.72 The ES should describe the maintenance activities and potential impacts arising from ‘cycling’ (emptying and refilling the caverns throughout the year), including the anticipated frequency and duration of such activities.

3.73 The Commission seeks confirmation in the ES that the cement casing the boreholes and gas storage caverns would be impermeable to gas penetration and erosion.
3.74 The ES should clearly explain how the integrity of the caverns would be tested and monitored and, if applicable, the estimated percentage of gas that may escape during the commissioning and seepage during operation.

Hydrogeology, Soils and Contaminated Land (section 3.8)

3.75 Mitigation measures should be addressed and the Commission advises that reference should be made to other regimes (such as pollution prevention administered by the EA). On-going monitoring should also be addressed and agreed with the relevant authorities to ensure that any mitigation measures are effective.

3.76 It is not clear from the Scoping Report what the hydrogeological, soil and contaminated land baseline data comprises. Given the possibility of historic land contamination at the proposed site, and the lack of current data regarding construction methods, the Commission would like to see a more comprehensive analysis of the potential for the pollution of underground water, and its possible remediation, in the ES.

3.77 The EIA should explore opportunities for in-site / ex-situ remediation of any hot spots of contamination encountered and describe mitigation methods for dewatering excavations.

3.78 The hydrogeological chapter of the ES should include the impacts upon any watercourses, the estuary and the sea. This should include the effects upon hydrodynamics, erosion and scour, sediment disturbance and the effects of suspended sediments on designated sites and their interest features.

3.79 With regards to the gas pipeline scheme, cross reference should also be made to the water environment section in order to address the potential impacts of sedimentation loading as a result of site run-off from the working strip or during river crossings.

3.80 Information should be provided on the disposal of spoil from the tunnelling and trenching operations for the pipeline.

Water Environment (section 3.9)

3.81 The Commission recommends consultation with the relevant statutory authorities including the EA, Lancashire County Council and the Marine Management Organisation to develop a program to monitor the potential impact on designated sites, which may include plume modelling of brine discharge. The Applicant is directed to the EA’s comments in Appendix 2 (dated 12 November 2010).

3.82 The ES should provide details on the frequency, duration and volume of brine waste water discharged from the brine outfall pipe along with design details of the two port single diffuser. The consent to discharge
into the Irish Sea was obtained based on the previous description of the scheme. Therefore, the Applicant should consider whether the assessment of the impacts for the discharge consent is still applicable.

3.83 The Commission welcomes the water quality assessment proposed in the Scoping Report however the study area is not clearly defined. In particular, it is unclear whether the water quality assessment extends to the marine environment. Construction of the brine outfall pipe has the potential to suspend sediments in the marine environment, and the discharge of brine waste water could impact upon marine water quality. Changes in water quality may impact upon local (fish) nursery areas, migrating salmon and trout and the benthic population and appropriate cross referencing to the Ecology and Nature Conservation section should be made.

3.84 The Applicant’s attention is drawn to the EA comments (dated 11 November 2010) that detailed method statements for the construction and operational phases should be provided to allow assessment of the potential impact on water quality. The results of the assessment should be used to inform the ecological assessment.

3.85 The Applicant’s attention is drawn to the concerns of the EA (dated 12 November 2010) with regards to water abstraction from the Fish Docks altering the hydrological regime of the mud flat/estuarine habitat adjacent to the cavern field. The frequency, duration and volumes of water to be abstracted should be quantified in the ES. Table 3-7 of the Scoping Report states that no further surveys are proposed for the water environment, however the EA have requested that a baseline data collection and monitoring programme of hydrological regime within the cavern area should be developed.

3.86 Any water abstracted and subsequently discharged for pipeline pressure testing will require licensing by the Environment Agency. Therefore details of where the water would be abstracted for pressure testing needs to be included in the EIA and an abstraction licence subsequently obtained. Granting of such a licence is not automatic and will be subject to the Environment Agency’s assessment as to the availability of adequate water resources.

3.87 The ES should outline mitigation measures to prevent pollution to both terrestrial and aquatic environments. The Applicant’s attention is drawn to the comments of the Environment Agency with regards to outlining measures to prevent the loss of bentonite to prevent impacts on benthic fauna.

3.88 The Applicant’s attention is drawn to the comments of the Maritime and Coastguard Agency regarding construction works in the marine environment.
3.89 Cross-reference should be made to other specialist topics; i.e. impacts on ecology, historic environment, land quality and hydrology should be made clear within the ES.

Flood Risk

3.90 The site is located within a tidal flood zone and the development is located in close proximity to flood defences, therefore the Commission welcomes the consideration of flood risk for the development. The study area is not defined in the Scoping Report for the Flood Risk Assessment (FRA) and this should be clarified in the ES.

3.91 The FRA should comply with national planning policy in PPS25 and be agreed with the relevant statutory consultees. The Commission advises that this assessment should take into account the latest climate change projections for the UK as detailed in UKCP09 at http://ukclimateprojections-ui.defra.gov.uk.

3.92 The FRA should be developed in consultation with the relevant statutory authorities including the EA, Lancashire County Council and Wyre Borough Council and should form an appendix to the ES. The FRA should cover the risk of ground or surface water contamination in a flood event. It should also address the potential impact of subsidence on the existing flood defences and the effect of flooding on wellhead and cavern integrity and should propose flood mitigation measures if appropriate. The Applicant’s attention is drawn to the response of the EA (dated 12 November 2010, see Appendix 2) for further comments on the content of the FRA.

Drainage

3.93 Drainage has not been considered in the Scoping Report however the Commission recommends this is considered in the ES.

3.94 The Applicant should discuss and agree an approach to water resources (potable and foul) with the appropriate regulatory authority prior to submitting an application for development consent.

3.95 Trench dewatering may be required and could be directed to a suitable area of land, or to watercourse provided suitable settlement is provided. There will be a need to consult with the Environment Agency to agree dewatering methods, points of discharge and other related issues.

3.96 The effects of rainfall on the proposed site’s drainage capacity and surface water run-off, with all the prospective new structures in place, will need to be considered. The ES will need to demonstrate that the site has the capacity to adapt to changing climatic factors over the facility’s lifetime and ensure that no contaminated run-off enters the receiving water environment.
Air quality (section 3.10)

3.97 The Commission welcomes the proposed consultation with Wyre Borough Council and Natural England, but recommends Lancashire County Council is also consulted. Assessment methodology and sensitive receptors should also be agreed with these bodies.

3.98 The ES should provide detail of the frequency, quantity and duration of emissions that have the potential to impact upon air quality. The assessment should take account of all atmospheric emissions, including dust, gases and odours, from all phases of the proposed development including commissioning (e.g. from the use of nitrogen in the Mechanical Integrity Testing). Emissions should be assessed alone and in-combination with other planned schemes or proposed activities (such as changes to traffic movements during and post construction) and other existing activities that are likely to have a cumulative impact on air quality. The inter-relationship with the ecological impacts, terrestrial, ornithological and aquatic sensitivity and interest should also be considered and cross-referenced in the specialist chapters of the ES.

3.99 There is likely to be an increase in airborne dust during construction as a result of the exposure to bare soil, particularly along the working width of the gas pipeline, especially during the summer months. Dust levels should be considered on and off-site, including along access roads and local footpaths.

3.100 It is noted that the study area extends up to 3km from each point source. The study area, and all assessment methodology, should be agreed with the local authority environmental health department.

3.101 Consideration should be given to local, national and internationally designated sites in proximity to the proposals. The Commission considers that the proposed site lies within a sensitive area that includes designated nature sites (Morecambe Bay SPA, Ramsar and the Wyre Estuary SSSI) and the effects on these areas should be assessed.

3.102 The assessment should take account of the emissions from the proposed development itself as well as those derived from the traffic assessment. The interrelationship with the ecological impacts should also be considered.

3.103 In order to ensure the mathematical modelling provides a satisfactory description of future air quality conditions it is important to ensure that the data used is sufficiently robust. In this regard, attention is drawn to the need to ensure the validity of the data used.
3.104 Consideration should be given to appropriate mitigation measures and to monitoring dust complaints.

3.105 The ES should consider the cumulative effects on air quality with other major developments.

**Noise and Vibration (section 3.11)**

3.106 The Commission welcomes that the study area and assessment significance criteria would be agreed with Wyre Borough Council and Lancashire County Council. Monitoring locations and sensitive receptors should also be agreed with these bodies.

3.107 The Scoping Report notes that operational noise would be mitigated through careful design of buildings and processes, however the Commission does not agree operational noise should be scoped out of the assessment.

3.108 Information should be provided on the types of vehicles and also on the type of plant to be used during the construction phase. Once operational, noise sources should be identified and measures identified to mitigate noise nuisance.

3.109 Noise impacts on people should be specifically addressed, particularly any potential noise disturbance at night and other unsocial hours such as weekends and public holidays.

3.110 The noise and vibration assessment should also provide information to inform the terrestrial, marine and estuarine ecological assessments. It is not clear from the Scoping Report if the proximity of local ecological receptors have been considered. Particular regard should be made to potential bird receptors in the Morecambe Bay SPA. Construction in the marine environment has the potential to impact upon spawning grounds and this should be considered in the ES.

3.111 Consideration should be given to monitoring noise complaints.

**Transport and Access (section 3.12)**

3.112 The Commission welcomes the proposal to consult with the local highways authority, the Highways Agency (HA) and Network Rail. The Commission would expect on-going discussions and agreement about the EIA, where possible, with such bodies, particularly on issues regarding the data and methods to be used for the traffic impact assessment.

3.113 The ES should take account of any highways works undertaken by the HA to ensure the safety of road users and to accommodate traffic generated by the project. Any secondary effects of such works should
be considered. The Applicant’s attention is drawn to the Highway’s Agency comments (see Appendix 2).

3.114 The Commission welcomes cross referencing between sections and is encouraged that traffic data gathered would be used for the air quality and noise and vibration assessment of the ES.

3.115 The assessment of PRoW should cover footpaths, bridleways and byways and should clearly set out impacts on them, including within the wider area. It is important to minimise hindrance to them where possible. Cross-referencing of the assessment is welcomed but should not be limited to just the ‘Human Environment and Land Use’ topic in the ES.

3.116 The impact on local highways and the effects on residents, economy and recreational activities should be addressed.

3.117 Details of the Traffic Management Construction Plan and Construction Travel Plan should be provided in the ES.

3.118 Consideration should be given to sourcing materials so as to minimise transport, and to maximising transport of materials and plant by sea through the nearby port of Fleetwood.

3.119 The ES should clearly describe and show the location and number of proposed car parking facilities at both the Seawater Pump Station and the compound located in the area of the gas storage caverns which includes the Booster Pump Station, Control Room and De-Brining facility. The location and number of any parking facilities for heavy or abnormal loads should also be clearly described and identified.

3.120 The proposed gas pipeline route as shown in Figure 6, Appendix C (Approximate Extent of Permanent and Temporary Works) appears to cross several roads. These roads should be identified in the ES and further details provided of any potential disruption caused through construction work which should include any diversions. The potential impact on any utility services should also be considered in the ES.

