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29-Oct-2014

Dear Mr Stewart

Application Number **14/2170S**
Location **Keuper Gas Storage Project Holford Brinefield,
MOSS LANE, CRANAGE**
Proposal **Preliminary Environmental Information Report**

I write concerning your letter of 30th September 2014 seeking the views of Cheshire East Council as a prescribed consultee under Section 42 of the Planning Act 2008.

We welcome the opportunity to comment on the Preliminary Environmental Information Report for the Keuper Gas Storage Project and hope that our comments assist you in delivering a full and comprehensive assessment of the environmental impacts of the project and are able to positively influence the final scheme design.

For assistance our comments are set out in topic headings and make reference to the Preliminary Environmental Information Report (PEIR) where applicable.

Nature Conservation

At its closest point the project boundary is located approximately 550m from Cheshire East Council administrative boundary. This distance, and the presence of the B5081 limits the potential range of adverse impacts on nature conservation assets that are likely to occur as a result of the development within the Cheshire East area.

The proposed scheme does however have the potential to have an adverse impact upon a number of sites designated as Sites of Special Scientific Interest and Ramsar as a result of any deterioration air quality. The PEIR states that no significant effects on ecological receptors were identified in the air quality assessment. We assume that the advice of Natural England will be sought as part of this statutory consultation stage. They will be best placed to advise upon the potential impacts of the proposed development upon national and internationally designated sites. In accordance with planning policy, we consider that opportunities for biodiversity enhancement should be

maximised and should form an integral part of the scheme design; with the development resulting in an overall net gain in habitat value.

Environmental Protection

It is noted that the worst case receptors for noise impacts within the Cheshire East administrative boundary are approximately 650 metres beyond the nearest sensitive receptor considered in the noise impact assessment. The additional noise attenuation provided by this extra distance to the noise sources should ensure that noise impacts would be not significant providing that sufficient noise mitigation measures are incorporated into the scheme design to achieve acceptable noise levels at the identified noise sensitive receptors.

However, the noise mitigation that is assumed to be achievable is relatively high in the report, and at this stage there is little information to show how and if this would be realised. The noise assessment also works on the assumption that there would be no tonal noise characteristics to the operation noise impacts. These assumptions are key to the significance of the noise impacts of this proposal and therefore would need to be confirmed.

The most significant air quality impacts are predicted to be from construction activities. The only anticipated impacts on receptors in the Cheshire East administrative boundary are likely to be arising from construction traffic. These impacts are considered to be transient and some mitigation measures have been proposed, therefore no further design mitigation is considered necessary at this stage. The provision of mitigation for both air quality and noise impacts should be discussed and agreed in liaison with local residents, technical officers of the Council and interested parties including neighbouring parish and town councils.

Highway Impacts

In forming advice on this scheme we have liaised directly on the transport implications of the scheme with the Highway Development Control team at Cheshire West and Chester Council. There is agreement that the key traffic generation issues will arise during the construction phase and this is considered to be a finite impact which will cease on completion of the construction.

The traffic will issue onto King Street and it seems from the transport statement that whilst some of the traffic will head north on the M6 via junction 19, some will also head south on the M6 via junction 18. The accompanying Transport Assessment assumes a 50% split against this distribution.

The Highways Agency has no concerns with the impact at junction 18 where there is capacity. The main section of highway therefore which has the potential to be of some concern to Cheshire East is the short link from King Street via Centurion Way when the construction traffic is using junction 18 to access or take egress route from the M6. Once the traffic is on the A564 heading towards the M6 the traffic quickly enters Cheshire West and Chester administrative boundary before again re-entering highway infrastructure within Cheshire East administrative boundary towards junction 18.

The Transport Assessment shows that under both Department for Transport and EIA assessment methodologies, the traffic impact does not breach any set threshold which would require specific mitigation for such temporary impacts.

In real terms the volume of traffic is not unreasonable. We consider that given that the period of traffic impact is finite and will cease after the construction period, there are no significant concerns at this stage; although care should be taken to ensure that construction traffic is carefully managed and this should be achieved with direct liaison with the highways authority and local interest groups including Middlewich Town Council.

Once the installation is operational traffic will be negligible with only operational staff on site. None of these impacts could be considered severe in planning policy terms.

