

Date: 12 August 2014  
Our ref: 5327/128123  
Your ref: EN030001



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**BY EMAIL ONLY**

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Dear Mr Scott

**Consultation on further written representations received (pursuant to rule 20(2) of the Infrastructure Planning (Examination Procedure) Rules 2010) and other relevant information**

**Preesall Underground Gas Storage Facility**

Thank you for your consultation on the above dated 31 July 2014.

Natural England is a non-departmental public body established under the Natural Environment and Rural Communities Act 2006 ('NERC Act'). Natural England is the statutory adviser to Government on nature conservation in England and promotes the conservation of England's wildlife and natural features.<sup>1</sup> Natural England's remit extends to the territorial sea adjacent to England, up to the 12 nautical mile limit from the coastline.<sup>2</sup>

Natural England is a statutory consultee:

- (a) in respect of plans or projects that are subject to the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) (the "Habitats Regulations") which are likely to have a significant effect on European protected sites – that is, sites designated as Special Areas of Conservation ("SACs") and Special Protection Areas ("SPAs") for the purposes of the EU Habitats and Birds Directives;<sup>3</sup>
- (b) in respect of proposals likely to damage any of the flora, fauna or geological or physiographical features for which a Site of Special Scientific Interest ("SSSI") has been notified pursuant to the Wildlife and Countryside Act 1981 (the "1981 Act");<sup>4</sup> and

<sup>1</sup> NERC Act ss.1(2), 2 and 4.

<sup>2</sup> NERC Act, s.1(3).

<sup>3</sup> Regulation 61 of The Conservation of Habitats and Species Regulations 2010.

<sup>4</sup> Section 28I of the 1981 Act.

(c) in respect of applications for consent for Transport and Works Act projects which are likely to affect land in England.<sup>5</sup>

It is also the Government's policy to consult Natural England in respect of sites listed for the purposes of the Convention on Wetlands of International Importance especially as Waterfowl Habitat signed at Ramsar on 2 February 1971 ("Ramsar sites") as if they were European protected sites.<sup>6</sup>

The Secretary of State has requested further representations from interested parties who wish to comment on the independent geological report produced by Senergy (GB) Limited on the Development ("the independent geological report") and on the representations received during the first consultation round ("the representations").

Having considered this request, Natural England has no further comments to add in so far as these matters relate to our remit.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact David Carter on 01653 696082. For any new consultations, or to provide further information on this consultation please send your correspondences to [consultations@naturalengland.org.uk](mailto:consultations@naturalengland.org.uk).

Yours sincerely

**David Carter**

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<sup>5</sup>The Transport and Works (Applications and Objections Procedure) (England and Wales) Rules 2006, Rule 13(3) and Schedules 5 and 6

<sup>6</sup> National Planning Policy Framework (March 2012), para 118