3.121 The ES should clarify whether additional road infrastructure is required for access to the construction compounds identified in Figure 3 (Indicative Master Plan).

Climatic Factors (section 3.13)

3.122 The Commission considers that the ES will need to set out the parameters for climate change assessment and address the cumulative effect on local and regional environmental control standards (i.e. Local Authorities Air Quality Management Areas).
3.123 The Commission notes the intention of the Application to consider climatic factors within a specific topic in the proposed ES (section 3.13 of the Scoping Report). The Commission agrees that this topic should also be dealt with in the ES under a number of specialist topics, including the water environment.

3.124 The ES should take into account specific references in the relevant revised draft National Policy Statements (NPS). The Applicant is referred to the Commission’s comments on ‘Climate Change, NPS and EIA Regs’ in Section 4 of this Opinion.

Socio-Economics (section 3.14)

3.125 The baseline for the ES should explain in detail the extent of the study area and justify the reasons for this with appropriate reference to the anticipated receptors within the locality of all aspects of the development.

3.126 The Commission agrees that the ES should take account of the location of PRoW, including footpaths, bridleways and byways and should clearly set out impacts on them, including within the wider area. It is important to minimise hindrance to them where possible. A clear indication should be given as to how the development would affect the existing and future facilities through the gas cavern storage area and along the gas pipeline route and what mitigation would be appropriate in the short and long term.

3.127 The Commission agrees with the integrated approach to considering the potential impacts on agricultural land, landholdings and PRoW and the reference to the Human Environment and Land Use assessment topic and also to the Landscape and Visual Impact Assessment with regard to effects on tourism and recreation. Appropriate cross-reference should be made to the transport and access topic to identify the impacts that the access road and haul roads may have on the PRoW.

3.128 The Commission recommends that the duration, types and numbers of jobs generated should be specified and considered in the context of the available workforce in the area, this applies predominantly to the construction phases but should include operational resources.

3.129 Clarification should be provided on any potential economic impact that the development may have on local properties which may be located within the proposed development site and those in the locality which may be indirectly affected by the development.

3.130 The impact on public services such as hospitals and on energy services should be addressed.
Sustainability (Section 3.15)

3.131 The Commission welcomes the consideration of sustainability within the ES and the proposed consultation with organisations including Lancashire County Council and Wyre Borough Council to firm up the approach on sustainability.

3.132 The Commission notes that Chapter 2 of the proposed ES will cover waste arisings and recommends that appropriate cross-reference is made to the sustainability topic in the ES when identify and describe the control processes and mitigation procedures for storing and transporting residual waste off-site.

3.133 The Commission suggests that the Applicant may wish to consider how other topic areas reflect the proposed approach to sustainability within this section of the ES.
4.0 OTHER INFORMATION

Appropriate Assessment

4.1 The Applicant’s Scoping Report states that it is not currently envisaged that any European or internationally designated site would be significantly affected by the proposal (Table 3-4). The Applicant is referred to the comments of Natural England which states that several aspects of the project are likely to interact with Statutory protected sites for Nature Conservation (see Appendix 2 of this Opinion).

4.2 The Applicant’s attention is drawn to the (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP) and the need to include information identifying European sites to which the Habitats Regulations applies or any Ramsar site which may be affected by a proposal. The information to be submitted should be sufficient for the Commission to make an appropriate assessment of the implications for the site if required by regulation 48(1).

4.3 The report to be submitted under Reg 5(2)(g) of the APFP with the application must deal with two issues. The first is to enable a formal assessment of whether there is likely significant effect and the second, should it be required, is to enable the carrying out of an appropriate assessment. The Applicant’s attention is drawn to the fact that it is for the Applicant to prepare the necessary information to accompany its DCO application. In particular IPC Guidance Note 2, at Paragraph 29 states:

‘The IPC, or the Secretary of State in appropriate cases, must consider whether a project is likely to have a significant effect on designated European sites and if that is the case, it will require sufficient information within the application to enable the IPC or Secretary of State to carry out an appropriate assessment under the Habitats Regulations. The report to be submitted under Reg 5(2)(g) of the APFP with the application must deal with two issues. The first is to enable a formal assessment of whether there is a likely significant effect and the second, should it be required, is to enable the carrying out of an appropriate assessment. Determinations on both matters will be undertaken during the examination process.’

4.4 When considering aspects of the environment likely to be affected by the development; including flora, fauna, soil, water, air and the inter-relationship between these, consideration should be given to the designated sites in the vicinity of the proposed development, including the Morecambe Bay Ramsar and SPA sites and the Wyre Estuary SSSI and the other ecological designations identified in Section 2 of this Opinion.
4.5 Further information with regard to the Habitats Assessment process is located within the pre-application IPC Guidance Note 2 available via the Commission's website.

**Underground Natural Gas Storage in Caverns**

4.6 The Applicant's attention is drawn to revised draft NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4), paragraph 2.7.9, which provides that a geological assessment should be undertaken when considering storage in a salt cavity and the information which should be provided as part of the assessment. The decision-maker will consider the geological assessment alongside the environmental assessment if the former does not form part of the ES.

4.7 As a minimum the ES must set out an outline of the main alternatives studied by the Applicant and provide an indication of the main reason for the applicant's choice, taking account of the environmental effects (Schedule 4, Part 1, paragraph 18 of the EIA Regs), see the Commission's comments in Section 2 of this Opinion. The Applicant's attention is however also drawn to revised draft NPS (EN-4), paragraph 2.10.2, and the consideration of alternatives with regard to the disposal of the brine, 'applicants should only propose disposing of brine ...to the sea as a last resort where there is no practical option for re-use' The Applicant is referred to the Commission's comments in Section 2 and Appendix 3 of this Opinion on 'Alternatives'.

**Health Impact Assessment**

4.8 The Commission agrees with the Health Protection Agency that the proposal could have potential health impacts (see Appendix 2). The Commission considers that the ES should acknowledge the potential health impact associated with the proposal in particular electromagnetic fields and impacts arising from emissions to ground, air and water. The ES should provide an analysis of these potential impacts. The Applicant is also referred to the comments of NHS North West in Appendix 2 of this Opinion.

4.9 The Commission considers that it would be a matter for the Applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA). In any event, the Applicant should have particular regard to the responses received from the relevant statutory consultees regarding health. The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

**Other Regulatory Regimes**
4.10 The Commission recommends that the Applicant should state clearly what regulatory areas are addressed in the ES. The Applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the environmental impact assessment (EIA).

4.11 The Commission notes that a previous discharge consent for the offshore disposal of effluent from the cavern washing process was obtained with regard to the previous scheme (Table 3-7). The Applicant should consult the relevant statutory bodies to ensure the licence is extant and is sufficient to authorise any discharges arising as a result of the proposal (see Environment Agency’s comments in Appendix 2). The Applicant should also ensure that the DCO application authorises the construction, operation and maintenance of the outfall pipeline. Clarification should be provided in the ES on the proposed abstraction licence from Fleetwood Fish Docks and consider any potential impacts associated with the requirements of the consent.

4.12 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the Planning Act 2008, the Applicant should note that a level of assurance from the relevant regulatory authorities that the design or plan is acceptable and likely to be approved by them will be required by the Commission before a recommendation or decision on any application is made. This is in accordance with the policy guidance in the Revised Draft Overarching National Policy Statement for Energy (EN-1). Applicants are encouraged to make early contact with other regulators. Information from applicants about progress in obtaining other permits, licences or other consents and confirmation that there is no obvious reason why they will not subsequently be granted will be helpful in supporting an application for development consent to the Commission.

Climate Change, National Policy Statements and EIA Regs

Revised Draft Overarching National Policy Statement for Energy (NPS EN-1)

4.13 The Revised Draft Overarching National Policy Statement (NPS) for Energy (EN-1) and NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4) set out the Government’s policy for delivery of major energy infrastructure and provide a framework for decisions to be taken by the Commission.

4.14 The Commission is bound to have regard to the NPSs, which establish the policy framework within which it operates. The NPSs remain in draft and have been subject to scrutiny and debate and further consultation.
The weight to be placed upon the NPSs before they are designated will depend \textit{inter alia} upon the stage reached in the process towards designation and will be a matter to be addressed by the Commission when the application is considered.

4.15 The Revised Draft Overarching National Policy Statement for Energy (EN-1) states at paragraph 2.2.4:

'Not all aspects of Government energy and climate change policy will be relevant to IPC decisions or planning decisions by local authorities and the planning system is only one of a number of vehicles that helps to deliver Government energy and climate change policy.'

4.16 It continues at paragraph 5.2.2:

'Although an ES on air emissions will include an assessment of CO2 emissions, the policies set out in Section 2, including the EU ETS, apply to these emissions. The IPC does not, therefore need to assess individual applications in terms of carbon emissions against carbon budgets and this section does not address CO2 emissions or any Emissions Performance Standard that may apply to plant.'

4.17 Paragraph 17(c) of Schedule 4 of the EIA Regulations includes a number of factors some of which might be anticipated to have an impact upon climate change ('expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development').

4.18 Paragraph 19 of Schedule 4 of the EIA Regulations requires the Environmental Statement to include 'A description of the aspects of the environment likely to be significantly affected by the development, including in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors.'

4.19 Part 2 of Schedule 4 requires the Applicant to provide information that could relate to the consideration of climate change: 'The data required to identify and assess the main effects which the development is likely to have on the environment'.

4.20 The Commission requires the Applicant to address in the EIA the effects of climate change on the proposals (adaptation) and how the proposals have provided the means to reduce its impact on climate

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1 Para 17(c) Sch 4
2 Para 26 Sch 4
change (mitigation), for example through amelioration of greenhouse gas emissions, and this should be set out in the ES.

Applicant's Consultation

4.21 Consultation with the local community should be carried out in accordance with the Statement of Community Consultation which will state how the Applicant intends to consult on the preliminary environmental information\(^3\). Where consultation responses have resulted in important changes affecting the EIA, such comments could usefully be reported and considered. This reporting could also assist the Applicant in the preparation of its consultation report required to be submitted with the application for development consent.