Flood Risk

The PEIR appears (chapter 7 part 7.1.5) to capture the need for detailed flood risk assessment (FRA) as part of the submission. The FRA should consider water management risks from all sources in detail particularly surface water runoff generated by the construction compounds/infrastructure developed on site.

Landscape and Visual

The Landscape and Visual Assessment chapter of the PEIR (chapter 14) for the 'main assessment area' is sufficiently scoped to provide all of the relevant considerations that we would expect to see addressed in the report. The distance of the project from the Cheshire East Council administrative boundary is likely to lessen any visual and landscape impacts experienced at receptors within Cheshire East Council. We would encourage the provision of adequate mitigation for any loss of landscape features at a scale which would provide an overall net gain for the local landscape assets.

Heritage

The views from our heritage section will be forwarded on separately.

General

We would reiterate the comments provided in our scoping response and ask that the submission ensures these points are addressed in full.

We are pleased that the PEIR has taken on board views expressed at the Scoping stage in respect of the need to contain a thorough assessment of both geological conditions and impacts on land stability. The views of the Brine Compensation Board should be sought in refining the final scheme design.

We also welcome the consideration given in the assessment to the cumulative impacts of other major developments. This should include consideration of any cumulative impacts during the construction phase of the Government HS2 proposals, particularly with regard to impacts on the local road network.

With regards to the planning policy context chapter (page 2-3, paragraphs 2.3.5 and 2.3.7) reference is made to the Cheshire East emerging Core Development Framework. Cheshire East Council is in the process of preparing the new Cheshire East Local Plan which will consist of the Local Plan Strategy; Site Allocations and Development Policies document, and a Waste Development Plan document. Cheshire East Council submitted its Local Plan Strategy to the Secretary of State for Communities and Local

Government on 20th May 2014 and it is currently undergoing an independent examination. In view of this and given the degree of consistency with national planning guidance, it is appropriate to give due regard to the policies of the Cheshire East Local Plan Strategy - Submission Version in the PEIR.

I trust the above is of assistance to you and we look forward to engaging positively throughout this process.

Yours sincerely,



Emma Williams
Principal Planning Officer
Cheshire East Council

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14/04319/FUL		Steven Holmes	09 December 2014
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Dear Mr Stewart

RE: Keuper Gas Storage Project (KGSP) Preliminary Environmental Information Report (PEIR)

I write in response to your correspondence in relation to the above. The response focuses on the main assessment area as identified within the PEIR document. Where comments are made with regards the other assessment areas within Cheshire West and Chester at the Whitley Pumping Station and the Lostock Works then this will be clarified.

Sustainable Use of Salt

The proposal would involve the development of underground storage caverns which requires the extraction of salt in brine form. No information has been provided as to the amount of salt (in the form of brine) which will be removed in order to form the caverns.

Part of the site is covered by existing historical consents for brine extraction and are subject to a Review of Old Mineral Permissions (ROMP) application in 1998 (ref 4/32984). A total of 11 of the cavities would be located outside of the area covered by the existing consents.

NPS EN-4 states that, wherever possible, measures should include disposing of the brine for commercial use by industry so that mineral resources are used sustainably and that applicants should only propose of disposing of brine to the sea as a last resort where there is no other practical option for re-use.

Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute towards sustainable development. It identifies three arms to sustainable development which give rise to the need for the planning system to perform a number of roles of which one is an environmental role which includes helping to use natural resources prudently. Paragraph 142 of the NPPF states that since minerals are a finite natural resource it is important to make best use of them in order to secure their long-term conservation.



Cheshire West
and Chester

Policy ENV9 of the emerging Cheshire West and Chester Local Plan (CWCLP) states that the Borough will make provision for the adequate, steady and sustainable supply of brine whilst ensuring the prudent use of our important natural finite resources. This will be achieved, inter alia, by ensuring the sustainable and prudent use of all natural mineral resources, including salt and brine, whilst having regard to the need to contribute to the need for nationally significant gas storage capacity. The emerging CWCLP is at an advanced stage of preparation having been subject in examination in public and the Inspector's modifications having been taken into consideration. In accordance with paragraph 214 of the NPPF, this policy should be accorded significant weight in decision-making.

