Dear Sir / Madam

PLANNING ACT 2008 (PA 2008) AND THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES 2010

PROPOSED UNDERGROUND GAS STORAGE FACILITY
PREESALL, LANCASHIRE

REQUEST FOR WRITTEN COMMENT

In accordance with Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010

The Examining authority asks you for written comment under Rule 17 of the Infrastructure Planning (Examination Procedure) Rules 2010.

Until the end of the examination stage, the Panel will not reach any conclusions about the application submitted for development consent, and therefore has not done so to date. Nonetheless, we identified geology as a principal issue at the outset of the examination and we have pursued this matter in our written questions, together with the interface between the powers proposed to be granted by the Order and the subsequent approvals to be sought within the COMAH Regulations.

We are considering whether Requirement 6 of the Order should be expanded to provide for further geological surveys and studies as a preparatory step before submission of the safety reports to the competent authority. I stress that this suggestion is entirely without prejudice to our eventual conclusions on this matter, but we do think it sensible to seek the views of the principal interested parties on this before the examination stage ends.

Our thinking is as follows: Insert new subparagraph (2) in Requirement 6 –

Prior to the submission of the safety reports to the competent authority (pursuant to Regulations 7(1), 7(5) and 8 of the 1999 Regulations) such geological site investigations as may be necessary shall be undertaken across the "area for cavern development" shown on the approved development plan with reference A- 1000-030 Rev B, and shall be submitted for approval by Lancashire County Council to confirm the top and bottom levels of the halite bed to a confidence limit of + or -5 metres, and that no faults of such size as may affect the integrity of the proposed caverns penetrate the halite bed.
We are requesting the views of the Applicant, Lancashire County Council, Wyre Borough Council, the Hazardous Installations Directorate of the HSE and the Environment Agency about the principle of this requirement, the criteria it contains and its precision and enforceability.

The Panel would be grateful if it could receive this information by **12 October 2012** at the latest; you should address your response to the PINS case team at the above address/email.

Yours faithfully

Paul Hudson
Lead Member of the Panel of Inspectors

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.