\(^3\) For an explanation see under ‘Interpretation’ in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 SI2263
APPENDIX 1

LIST OF CONSULTATION BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE
APPENDIX 1

LIST OF CONSULTATION BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE

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<td>The Environment Agency</td>
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<td>The British Waterways Board</td>
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<td>Trinity House</td>
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<tr>
<td>The Health Protection Agency</td>
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<tr>
<td>The Relevant Local Resilience forum</td>
<td>Lancashire Local Resilience Forum</td>
</tr>
<tr>
<td>The Crown Estate Commissioners</td>
<td>Planning and Consents Manager</td>
</tr>
<tr>
<td>The Forestry Commission</td>
<td>Beat Forester - Bowland, Forestry Commission</td>
</tr>
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**RELEVANT STATUTORY UNDERTAKERS**

<table>
<thead>
<tr>
<th>Heath Bodies under the Acquisition of Land Act 1981 s.16</th>
<th>Blackpool, Fylde and Wyre Hospitals NHS Foundation Trust</th>
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<tbody>
<tr>
<td></td>
<td>Lancashire Care NHS Foundation Trust</td>
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<td>North West Ambulance Service NHS Trust</td>
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<td>Heysham Port Ltd</td>
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<td>Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)</td>
<td>NATS En Route plc</td>
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<td>Universal Service Provider</td>
<td>Royal Mail Group</td>
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<td>Water and Sewage Undertakers</td>
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<td>British Gas Pipelines Limited</td>
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<td>Energetics Gas Limited</td>
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<td>ES Pipelines Ltd</td>
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<td>Organisation</td>
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<td>ESP Networks Ltd</td>
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<td>Fulcrum Pipelines Limited</td>
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<td>Independent Pipelines Limited</td>
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<td>National Grid Gas Plc (NTS)</td>
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<td>Northern Gas Networks Limited</td>
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<td>Wales and West Utilities Ltd</td>
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<td>ECG (Distribution) Limited</td>
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<td>National Park Authority</td>
<td>Yorkshire Dales National Park Authority</td>
</tr>
</tbody>
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**LOCAL AUTHORITY (s.43)**

<p>| Local Authorities (S.43) |  |
|--------------------------|  |
| North Yorkshire County Council |
| South Lakeland District Council |
| Craven District Council |
| Lancaster City Council |
| Ribble Valley Borough Council |
| Pendle Borough Council |
| Blackpool Borough Council |
| Fylde Borough Council |
| Preston City Council |
| Sefton Council |
| Bradford Council |
| South Ribble Borough Council |
| Chorley Borough Council |
| Wigan Council |
| Rossendale Borough Council |
| Hyndburn Borough Council |
| Burnley Borough Council |
| Calderdale Council |
| Blackburn with Darwen Borough Council |
| Bolton Council |
| Bury Council |</p>
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<tr>
<th>Schedule 1 Description</th>
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<td>Wyre Borough Council</td>
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<td>Lancashire County Council</td>
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<td>Cumbria County Council</td>
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<td>West Lancashire District Council</td>
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</tbody>
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APPENDIX 2

LIST OF BODIES WHO REPLIED AND COPIES OF REPLIES
APPENDIX 2

LIST OF BODIES WHO REPLIED BY 16 NOVEMBER 2010

| Blackburn with Darwen Borough Council |
| CABE                                     |
| Coal Authority                          |
| Crown Estate                            |
| Cumbria County Council                  |
| Electricity North West                  |
| English Heritage                        |
| Environment Agency                      |
| ES Pipelines Ltd                         |
| ESP Networks Ltd                        |
| ESP Electricity Ltd                     |
| ESP Connections Ltd                     |
| Fulcrum Pipelines Ltd                    |
| Health Protection Agency                |
| Highways Agency                         |
| Joint Nature Conservation Committee     |
| Lancashire Constabulary                 |
| Lancaster Port Commission               |
| Maritime Coastguard Agency               |
| Natural England                         |
| NHS North West                          |
| North West Regional Development Agency  |
| North Yorkshire County Council          |
| Stalmine-with-Styall Parish Council     |
| Trinity House                           |
| West Lancashire Borough Council         |
| Yorkshire Dales National Park           |
Good Afternoon,

In reference to my previous email in relation to the email you sent on the 22.10.10. Please see Gwen Kinloch's response below.

Regards

Sherrie-Leigh Stevens  
Development Management  
Planning Section  
Blackburn with Darwen Borough Council  
Town Hall  
Blackburn  
Direct Dial: 01254 585434  
Email: Sherrie-Leigh.Stevens@blackburn.gov.uk

From: Kinloch Gwen  
Sent: 27 October 2010 11:31  
To: Stevens Sherrie-Leigh  
Cc: Paullidou Rea  
Subject: RE: Your Ref 101019_EN030001_300173

I've no comments on the scoping document from a Blackburn with Darwen perspective. I would, however, question the observation that there will be no 'significant' impact on climate change given that the development is a fossil fuel store.

Gwen Kinloch, Environmental Strategy & Projects Manager,  
Regeneration & Environment Dept, Blackburn with Darwen Borough Council,  
Room 411, Town Hall, Blackburn BB1 7DY (01254) 585394  
gwen.kinloch@blackburn.gov.uk

From: Stevens Sherrie-Leigh  
Sent: 27 October 2010 10:21  
To: Paullidou Rea; Kinloch Gwen  
Subject: FW: Your Ref 101019_EN030001_300173

As Per Gavin's request do you have any comments on the below.

Regards

Sherrie-Leigh Stevens  
Development Management  
Planning Section  
Blackburn with Darwen Borough Council  
Town Hall  
Blackburn  
Direct Dial: 01254 585434  
Email: Sherrie-Leigh.Stevens@blackburn.gov.uk

From: IPC Scoping Opinion [mailto:IPCSopingOpinion@infrastructure.gsi.gov.uk]  
Sent: 22 October 2010 15:33  
To: Stevens Sherrie-Leigh  
Subject: RE: Your Ref 101019_EN030001_300173

Dear Sherrie-Leigh,

Thank you for your email. The letter sent to you on 20.10.10 refers to the Pressail Underground Gas Storage facility which is located in the Wyre Borough Council area. The precise location of the project is described and illustrated in the scoping report which can be found using the following link http://lnfsrastructure.independent.gov.uk/wp-content/uploads/2010/09/Pressail-Scoping-Report.pdf.

Please find below an explanation as to why Blackburn with Darwen Borough Council was consulted on the Scoping Report.

Local Authorities are identified as Consultation Bodies in accordance with the criteria under s. 43 of the 2008 Planning Act. The local authority where an Nationally Significant Infrastructure Project (NSIP) is based is known as the "B" local authority, while "A" local authorities are those that touch the District or County boundary in which the proposed NSIP is located. All "A"
and "D" authorities must be consulted. Blackburn with Darwen Borough Council borders Lancashire County Council where the project is located and has therefore been consulted as an "A" local authority in accordance with s. 43 of the Planning Act.

Please refer to the IPC's Advice Note Three: Scoping Opinion Consultation for further information http://infrastructure.independent.gov.uk/?page_id=2150

If you have any other queries please feel free to contact me.

Hannah Pratt

EIA and Land Rights Advisor

Infrastructure Planning Commission (IPC)

Temple Quay House
Temple Quay
Bristol
BS1 6PN

Direct Dial: 0303 444 5001

Helpline: 0303 444 5000

Email: Hannah.Pratt@infrastructure.gsi.gov.uk

Web: www.independent.gov.uk/infrastructure

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We are required by law to publish on our website a record of the advice we provide and to record on our website the name of the person or organisation who asked for the advice. We will however protect the privacy of any other personal information which you choose to share with us and we will not hold the information any longer than is necessary.

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From: Stevens, Sherrie-Leigh [mailto:Sherrie-Leigh.Stevens@blackburn.gov.uk]
Sent: Thursday, October 21, 2010 12:38 PM
To: IPC Enquiries
Subject: Your Ref. 101019_EN030001_300173

Good Afternoon,

Thank you for your enquiry received on the 20.10.10. To enable us to assist you with your enquiry would it be possible for you to quote which site your letter correspondence refers to as it would not appear to be in our Borough but confirmation of the site address will assist.

Apologies for any inconvenience caused, thank you for your co-operation.

Kind Regards

Sherrie-Leigh Stevens
Development Management
Planning Section
Blackburn with Darwen Borough Council
Town Hall
Blackburn
Direct Dial: 01254 588434
Email: Sherrie-Leigh.Stevens@blackburn.gov.uk

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Good Morning,

In relation to your email on the 22.10.10. I have notified Gavin Prescott and Rea Psilidou and they have no comments. I have notified Gwen Kinloch as well but I haven't received a response as yet.

Regards

Sherrie-Leigh Stevens
Development Management
Planning Section
Blackburn with Darwen Borough Council
Town Hall
Blackburn
Direct Dial: 01254 585434
Email: Sherrie-Leigh.Stevens@blackburn.gov.uk

From: Psilidou Rea
Sent: 27 October 2010 10:40
To: Stevens Sherrie-Leigh; Kinloch Gwen
Subject: RE: Your Ref 101019_EN030001_300173

Hi Sherrie-Leigh

I don't have any comments on the proposed development.

Kind Regards

Réa

Réa Psilidou (Miss)
Forward Planning and Transport Policy Manager
Blackburn with Darwen BC

Town Hall, Blackburn, BB1 7DY
DD (01254) 585812
Fax (01254) 585599

-----Original Message-----
From: Stevens Sherrie-Leigh
Sent: 27 October 2010 10:21
To: Psilidou Rea; Kinloch Gwen
Subject: FW: Your Ref 101019_EN030001_300173

As Per Gavin’s request do you have any comments on the below.

Regards

Sherrie-Leigh Stevens
Development Management
Planning Section
Blackburn with Darwen Borough Council
Town Hall
Blackburn
Direct Dial: 01254 585434
Email: Sherrie-Leigh.Stevens@blackburn.gov.uk

From: IPC Scoping Opinion [mailto:IPCScopingOpinion@infrastructure.gsi.gov.uk]
Sent: 22 October 2010 15:33
To: Stevens Sherrie-Leigh
Subject: RE: Your Ref 101019_EN030001_300173

Dear Sherrie-Leigh,

Thank you for your email. The letter sent to you on 20.10.10 refers to the Presseall Underground Gas Storage facility which is located in the Wyre Borough Council area. The precise location of the project is described and illustrated in the scoping report which can be found using the following link http://infrastructure.independent.gov.uk/wp-content/uploads/2010/10/Presseall-Scoping-Report.pdf.
Please find below an explanation as to why Blackburn with Darwen Borough Council was consulted on the Scoping Report.

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Please refer to the IPC's Advice Note Three: Scoping Opinion Consultation for further information. http://infrastructure.independent.gov.uk/?page_id=2150

If you have any other queries please feel free to contact me.

Hannah Pratt
EIA and Land Rights Advisor
Infrastructure Planning Commission (IPC)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Direct Dial: 0303 444 5001
Helpline: 0303 444 5000
Email: Hannah.Pratt@infrastructure.gsi.gov.uk
Web: www.independent.gov.uk/infrastructure

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From: Stevens Sherrie-Leigh [mailto:Sherrie-Leigh.Stevens@blackburn.gov.uk]
Sent: Thursday, October 21, 2010 12:36 PM
To: IPC Enquiries
Subject: Your Ref 101019.EN030001.300173

Good Afternoon,

Thank you for your enquiry received on the 20.10.10.
To enable us to assist you with your enquiry would it please be possible for you to quote which site your letter correspondence refers to as it would not appear to be in our Borough but confirmation of the site address will assist.

Apologies for any inconvenience caused, thank you for your co-operation.

Kind Regards

Sherrie-Leigh Stevens
Development Management
Planning Section
Blackburn with Darwen Borough Council
Town Hall
Blackburn
Direct Dial: 01254 585434
Email: Sherrie-Leigh.Stevens@blackburn.gov.uk

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02 November 2010

Simon Butler
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Our ref: CSE-21106

Dear Simon Butler

INFRASTRUCTURE PLANNING COMMISSION: PREESAL SALTFIELD UNDERGROUND GAS STORAGE FACILITY PLANNING APPLICATION REFERENCE: 101019_EN0300001_300173

Thank you for consulting the Commission for Architecture and the Built Environment (CABE) about this proposal.

We do not review Environmental Impact Assessments and also in this instance we do wish not comment on the application for the proposed Preesall Saltfield Underground Gas Storage Facility.

Yours sincerely

Clare Rutherwood
Design Review assistant
DRsubmissions@cabe.org.uk
Mr Simon Butler – EIa Land Rights Manager on behalf of the IPC
Infrastructure Planning Commission

[By Email: ipcscopingopinion@infrastructure.gsi.gov.uk]

08 November 2010

Your Ref: 101019_EN030001_300173

Dear Mr Butler

Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 SI 2263
Proposed Preesall Saltfield Underground Gas Storage Facility

Thank you for your letter dated 19 October 2010 consulting The Coal Authority on the
scoping opinion for the above proposal.

On behalf of The Coal Authority, I would like to confirm that we have no specific
information requirements to be provided in the Environmental Statement for this
particular proposal.

Yours sincerely

Mark E. N. Harrison B.A.(Hons), DipTP, MRTP
Planning Liaison Officer
Infrastructure Planning Commission  
Attention: Simon Butler  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

Dear Mr Butler

PROPOSED PREESALL SALTFIELD UNDERGROUND GAS STORAGE FACILITY
HALITE ENERGY GROUP LTD

Reference is made to your letter dated 19 October 2010 inviting The Crown Estate to comment on the scoping of the information provided in the Environmental Statement for the above mentioned proposal.

I can advise that, in this instance, The Crown Estate has no comments on the scoping report for this proposal.

Should you have any queries or require any additional information with regard to this matter, please do not hesitate to contact me on 0207 851 5045.

Yours sincerely,

[Signature]

Dr Tim Norman  
Senior Planning Manager

26 October 2010
1 November 2010
RN/A802-002/MS
101019_EN030001_300173

Mr S Butler
Infrastructure Planning Commission
Temple Quay House
Temple Quay
BRISTOL BS1 6PN

Dear Mr Butler

Preesall Saltfield Underground Gas Storage Facility: Scoping Report

Thank you for the opportunity to comment on the above consultation. Since the proposal does not directly impact upon Cumbria our comments are limited to an expression of concern over maritime pollution. We would wish the EIA to address this issue and the likely impact on the Morecambe Bay Natura 2000 site.

Our colleagues in the Morecambe Bay Partnership, the relevant coastal partnership for the area, may have further comments.

We would urge that they are consulted for the EIA.

Yours sincerely

Dr Richard Newman
Environmental Planning Manager
richard.newman@cumbriacc.gov.uk
Dear Simon,

Proposed Presall Saltfield Underground Gas Storage Facility (The Project)
Halite Energy Group Ltd (The Applicant)
Infrastructure Planning Regulations 2009 SI 2263

I write in response to your letter dated 19 October 2010, and in connection with the above Project.

The Project as proposed will affect the route of two of Electricity North West’s 33kV overhead line circuits in the area (see enclosed plan). These circuits are an integral part of our electricity distribution system that supplies electricity to a large number of customers. To facilitate the Project the circuits will have to be diverted. Furthermore any site work or investigations should recognize that the overhead lines are energized and that safety can be assured by working in compliance to the Health and Safety Executive’s guidance note GS6.

We are engaged with the Applicant in on-going dialogue to achieve an agreed diversion of our infrastructure.

Yours sincerely,

I Povey
Infrastructure & Service
Development Manager
Thank you for contacting us in relation to the above proposal. My advice is as follows:

- that both designated and non-designated heritage assets that will be impacted by the scheme need to be identified;

- the significance of both designated and non-designated heritage assets impacted by the scheme needs to be established;

- the impact on the wider historic landscapes, townscape and below ground archaeology should be fully included;

Specifically, I would note that a Rapid Coastal Zone Assessment, that included the Wyre Estuary, was carried out on behalf of English Heritage recently. This should be available from both the Lancashire HER and the NMR and may prove useful.

I would further note that the Table of Proposed Scope of Works for the Archaeology and Built Heritage Assessment is missing from the Scoping Report.

It was unclear to me which elements of the scheme involved below ground development (e.g. pipelining) and which elements involved above ground structures.

More generally, please could you note that the Scoping Report as provided is not easily accessible on our system and takes about half an hour to download. The Figures are not visible on the screen at a scale that is useful. It would be helpful if the elements of the report were provided as separate pdf documents, rather than as one large pdf, with a summary of the scheme as one document. I would be grateful for future Figures in hard copy if possible.

With best wishes,
Jennie

Dr Jennie Stopford, Inspector of Ancient Monuments
English Heritage, Canada House,
3 Chepstow Street, Manchester M1 5FW
Tel: 0161 242 1453
Mobile: 07901 594105

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Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.
Dear Mr Butler

UNDERGROUND GAS STORAGEM, SCOPING REPORT
PREESALL SALTFIELD, SALTMINE, WYRE ESTUARY, LANCASHIRE

Thank you for referring the above Scoping Report which we received on the 21 October 2010.

We have reviewed the Scoping Report and have the following comments to make:

We are satisfied with the suggested investigations proposed in Sections 3.7, 3.8. and 3.9 of the EIA scoping report. Much of this work has already been undertaken on the previous proposals, and updating on any changes should be a simple task.

Water Quality Assessment
We support the need for a water quality assessment to be undertaken; however, detailed method statements for the construction and operational phases will need to be available in order for us to fully assess the potential for impact on the water environment.

Ecology and Nature Conservation
Consultation requirement
Section 3.6.1 states that consultation in relation to Ecology and Nature Conservation for the project will be undertaken with Natural England and RSPB. We seek clarification on this as species and habitats that the Environment Agency have a duty to protect may not be taken into consideration. In addition, due to the ecological sensitivity of the site, the Environment Agency recommend a revised consultation list to take account of other conservation bodies’ interests.

Information regarding habitat and species surveys:

Environment Agency
PO Box 519, Lancashire, South Preston, PR5 8GD.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
Cont/d..
Section 3.6.1 outlines the surveys that have taken place for habitats and species affected by the scheme. The Environment Agency require detailed information regarding how the impact on the following habitats will be avoided or minimised. Where impact will occur, full details of mitigation should be submitted:

**Habitats:**
- Coastal Saltmarsh
- Saline Lagoons
- Ponds
- Drainage Ditches

**Species:**
- Great Crested Newts
- Water vole
- Marine Benthic ecology
- Rock Sea-Lavender

**Updated Surveys:**
Section 3.6.1 states that all surveys are up-to-date. However, the Biodiversity Team require further updated surveys on the following species:

- **Water Vole**
  Recent evidence of water voles has been found around the area of works including proposed pipeline routes. Water voles and their habitat are protected by the Wildlife and Countryside Act 1981. Updated water vole surveys will be required of all water bodies that may be affected by the scheme. The water bodies should include ponds, drainage ditches, saltmarsh creaks and saline lagoons. The surveys should be carried out at an appropriate time of year by an experienced ecologist, i.e. March to September. Works should aim to avoid impacting on water vole habitat. Where this is not possible, a full exclusion and mitigation method statement should be submitted to the Environment Agency and Natural England for approval. Where limitations to the survey apply then a precautionary approach must be adopted, this should be reflected within the report.

- **Great Crested Newts**
  Great Crested Newts are within the area and could be affected. The Great Crested Newt is listed on Annexes II and IV of the EC Habitats Directive and Appendix II of the Bern Convention. It is protected under Schedule 2 of the Conservation Regulations, 1994 and Schedule 5 of the Wildlife and Countryside Act 1981.

  A detailed Great Crested Newt method statement will be required outlining populations of Great Crested Newts within 500 metres of the works, measures to avoid impacts on the species and where applicable, exclusion and mitigation measures.

  The 2009 surveys concluded that three ponds have positive records of Great Crested Newts. However, limitations of the survey meant that not all ponds within close proximity to the works were surveyed. A precautionary approach must be adopted i.e. either completing new surveys on the ponds that were not able to be surveyed in 2009 or the ponds unable to be surveyed should be assumed to be positive.

- **Rock Sea Lavender**
  Rock Sea Lavender is present within the area; it is a UKBAP Priority

Cont'd.
Species. Further surveys should be carried out identifying locations of the species. Measures to prevent negative impact and to enhance the habitat for the species should be included.

**Loss of Bentonite**
The previous application outlined a low potential risk of loss of bentonite during drilling procedures. The Environmental Impact Statement should outline measures to prevent the loss of bentonite in order to prevent an impact on the benthic fauna. Without control and monitoring measure in place the loss of bentonite may have a negative impact on the interest features of the Wyre Estuary SSSI and Morecambe Bay Ramsar, SPA.

**Subsidence**
Previous applications have stated that there is a remote chance of subsidence. This should be fully investigated through the EIA.

It is unacceptable for subsidence to occur and all issues must be re-addressed if it is found that subsidence may occur. It must be noted that the developers have a duty of care to any structures affected by subsidence occurring as a direct result of the proposed development.

Reason: Subsidence would result in an, at present, unquantifiable loss of habitat, affecting the interest features of the SPA, Ramsar and SSSI. As stated below potential subsidence may also impact upon flood defences and must be investigated in those terms.

**Flood Risk Assessment**
As the site is located within a tidal flood zone and the proposed development is located in close proximity to flood defences, we would like to request that the applicant undertakes a Flood Risk Assessment to cover the following issues:

1. Location and level of protection offered by flood defences in this area
2. Extent of the caverns relative to the location of any flood defence embankments
3. Likelihood of subsidence in caverns and how this might affect the embankments
4. Whether or not the entire length of the defence would compromised
5. Whether or not the caverns could be located in such a manner so as not to affect the embankment
6. If the possibility of short breaches as a result of subsidence results in extensive flooding in land
7. Possible maintenance of the defences by the applicant to protect the gas storage in the future.

The Developer needs to apply for a Flood Defence Consent from the Environment Agency. Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written Consent of the Environment Agency is required, for any proposed works or structures, in, under, over or within 8m of the top of bank of the Environment Agency designated Main River. The Environment Agency has a right of entry to the River Wyre by virtue of Section 172 of the Water Resources Act 1991 and a right to carry out maintenance and improvement works by virtue of Section 165 of the same Act. The Developer must contact Nikki Bamber to discuss our requirements and apply for consent.

Any works to watercourses within or adjacent to the site which involve the infilling, diversion, culverting or which otherwise may restrict the flow, require the prior formal
consent of the Environment Agency under Section 23 of the Land Drainage Act 1991, culverting other than for access purposes is unlikely to receive consent, without full mitigation for loss of flood storage and habitat.

Any Flood Defence Consent applications should include up to date habitat and species surveys of each and every crossing identifying key features and in particular the presence of important and protected habitats and species. A detailed working method for each crossing, designed to minimise the impact of the works, will be required to be agreed with the Environment Agency before any Flood Defence Consent can be issued. Habitat Fragmentation should be prevented.

Discharge Consent for Brine
There is a live consent for the discharging of brine (Consent Number 01729 0628). This consent is referenced in the Scoping Report under paragraph 1.2.32 as we would expect.

Yours sincerely

Amy Heys
Planning Liaison Technical Specialist

Direct dial 01768 215716
Direct fax 01768 865606
Direct e-mail penrith.planning@environment-agency.gov.uk
Dear Mr Butler

UNDERGROUND GAS STORAGE
PREESALL SALTFIELD, SALTMINE, WYRE ESTUARY, LANCASHIRE

Further to our letter dated the 11 November we have the following comments to add.

Fisheries
The choice to dispose of the Brine Waste in the Irish Sea instead of Morecombe Bay/Wyre Estuary is appropriate and likely to reduce the impact of the project on the aquatic/estuary/marine environment and fishes.

It appears the applicant is aware of and intends to apply EIA best practices. We request that the EIA develops a modest monitoring program of the SSSI and SAP to ensure any negative impacts are acceptable?

It is unclear at what frequency during the life time of the project water will be extracted from the Pump Station to maintain the gas storage caverns. It appears there is a chance that the proposed methods might affect the hydrology of the mud flat/estuarine habitat adjacent to the cavern field. Though the depths/sizes of the caverns suggest this impact would be minimal, we would like to see some sort of baseline data collection and monitoring program developed as part of the EIA. In Table 3-7 of Section 3.9 Water Environment, Page 43, it states ‘No further surveys are proposed’.

Page 6, 1.2.26
What type of filter will be used at the Sea Water Pump Station intake to minimize the entrainment of aquatic/estuarine organisms?

Yours sincerely

Environment Agency
PO Box 519, Lancashire, South Preston, PR5 8GD.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
Cont/d..
Amy Heys
Planning Liaison Technical Specialist

Direct dial 01768 215716
Direct fax 01768 865606
Direct e-mail penrith.planning@environment-agency.gov.uk
Dear Hannah,

PROPOSED PREESSALL SALTFIELD UNDERGROUND GAS STORAGE FACILITY (approx E332860, N444860: FY7 8JX)
(101019_EN030001_300173)

Further to your communication to E S Pipelines Ltd, ESP Networks Ltd, ESP Pipelines Ltd, ESP Electricity Ltd and ESP Connections Ltd dated 19 October 2010 I can confirm that our businesses have no comments at this stage.

Regards,

Alan Slee
Operations Manager

DD 01372 227567
Mobile 07766 802070
Fax 01372 386203

From: IPC Scoping Opinion [mailto:IPCScapingOpinion@infrastructure.gsi.gov.uk]
Sent: 19 October 2010 15:36
To: Alan Slee
Subject: Scoping Consultation Request: Presall Saltfield Underground Gas Storage Facility

Dear Sir/Madam,

Please find attached an electronic version of the scoping consultation request for Presall Saltfield Underground Gas Storage Facility.

We look forward to receiving your response.

Kind regards
<<101019_EN030001_Letter_to_stat_consultees.doc>>

Hannah Pratt
EIA and Land Rights Advisor
Infrastructure Planning Commission (IPC)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Direct Dial: 0303 444 5001
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Email: Hannah.Pratt@infrastructure.gsi.gov.uk
Web: www.independent.gov.uk/infrastructure
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MAP

http://www.espipelines.com

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Your Reference: 101019_EN030001_300173
Date: 27/10/10

Mr Simon Butler
Infrastructure Planning Commission (IPC)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dear Mr Butler,

Ref: 101019_EN030001_300173

Re: PROPOSED PRESAILL SALTFIELD UNDERGROUND GAS STORAGE FACILITY

Thank you for your request for information about Fulcrum Pipelines Limited's pipes and equipment.

We can confirm that Fulcrum Pipelines Limited do not currently have any existing pipes or equipment on or around the above site address.

Please note that other Gas Transporters may have plant in this locality which could be affected by your proposed works.

If you have any future requests for information about our plant, please email these to us at FPLplantprotection@fulcrum.co.uk.

If you have any queries regarding this letter, please contact your Fulcrum Advisor, Deborah Turner on 01709 844407, who will be happy to help.

Yours sincerely,

[Signature]

Ian Foster
Head of Asset
Dear Simon

**Proposed Prescàl Saltfield Underground Gas Storage Facility – scoping opinion**

**Background**

Halite Energy Group Ltd has asked the Infrastructure Planning Commission (IPC) for its opinion ("scoping opinion") on the information to be provided in an environmental statement relating to a proposal for a Saltfield Underground Gas Storage Facility at Prescàl Saltfield, Over Wyre, Lancashire. The installation constitutes a gas storage facility, gas pipeline, brine outfall pipeline and associated infrastructure. The request for a scoping opinion is a precursor to an intensive and detailed independent assessment of the environmental impact of the proposed development.

The HPA is a statutory consultee at the pre-application and application stages for nationally significant infrastructure projects (NSIP) “which are likely to involve chemicals, poisons or radiation which could potentially cause harm to people.”¹ For those NSIP applications subject to Environmental Impact Assessment (EIA) the HPA is a consultation body under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

The IPC must therefore consult the HPA on the information that the HPA considers should be provided in the environmental statement (or confirm that the HPA has no comments) before the IPC adopts its scoping opinion.

The HPA’s enclosed response focuses on health protection issues relating to chemicals and radiation. The scope of the HPA’s response does not extend to wider health; these fall under the remit of other stakeholders. The following document outlines the information that the HPA considers should be provided in the environmental statement. The advice offered by the HPA is impartial and independent.

¹ Cited in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009
HPA recommendations regarding the scoping document

General approach
The EIA should give consideration to best practice guidance such as the Government’s Good Practice Guide for EIA\(^2\). It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

The applicant should ensure that the EIA contains sufficient information for relevant authorities to be able to fully assess the potential impact of the development on public health. The HPA strongly recommends that a separate section be included in the environmental statement summarising the impact of the proposed development on public health: summarising risk assessments, proposed mitigation measures, and residual impacts. This section should include any information relating to health contained in other sections of the application (eg, air quality, emissions to water, etc). Compliance with National Policy Statements’ requirements and with relevant guidance and standards should be highlighted. The document should be reviewed by the IPC to ensure that the application is of sufficient quality to be submitted for consultation. The HPA considers that the onus should be on the applicant to gather and clearly present the information required and requested by statutory consultees and that it should not be the role of statutory consultees to undertake these assessments on the applicant’s behalf. An expectation that statutory consultees will undertake these assessments is unrealistic; this would pose significant resource implications and would conflict with the consultee’s position as an impartial and independent body.

Within the EIA, the HPA would expect to see information about how the applicant would respond to accidents with potential off-site emissions, eg, flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards): both in terms of their applicability to the installation itself, and the installation’s potential to impact on, or be impacted by, any nearby installations themselves subject to the COMAH Regulations.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the environmental statement\(^3\).

The following comments cover a range of issues that the HPA would expect to be addressed by the applicant. However this list is not exhaustive and the onus is on the applicant to ensure that the relevant public health issues have been identified and addressed.

---


Impacts arising from construction

It is recommended that any assessment of impacts arising from emissions due to construction considers potential impacts on all receptors and describes monitoring and mitigation during the construction phase. Construction will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the applicant to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The applicant should ensure that there are robust mechanisms in place to respond to any complaints of traffic related pollution, during both construction and operation of the facility.

Emissions to air

There are unlikely to be significant air quality impacts arising from installations which employ BAT and which meet regulatory requirements concerning emission limits and design parameters. However, the HPA has a number of comments regarding emissions to air in order that the EIA provides a comprehensive assessment of potential impacts.

The EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that health-based air quality standards will not be exceeded due to emissions from the installation. This should include consideration of any emitted pollutants for which there are no set emission limits.

When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions
- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (ie, assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (ie, rail, sea, and air)
- should include consideration of local authority, national network, and any local site-specific sources of monitoring data
- should compare predicted environmental concentrations to health based standards (such as UK Air Quality Standards and Objectives; Environmental Assessment Levels; and WHO Standards), this should include both short-term and long-term standards
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development
should include consideration of impacts on existing areas of poor air quality, eg, existing or proposed local authority Air Quality Management Areas (AQMAs)
should include modelling of appropriate meteorological data (ie, come from the nearest suitable meteorological station and include a range of years and worst case conditions)
should include modelling of local topography.

Whilst screening of impacts using qualitative methodologies is common practice (eg, for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

Emissions to water
When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts the points raised above regarding emissions to air should be considered. Furthermore, the EIA should:
• include assessment of potential impacts on human health and not focus solely on ecological impacts
• identify and consider all routes by which emissions may lead to population exposure (eg, surface watercourses; sewers; geological routes, etc.)
• assess the potential off-site effects of emissions to groundwater (eg, on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
• include consideration of potential impacts on recreational users (eg, from fishing, canoeing etc) alongside assessment of potential exposure via drinking water.

Emissions to ground
Existing and future contaminated land issues
We would expect the applicant to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with contaminated land and/or the migration of material off-site should be assessed and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:
• effects associated with land contamination that may already exist
• effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
• impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or off-site, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste
The EIA should demonstrate compliance with the waste hierarchy (eg, with respect to re-use, recycling or recovery and disposal).

For wastes arising from the installation the EIA should consider:
• the implications and wider environmental and public health impacts of different waste disposal options
• disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated.
Liaison with other stakeholders, comments should be sought from:

- the local authority for matters relating to noise, odour, vermin and dust nuisance
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act
- the Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/crops
- the Environment Agency for matters relating to flood risk and releases with the potential to impact on controlled waters.

Yours sincerely

Mrs MARY MORREY
Deputy Director, CRCE

CRCE.IPCConsultations@HPA.org.uk
Infrastructure Planning Commission  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

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Piccadilly Gate  
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Manchester  
M1 2WD

Our ref: D360460-2  
Your ref: 101019_EN030001_300173

Direct Line: 0161 930 5576  
Fax: 0161 930 5570

11 November 2010

For The Attention Of Simon Butler

PREESALL SALTFIELD UNDERGROUND GAS STORAGE FACILITY – ENVIRONMENTAL IMPACT ASSESSMENT (EIA) – SCOPING REPORT.

Thank you for your latest letter dated the 19th October 2010 inviting representations/comments in respect of the above.

The proposed scope for the Environmental Statement explains that a detailed Transportation Assessment (TA) will be prepared and that it will identify the traffic impacts of the development. The Highways Agency would encourage early discussion of the detailed scope of the TA if the trunk road network is likely to be affected and, in the interim, would refer you to DfT Circular 02/2007 for advice on the highway and wider transport considerations which planning authorities are expected to take into account when assessing development proposals affecting trunk roads.

Wherever the Agency seeks highway works to accommodate development traffic and ensure the safety of all road users, any such new infrastructure would be a secondary effect of development and the ES may need to take account of it.

I hope the above is useful. If you need to discuss any aspects further, please do not hesitate to contact me.

Yours sincerely,

Mr Sion Owen-Ellis  
NDD NORTH WEST DEVELOPMENT CONTROL  
Email: sion.owen-ellis@highways.gsi.gov.uk
Good afternoon Hannah

The consultation request has been sent to the appropriate contributors in HSE for comments.

Regards

Ian

Ian Sharrock  
Risk Communications Policy Unit  
Chief Scientific Advisor’s Group  
Health & Safety Executive  
• 4S3 Redgrave Court, Merton Road, Bootle L20 7HS  
• : +44(0) 151 951 3486 (VPN 523 3486)  
• : ian.sharrock@hse.gsi.gov.uk  
• • www.hse.gov.uk*

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From: IPC Scoping Opinion [mailto:IPCScopingOpinion@infrastructure.gsi.gov.uk]
Sent: 19 October 2010 15:31
To: NSIP Applications
Subject: Scoping Consultation Request: Presall Saltfield Underground Gas Storage Facility

Dear Sir/Madam,

Please find attached an electronic version of the scoping consultation request for Presall Saltfield Underground Gas Storage Facility.

We look forward to receiving your response.

Kind regards

<<101019_EN030001_Letter_to_stat_consultees.doc>>

Hannah Pratt  
EIA and Land Rights Advisor  
Infrastructure Planning Commission (IPC)  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN
Direct Dial: 0303 444 5001
Helpline: 0303 444 5000
Email: Hannah.Pratt@infrastructure.gsi.gov.uk
Web: www.independent.gov.uk/infrastructure

The IPC gives advice about applying for an order granting development consent or making representations about an application (or a proposed application). The IPC takes care to ensure that the advice we provide is accurate. This communication does not however constitute legal advice upon which you can rely and you should note that IPC lawyers are not covered by the compulsory professional indemnity insurance scheme. You should obtain your own legal advice and professional advice as required.

We are required by law to publish on our website a record of the advice we provide and to record on our website the name of the person or organisation who asked for the advice. We will however protect the privacy of any other personal information which you choose to share with us and we will not hold the information any longer than is necessary.

You should note that we have a Policy Commitment to Openness and Transparency and you should not provide us with confidential or commercial information which you do not wish to be put in the public domain.

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Please visit the HSE website at the following address to keep yourself up to date www.hse.gov.uk
Dear Mr Butler

The Joint Nature Conservation Committee (JNCC) is the statutory adviser to Government on UK and international nature conservation. JNCC co-ordinates nature conservation advice at a UK level and advises UK Government on scientific and policy matters relating to nature conservation internationally. Within each UK country the separate statutory bodies are responsible for nature and landscape conservation these being: Natural England (NE), Countryside Council for Wales (CCW), Scottish Natural Heritage (SNH) and the Council for Nature Conservation and the Countryside, Northern Ireland (CNCCNI).

JNCC has responsibility for the provision of nature conservation advice in the offshore area. ‘Offshore’ is defined as beyond 12 nautical miles (nm) from the coastline to the extent of the United Kingdom Continental Shelf (UKCS). Within territorial limits (<12 nm) nature conservation advice is the responsibility of the relevant country agencies.

This development proposal is not located within the offshore area, does not have any potential offshore nature conservation issues and is not concerned with nature conservation at a UK level, therefore JNCC does not have any comments to make on the consultation.

With kind regards

Yours sincerely

Mrs Wendy Dalton
Business Information Officer
JNCC
Monkstone House
City Road
Peterborough
PE1 1JY

Tel: 01733 866884
E-mail: wendy.dalton@jncc.gov.uk

• please consider the environment - do you really need to print this email?
The Joint Nature Conservation Committee (JNCC) is the statutory adviser to Government on UK and international nature conservation, on behalf of the Council for Nature Conservation and the Countryside, the Countryside Council for Wales, Natural England and Scottish Natural Heritage. Its work contributes to maintaining and enriching biological diversity, conserving geological features and sustaining natural systems.

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Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.
11th November 2010

Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 1PN

Dear Sir/Madam

Thank you for your letter dated the 19th October 2010.

I confirm that Lancashire Constabulary wish to be considered a formal consultation body with regards to the proposed Pressall Saltfield Underground Gas Storage Facility.

Lancashire Constabulary do not have any comments to make at this time on the environmental statement.

I would be grateful if we could be kept updated with all relevant information in order that we may discharge our duties diligently.

Yours sincerely,

[Signature]

Tracie O’Gara
Chief Inspector
Fleetwood Police Station
Your Ref: 101019_EN030001_300173

Confim no comment to make.

Helen Loxam

Chief Executive
Lancaster Port Commission
Tel: 01524 751724

Lancaster Port Commission

West Quay

Glasson Dock

Lancaster

LA2 0DB


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Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.
Dear Simon

Proposed Preeass Saltfield Underground Gas Storage Facility

Thank you for your letter dated 19 October 2010 inviting MCA to comment on the scoping opinion for the proposed Preeass Saltfield underground gas storage facility. We have considered the information provided and it can be noted that the works are unlikely to have an adverse impact with regards to the safety of navigation provided the conditions below are applied to this development.

These conditions only apply to the cables/pipelines crossing the river and salt water outfall as described in the project plan. We would however, only confirm these conditions once we have sighted the appropriate Food and Environment Protection Act 1985 Part II (FEPA) and the Coast Protection Act 1949 (CPA) licence applications from the Marine Management Organisation or as appropriate:

1. A copy of this consent must be given to each contractor appointed to carry out part or all of ‘the works’ in order that they are clear about the extent of ‘the works’ for which consent has been given and the conditions that are attached to the consent.

2. The Consent Holder should ensure appropriate steps are taken to minimise damage to the beach/foreshore/river bank by the works.

3. The Consent Holder should ensure that any equipment, temporary works and/or debris associated with the works are removed from the foreshore upon completion of the works.

4. The Consent Holder should ensure the best method of practice is used to minimise re-suspension of sediment during these works.

5. The Consent Holder should ensure suitable bunding, storage facilities are employed to prevent the release of fuel oils, lubricating fluids associated with the plant and equipment into the marine environment.
6. The Consent Holder must ensure the beach/foreshore/riverbank is returned to the original profile following the completion of the works.

7. The Consent Holder should ensure the local mariner's and fishermen's organisations are notified.

8. The Consent Holder should notify the UK Hydrographic Office to permit the promulgation of maritime safety information and updating of nautical publications.

9. The works shall be maintained at all times in good repair.

10. The works should be removed from below the level of mean high water springs within one month of notice being given by the Secretary of State at any time he considers this necessary or advisable for the safety of navigation, and not replaced without further consent by the Secretary of State.

11. No radio beacon or radar beacon operating in the Marine frequency bands shall be installed or used on the works without prior written approval by the Secretary of State.

12. If in the opinion of the Secretary of State the assistance of a Government Department, including the broadcast of navigational warnings, is required in connection with the works or to deal with any emergency arising from the failure to mark and light the works as required by the consent or to maintain the works in good order or from the drifting or wreck of the works, the owner of the works shall be liable for any expense incurred in securing such assistance.

13. Officers of the MCA, or any other person authorised by the Secretary of State, should be permitted to inspect the works at any reasonable time.

14. The site is within port limits and the responsible local navigation authority, in close consultation with the Harbour Commissioners where appropriate, may wish to issue local warnings to alert those navigating in the vicinity to the presence of the works during the construction. Additionally, they may need to review their Port Marine Safety Code risk assessments.

15. The matter is an issue for the local harbour authority with conservancy responsibilities. They have the responsibility within their port limits for ensuring their harbour is fit for use by, for example, not permitting the spoil to foul navigable channels thus assuring the safety of navigation.

16. Vessels to comply with the International Regulations for Preventing Collisions at Sea, 1972 (COLREGs) – as amended, particularly with respect to the display of lights, shapes and signals.

17. The works should be marked and lighted in accordance with the requirements of the General Lighthouse Authority in this case Trinity House Lighthouse Service.

18. Any jack up barges/vessels utilised during the works/laying of the cable, when jacked up, should exhibit signals in accordance with the UK Standard Marking Schedule for Offshore Installations.
The developers must also consult with the local Harbour / Navigation Authority, who has jurisdiction over the area, and under the Port Marine Safety Code the following will apply:

From the Guide to Good Practice, section 6 Conservancy, a Harbour Authority has a duty to conserve the harbour so that it is fit for use as a port, and a duty of reasonable care to see that the harbour is in a fit condition for a vessel to use it. Section 6.7 Regulating harbour works covers this in more detail and have copied the extract below from the Guide to Good Practice.

6.7 Regulating harbour works

6.7.1 Some harbour authorities have the powers to license works where they extend below the high watermark, and are thus liable to have an effect on navigation. Such powers do not, however, usually extend to developments on the foreshore.

6.7.2 Some harbour authorities are statutory consultees for planning applications, as a function of owning the seabed, and thus being the adjacent landowner. Where this is not the case, harbour authorities should be alert to developments on shore that could adversely affect the safety of navigation. Where necessary, consideration should be given to requiring the planning applicants to conduct a risk assessment in order to establish that the safety of navigation is not about to be put at risk. Examples of where navigation could be so affected include:

- high constructions, which inhibit line of sight of microwave transmissions, or the performance of port radar, or interfere with the line of sight of aids to navigation;
- high constructions, which potentially affect wind patterns; and
- lighting of a shore development in such a manner that the night vision of mariners is impeded, or that navigation lights, either ashore and onboard vessels are masked, or made less conspicuous.

There is a British Standards Institution publication on Road Lighting, BS5489. Part 8 relates to a code of practice for lighting which may affect the safe use of aerodromes, railways, harbours and navigable Inland waterways.

Following on from the scoping study an application for a Harbour Revision Order (HRO) may be required. If this is necessary, the MCA will need to be consulted again on any revisions we may require to enhance the initial conditions. Possible new conditions will be developed from the findings of a full Environmental Impact Assessment (EIS) report on the project.

Yours sincerely

Capt. Clive Lane  
Navigation Safety Branch
Mr Simon Butler  
Infrastructure Planning Commission (IPC)  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

By email only

Dear Mr Butler

PROPOSED PREESALL SALTFIELD UNDERGROUND GAS STORAGE FACILITY ("the Project")
HALITE ENERGY GROUP LTD ("the Applicant")
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 SI 2263 ("the EIA Regulations")

Thank you for your consultation received by email in this office on 19 October 2010.

Natural England is a statutory agency charged with the responsibility to ensure that England’s unique natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

We are encouraged that the scope of the EIA will include ecology and nature conservation, water environment, geology and stability, hydrogeology, soils and contaminated land, seascape, landscape and visual effects, archaeology and built heritage, air quality, noise and vibration, sustainability, transport and access, and climatic factors. We also note that each assessment will consider the impacts during both the construction and operation phase and also decommissioning phases.

In general we agree with the scope of assessments of the EIA. We have the following comments to make relating to specific paragraphs within the Scoping Report:

Introduction to the Project

1.2.28 The Wyre Estuary is an Internationally designated Ramsar, European designated Special Protection Area and Nationally designated Site of Special Scientific Interest. Any proposals for directional drilling beneath the estuary from either bank would need to be conducted in such a way as to avoid any environmental impact. This needs to be clarified in the EIA.

Cumulative Effects and Interaction with Other Schemes

2.7.1 We recommend further exploration of other plans and projects that may interact with or influence the results of this EIA. For example, we are aware of other pipeline proposals within close proximity to the Halite Energy proposed pipeline route corridor.
Ecology and Nature Conservation

3.6.1 Table 3-4

We agree with the scope of the ecological assessments undertaken and updated.

A Habitats Regulations Assessment in accordance with Regulation 61 of the Habitats and Species Regulations 2010 should be completed for all aspects and phases of the project; this will demonstrate whether an Appropriate Assessment is required. Several aspects of the project are likely to interact with Statutory protected sites for Nature Conservation. We therefore recommend that in order to demonstrate No Likely Significant Effect, the assessment of impacts on the protected areas as receptors should be submitted within the EIA. The assessment should also inform the requirement and design of mitigation. Mitigation should be proposed specifically for potential impacts on protected areas and species and wider habitats and species.

You may also find the following information useful;

Biodiversity

Public authorities have a Duty to have regard to the conservation of biodiversity in exercising their functions. This Duty was introduced by the Natural Environment and Rural Communities Act and came into force on 1 October 2006. In PPS9, the Government has indicated that public authorities should take steps to further the conservation of habitats and species of principal importance through their planning function (see PPS9 paragraph 14).

We also advise that any proposals should aim to avoid damage to existing biodiversity features, and to create opportunities for enhancing biodiversity through the delivery of Local Biodiversity Action Plan (LBAP) targets. LBAPs identify the action required at a local level to deliver UK and regional targets for habitats, species, public awareness and involvement. They also identify targets for other habitats and species of importance in the more local context of their geographical area.

Landscape

Natural England endorses the European Landscape Convention definition of landscape as “an area perceived by people whose character is the result of the action and interaction of natural and/or human factors”. As our landscapes are a key resource, Natural England advocates that the changing landscape should be managed sustainably, be highly valued and a distinctive expression of local identity. We recommend that the determining authority takes all aspects of landscape, including landscape character and quality and townscape, into consideration when determining applications. Further information on all aspects of landscape and landscape planning can be found on our website via the link below:


Geodiversity

Planning policies and planning decisions should take into account the conservation and enhancement of geodiversity.

In taking decisions on planning matters, local authorities should ensure that appropriate weight is attached to the geodiversity interest of designated sites and also within the wider environment, and maximise opportunities to include geodiversity in and around developments as part of the design process.
There are now four Local Geodiversity Action Plans covering most of the North West Region, and these provide useful guidance for the conservation and enhancement of geodiversity. In addition, local geodiversity groups should be consulted for information regarding local geodiversity. Further information on Geodiversity is available from our website via the link below:


Sustainable Design

Natural England believes in encouraging the adoption of the principles of sustainability in all plans and projects.

However, sustainable design and construction entails a wider range of considerations, including development which conserves and enhances the distinctive landscape and townscape character, and conserves and enhances biodiversity, amongst other points.

In relation to biodiversity, a useful guide ‘Biodiversity by Design’ has been produced by the TCPA and can be accessed through the following link:

http://www.tcpa.org.uk/pages/biodiversity-by-design.html

The advice given by Natural England in this letter is made for the purpose of the present consultation only. In accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England expects to be consulted on any additional matters, as determined by the IPC, that may arise as a result of, or are related to, the present proposal. This includes alterations to the application that could affect its impact on the natural environment. Natural England retains its statutory discretion to modify its present advice or opinion in view of any and all such additional matters or any additional information related to this consultation that may come to our attention.

Should you wish to discuss this response please do not hesitate to contact me at the above address.

Yours sincerely

Pin Dhillon-Downey(Mrs)
Morecambe Bay Team
Direct Dial: 0300 060 0003
E-mail: Pin.Dhillon-Downey@naturalengland.org.uk
Team Email: NWPlanning@naturalengland.org.uk
26 October 2010

Your Ref: 101019_EN030001_300173

Mr Simon Butler
EIA and Land Rights Manager
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

PROPOSED PREESALL SALTFIELD UNDERGROUND GAS STORAGE FACILITY
("the Project")
HALITE ENERGY GROUP LTD ("the Applicant")
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009 SI 2263 ("the EIA Regulations")

Dear Mr Butler

Background
Halite Energy Group Ltd has asked the Infrastructure Planning Commission (IPC) for its opinion ("scoping opinion") on the information to be provided in an environmental statement relating to a proposal for a Saltfield Underground Gas Storage Facility at Preesall Saltfield, Over Wyre, Lancashire. The installation constitutes a gas storage facility, gas pipeline, brine outfall pipeline and associated infrastructure. The request for a scoping opinion is a precursor to an intensive and detailed independent assessment of the environmental impact of the proposed development.

North West NHS is identified as a statutory consultee at the pre-application and application stages for significant infrastructure projects with applications subject to Environmental Impact Assessment (EIA); the HPA is a consultation body under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. The IPC must therefore consult the SHA on the information that the SHA considers should be provided in the environmental statement (or confirm that the SHA has no comments) before the IPC adopts its scoping opinion.

The SHA’s enclosed response focuses on health issues. The following document outlines the information that the SHA considers should be provided in the environmental statement. The advice offered by the SHA is impartial and independent.

SHA recommendations regarding the scoping document
General approach:
The Environmental Impact Assessment (EIA) should give consideration to best practice
guidance such as the Government's Good Practice Guide for EIA. Compliance with National
Policy Statements' requirements and with relevant guidance and standards should be
highlighted. It is important that the EIA identifies and assesses the potential public health and
socio-environmental impacts of the proposed development in its development, operational,
and decommissioning phases.

The applicant should ensure that the EIA contains sufficient information for relevant authorities
to be able to fully assess the potential impact of the development on public health. The SHA
strongly recommends that a full health impact assessment be included in the environmental
statement summarising the impact of the proposed development on public health:
summarising risk assessments, proposed mitigation measures, and residual impacts. This
section should include any information relating to health contained in other sections of the
application (e.g. air quality, emissions to water, etc) and incorporate a full risk assessment and
incident planning statement to include information about how the applicant would respond to
accidents with potential off site emissions, e.g. flooding, fire, spills and leaks.

Within the EIA the SHA would expect to see information sought from other key stakeholders to
include comments from:

- the Health Protection Agency for matters relating to incidents and emergency planning,
- chemical and environmental hazards
- the local authority for matters relating to noise, odour, vermin and dust nuisance
- the local authority regarding any site investigation and subsequent construction (and
  remediation) proposals to ensure that the site could not be determined as 'contaminated land'
  under Part 2A of the Environmental Protection Act
- the Food Standards Agency for matters relating to the impact on human health of pollutants
  deposited on land used for growing food/ crops
- the Environment Agency for matters relating to flood risk and releases with the potential to
  impact on controlled waters

The following comments cover a range of issues that the SHA would expect to be addressed
by the applicant. However this list is not exhaustive and the onus is on the applicant to ensure
that the relevant public health issues have been identified and addressed.

Suggested areas to cover:

- Sustainability of the use of salt as a valuable mineral resource
- Comprehensive assessment of geological conditions for capability to accommodate the
  proposed development to include information demonstrating the relationship of the proposed
  development to former mining activity; to ensure robust analysis of ground stability; to assess
  any potential risk of gas migration.
- Visual and landscape impact and ecology
- Highway and public rights of way and a potential increase of traffic accidents
- Noise effects
- Water quality/sea defences/flood risk
- Safety and security and the need to plan and construct in a fashion to minimise risk of major
  incident.
- Allaying perceived fear and local community concern
- Tourism and economic development
Marine life forms, archaeology and potential impacts on internationally and locally designated sites and protected species.

The EIA should demonstrate that full consideration has been given to potential health and environmental impacts from potential emissions to air, water and ground. It should demonstrate full compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal) and for wastes arising from the installation. The EIA should consider; the implications and wider environmental and public health impacts of waste disposal options, disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated.

Scheme Benefits:
The SHA notes the national importance of such additional gas supply infrastructure in order to decrease import dependency and increase indigenous production.

The SHA draws to the attention of the IPC the considerable health and sustainability benefits associated with the proposal. The construction and operation of the gas storage plant could bring benefits at national and sub-national levels, in accordance with Government Energy Policy statements advising on the necessity to increase energy capacity and reduce energy import dependency by supporting new energy sources and Indigenous Gas Storage Infrastructure to meet the demand for energy during the transference to a low carbon economy. Sustainable investment in this proposal could also benefit residents and boost the local economy by creating local jobs during the construction phase and its future operations.

Yours sincerely

Dr Ruth Hussey
Regional Director of Public Health / Senior Medical Director

Copy: Dr Frank Atherton, Director of Public Health, NHS North Lancashire
Dear Mr Butler


Thank you for your letter dated 19 October 2010 seeking comments on the Environmental Impact Assessment Scoping Report prepared by Hyder Consulting (UK) Limited in respect of the above project.

At this stage the Northwest Regional Development Agency has no specific views on the information that should be provided in the Environmental Statement.

This response has been prepared in accordance with the NWDA’s consultation policy by the Strategy and Planning Team. If you have any queries or wish to discuss this matter further, please contact Beverley Doward, Head of Planning (beverley.doward@nwda.co.uk).

Please note that Ian Wray has now left the Agency. I should be grateful if you would update your records accordingly.

Yours sincerely

Mark Hughes
Acting Chief Executive
Dear Sir/Madam,

Thank you for your letter dated 19 October 2010 (your ref: 101019_EN030001_300173) consulting North Yorkshire County Council on the EIA Scoping Report in relation to the proposed Preesall saltfield underground gas storage facility by Halite Energy group Ltd.

I wish to confirm that North Yorkshire County Council does not have any specific comments to make at this stage.

Thank you once again however for consulting us on this matter.

Yours faithfully

Carl Bunnage
Team Leader Regional and Strategic Policy,
Economic and Rural Services,
North Yorkshire County Council.

E: Carl.Bunnage@northyorks.gov.uk
Tel: 01609 532523

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North Yorkshire County Council.

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********************************************************************************************************
Stalmine-with-Staynall Parish Council

Chairman
Councillor Robert Pye

Clerk
Peter Swarbrick MA DipM
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e-mail: swarbrickpw@aol.com

Your ref: 101019_EN030001_300173

18 May 2010

REF:

15 November 2010

Dear Mr Butler

Proposed Presaull Saltfield Underground Gas Storage Facility by Halite energy Group Ltd, Infrastructure Planning (Environmental Impact Assessment).

Stalmine-with-Staynall Parish Council wishes to comment on the proposal by Halite to store gas underground in the Presaull Saltfield. The Environmental Impact Statement should provide information about:

- The exact locations and dimensions of the proposed caverns and the area occupied by the development — how small is this smaller development and how does it avoid impact on existing infrastructure;

- The method of drilling—can the proposed methods achieve the objective;

A detailed assessment of the geological formations in the area of proposed drilling based on a thorough survey and the impact of the proposal on them;

Whether the Saltfield can safely support the proposal to required standards with reference to the tonnage and pressure of gas stored;

The impact and duration of the dumping of brine from the process and its impact on the sea, seashore and flora and fauna and the dimensions of the area affected by dumping;

The visual impact of the development with details of any mitigating landscape measures and the justification for those in relation to the size of the proposed development;

The effect on the local environment with respect to noise, traffic, pollution, access and any other nuisances.

Yours sincerely

[Signature]

Peter Swarbrick
Clerk and Responsible Financial Officer

Simon Butler
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN
From: Navigation Directorate
To: IPC Scoping Opinion:
Subject: 101019_EN030001_300173 Comments on scoping for Preesall Underground Gas Storage Facility
Date: 09 November 2010 12:42:23

FAO Simon Butler

Your ref:- 101019_EN030001_300173
Our ref:- N.LL/OBS/AG/10

Dear Simon

Trinity House comments on EIA scoping for the Preesall Underground Gas Storage Facility.

I refer to your letter dated 19 October under the above reference seeking comments from Trinity House on the EIA Scoping Report submitted by the Halite Energy Group for the proposed Preesall Saltfield Underground Gas Storage Facility.

Trinity House is the General Lighthouse Authority for England and Wales with statutory responsibilities under the Merchant Shipping Act 1995 for the superintendence and management of aids to navigation off the coasts of England and Wales. As part of these responsibilities we are concerned to advise the appropriate consenting authorities how any developments that take place in the offshore marine environment should be marked by a developer as part of the conditions of any consent authorising development and operation.

It will be appreciated that our interest in this particular project is related solely to the marine aspects of these works, which we understand to be the pipelines crossing the Wyre Estuary and the sea outfall for the saturated brine. We therefore consider that the Environmental Impact Assessment needs to include a brief assessment on the impact of the outfall pipeline on navigation in the area. In particular whether the clearance depth will be reduced over the outfall and the diffusers at the seaward end and therefore whether marking is required by means of aids to navigation and, if so, how this is to be provided by the developer / operator and thereafter maintained. In this connection it needs to be borne in mind that if marking is required because there is an obstruction which is considered to be a danger to navigation, then such marking will be required to be maintained by the developer / operator until such time as the obstruction is removed or is considered to no longer require marking as a danger to navigation. It may also be that the operator / developer would for their own reasons wish to provide marking of the seaward end of the outfall. In either case we would wish to be consulted by the developer as plans progress to provide advice on any such marking. In this connection it should also be borne in mind that marking may be necessary during construction to safeguard both vessels installing the pipeline.

It is understood that the pipelines crossing the River Wyre will be put in place under the bed of the river by the use of directional drilling techniques from the shore and will not involve construction in the river, however should this not be the case we would expect to be consulted regarding any navigational marking required. As the part of the River Wyre where the pipeline crossing is proposed is within the limits of jurisdiction of ABP Fleetwood as the statutory harbour authority, the developer should also consult with their harbour master to ensure that he has no concerns from the navigational point of view.

I hope that these comments will be useful at this stage.

Regards

John Cannon
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Dear Mr Butler,

Proposal: Underground Gas Storage Facility
Location: Preesall Saltfield, nr Fleetwood, Lancashire
Your Ref: 101019_EN030001_300173

I refer to your consultation request dated 19th October 2010 regarding the submission of scoping details for the above infrastructure project. Having reviewed the details of the proposal and the scoping report, I am able to confirm that I do not have any comments to make on the report.

Yours Sincerely,

John Harrison
Acting Executive Manager Planning
Dear Mr Butler

You have sent us a letter as a consultation body for the above development. As the project is near Fleetwood in Lancashire, this would appear to be a mistake unless the proposal includes a long distance pipeline through the Yorkshire Dales National Park. As far as we can see from your website this is not the case.

Yours sincerely

Dave Parrish

Minerals Officer
Yorkshire Dales National Park
dave.parrish@yorkshiredales.org.uk
tel. 01969 652315

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APPENDIX 3

PRESENTATION OF ENVIRONMENTAL STATEMENT
Appendix 3

PRESENTATION OF THE ENVIRONMENTAL STATEMENT

An environmental statement is described under the EIA Regs as a statement:

(a) that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but

(b) that includes at least the information required in Part 2 of Schedule 4'.

(EIA Regs regulation 2)

The EIA Regs Schedule 4, Parts 1 and 2, set out the information for inclusion in an ES. Part 2 sets out the minimum requirements and is included below for reference:

Schedule 4 Part 2

- a description of the development comprising information on the site, design and size of the development;
- a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;
- the data required to identify and assess the main effects which the development is likely to have on the environment;
- an outline of the main alternatives studies by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects;
- a non-technical summary of the information provided [under the four paragraphs above].

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 SI 2264 set out the requirements for information which must be provided as part of the DCO application. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information (this is defined in Regulation 2 of the EIA Regs) need not be replicated or included in the ES.

The Commission advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike.
The Commission recommends that the ES be concise with technical information placed in appendices.

**ES Indicative Contents**

The Commission emphasises that the ES should be a ‘stand alone’ document in line with best practice and case law.

Schedule 4 Part 1 of the EIA Regs sets out the aspects of the environment likely to be significantly affected by the development which should include ‘in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors’ (paragraph 19).

The content of the ES should include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regs. This includes the consideration of ‘Alternatives’ which the Commission recommends could be addressed as a separate chapter in the ES.

Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the Commission considers it is an important consideration per se, as well as being the source of further impacts in terms of air quality and noise and vibration.

**Balance**

The Commission recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The Commission considers that the ES should not be a series of disparate reports and stresses the importance of considering combined and cumulative impacts.

**Physical Scope**

In general the Commission recommends that the physical scope for the EIA should be determined in the light of:

- the nature of the proposal being considered;
- the relevance in terms of the specialist topic;
- the breadth of the topic;
- the physical extent of any surveys or the study area; and
- the potential significant impacts.
Therefore, the Commission recommends that the study area for the EIA should include at least the whole of the application site embracing all offsite development and for certain topics, such as landscape and transport, the study area will need to be wider. The study area for each specialist topic should be clearly defined and determined by establishing the physical extent of the likely impacts in accordance with good practice.

The Commission considers that the study areas should be agreed, wherever possible, with the relevant statutory consultees and local authorities.

**Temporal Scope**

The assessment should consider:

- environmental impact during construction works;
- environmental impacts on completion/operation of the development;
- environmental impacts a suitable number of years after completion of the development in order to allow for traffic growth or maturing of any landscape proposals; and
- decommissioning.

In terms of decommissioning, the Commission acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption, materials can be re-used and the site can be restored or put to a suitable new use. The Commission encourages consideration of such matters in the ES.

The Commission recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

The Commission considers that the duration of effects should use a standard terminology, which should be defined.

**Baseline**

The Commission recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, where possible, be consistent between topics.

The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although the Commission considers that care should be taken to ensure that all the baseline data remains relevant and up to date. The Commission recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys. Wherever possible the baseline should be agreed with the appropriate consultees.
For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates.

**Identification of Impacts and Method Statement**

**Legislation and Guidelines**

In terms of the EIA methodology, the Commission recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

In terms of other regulatory regimes, the Commission recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 SI No. 2264.

In terms of assessing the impacts, the ES should approach all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

**Assessment of Effects and Impact Significance**

The EIA Regs require the identification of the ‘likely significant effects of the development on the environment’ (Schedule 4 Part 1 paragraph 20). Therefore, the Commission considers it is imperative for the ES to define the meaning of ‘significant’ in the context of each of the specialist topics’ and for significant impacts to be clearly identified.

The Commission recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of ‘significant’ in terms of each of the EIA topics. Quantitative criteria should be used where available. The Commission considers that this should also apply to the consideration of cumulative impacts and impact interactions.

**Potential Environmental Impacts**

The Commission considers these under Section 3: the EIA Topic Areas of this opinion.
Impact Inter-actions/Combined Impacts

Multiple impacts on the same receptor should be taken into account. These occur where a number of separate impacts, eg. noise and air quality, affect a single receptor such as fauna.

The Commission considers that the combined effects of the development should be assessed and that details should be provided as to how interactions will be assessed in order to address the environmental impacts of the proposal as a whole.

Cumulative Impacts

The ES should describe the baseline situation and the proposed development within the context of the site and any other proposals in the vicinity.

Other major development in the area should be identified beyond the proposal itself including the cumulative impact of all the associated development (see below). The Commission recommends that this should be identified through consultation with the local planning authorities and other relevant consenting bodies on the basis of major developments that are:

- built and operational;
- under construction;
- permitted application(s), but not yet implemented;
- submitted application(s) not yet determined;
- projects on the Commission’s Programme of Projects;
- identified in the Development Plan (and emerging Development Plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited; and
- identified in other policy documents, (for example in Wales the Technical Advice Notes which establish strategic search areas) as development reasonably likely to come forward.

Details should be provided in the ES, including the types of development, location and key aspects that may affect the EIA and have been taken into account as part of the assessment.

Associated Development

The ES should give equal prominence to any development which is associated with the proposed development site to ensure that all the impacts of the proposals are assessed.

The Commission recommends that the applicant should distinguish between development for which development consent will be sought and any other development. This distinction should be clear in the ES.
Alternatives

The ES must set out an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant’s choice, taking account of the environmental effect (Schedule 4 part 1 paragraph 18).

Matters should be included, such as *inter alia* alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

The Commission advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.

Mitigation Measures

Mitigation measures may fall into certain categories: namely avoid; reduce; compensate or enhance; and should be identified as such in the specialist sections (Schedule 4 part 1 paragraph 21). Mitigation measures should not be developed in isolation as they may benefit more than one topic area.

The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment should be taken into account as part of the assessment.

The application itself will need to demonstrate how the mitigation would be delivered, and only mitigation which can be shown to be deliverable should be taken into account as part of the EIA.

Trans-boundary Effects

The Commission recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the Commission recommends consideration should be given to discharges to the air and sea and to potential impacts on migratory species.

Presentation

The Commission recommends that all paragraphs in the ES should be numbered. This is for ease of reference. Appendices must be clearly referenced, again with all paragraphs numbered. All figures and drawings should be clearly referenced.
Cross References and Interactions

The Commission recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

As set out in EIA Regs Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

Terminology and Glossary or Technical Terms

The Commission recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site.

A glossary of technical terms should be included in the ES.

Summary Tables

The Commission recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables to identify and collate the residual impacts after mitigation. This would include the EIA topics, combined and cumulative impacts.

A table setting out the mitigation measures proposed would assist the reader and the Commission recommends that this would also enable the applicant to cross refer mitigation to specific provisions proposed to be included within the draft Order.

The ES should also demonstrate how the assessment has taken account of this opinion and other responses to consultation. The Commission recommends that this may be most simply expressed in a table.

Bibliography

A bibliography should be included in the ES. The author, date and publication title should be included for all references.
Non Technical Summary

The EIA Regs require a Non Technical Summary (EIA Regs Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.

Consultation

The Commission recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

It is recommended that the applicant provides preliminary environmental information to the local authorities.

Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the preliminary environmental information (this term is defined in the EIA Regs under regulation 2 'Interpretation'). This preliminary information could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with s47 of the Planning Act, this could usefully assist the applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the preliminary environmental information. Attention is drawn to the duty upon applicants under s50 of the Planning Act to have regard to the guidance on pre-application consultation.

Environmental Management

The Commission advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan (EMMP) and safety procedures which will be adopted during construction and operation.