Paragraph 5.5.31 of the PEIR states that the overall mining programme will be subject to the demand for brine from customers. It is noted that where commercial disposal is proposed the brine will be supplied to INEOS Enterprises from where it will be provided to customers in line with existing operations which utilise the Holford Brinefield. This is, however, contradicted by paragraph 5.5.35 which states that in some circumstances it may be necessary to dispose of excess brine via outfall in order to meet the requirements of the KGSP. It would therefore appear that the proposal would potentially treat the extracted brine as a waste (as defined within the EU Waste Directive as '...any substance or object which the holder discards or intends or is required to discard').

The unsustainable use of brine is a potential adverse impact of the proposal which should be weighed in the balance in determining its acceptability. It is considered that this matter has been afforded too little attention in the submitted assessment. It is unclear whether the driver for new solution mining would be demand for brine or for gas storage. This is considered to be an important consideration since it would potentially determine the amount of brine which would be purged. The Council requests that this aspect of the proposal is clarified. In assessing the likely means of disposing of the brine (be that as a commercial product or as a waste), existing sources of brine from undepleted mines should also be factored since this will have a bearing on the commercial need for the brine being extracted as part of the KGSP.

The Council does not necessarily object to the proposal on the basis that it may amount to an unsustainable use of a mineral resource. However, it does consider it important that further information is provided in order to establish the amount of salt which will be extracted and subsequently the amount of brine which would be treated as a waste product. This information should form part of the Environmental Statement which is submitted as part of the application in order that this matter can be given full consideration.

Landscape Character

No drawings of the infrastructure have been supplied. Whilst it is acknowledged that the detailed design may not yet have been finalised, designs based on realistic worst case scenarios could have been provided.

The 2km ZTV used within the LVIA is considered to be acceptable and there is no objection overall to the methodology which has been adopted within the PEIR.

While the extent of the viewpoints produced as part of the LVIA is welcomed, it is unclear in the majority of the photographs; from where the viewpoints are taken, the location of development in these viewpoints and whether the viewpoint is taken from private or public land. These matters should be clarified. The Council is satisfied that where wire framed photomontages have been

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produced they demonstrate that visual impact would not be significant. However, further montages of all viewpoints where the magnitude of change scores at least medium or where the significance scores moderate should be produced in order to confirm this.

Limited emphasis has been placed upon the cumulative impacts of the proposal with regards existing gas storage and solution mining infrastructure. This should be carried out and incorporated within the LVIA.

It is acknowledged that some aspects which relate to the construction phase of the proposal (such as the presence of site compounds and drilling rigs/cranes) would be temporary in nature. It is unclear from the submitted information how long these features would remain on the site. It is considered that this information is required in order to robustly assess the visual impact of the proposal. Given the likelihood of overlap between the two phases of the development (construction being taken to also include any decommissioning activity), it is also important to assess the combined cumulative impacts of the construction and operational aspects of the proposal. Currently the LVIA treats these independently and an assessment of the combined impact should be carried out.

The general approach to mitigation i.e. gapping up of existing hedgerows is considered to be appropriate (subject to detail which has not yet been provided). It is considered appropriate, however, that the mitigation should extend to a wider area to cover the 2km ZTV.

Ecology

Whilst generally the methodologies used appear to be appropriate, it is not possible to provide a complete response as many of the surveys referred to in the report have not been provided. The surveys which relate to overwintering birds, GCN, bats, badgers, otters, water voles and lesser silver water beetle should form part of the Environmental Survey and the Council reserves judgement on the impacts until these details are available. It is noted that overwintering birds were only surveyed during the period January to March. Surveys should also be carried out between October and November.

In respect of Great Crested Newts, the use of the Natural England Rapid Risk Assessment classification in determining which ponds to survey is considered to be inappropriate as this should normally only be utilised when surveys have been undertaken and the population is known. Extensive surveying was undertaken as part of the Stublach gas storage project (now operated by Storengy) and some of the ponds scoped for the current proposal had recorded GCN populations. This needs to be addressed within the assessment. A map of ponds subject to HSI assessment, those subject to full surveys and a final map with positive GCN results from both the 2014 surveys and those carried out in relation to the Stublach gas storage projects should be provided as part of an amended assessment.

Highways

Broadly speaking there are no concerns regarding the proposed highways access or the overall impact of the proposed development on the safe operation of the highways network. The use of the existing exit from the A530 is supported in principle. The routing of HGVs is an important consideration going forward and it is expected that full details of this are included within the

submission of a CEMP to the SoS for consideration and comment. As part of this it would be expected that HGV egress and access is restricted during peak hours so as to alleviate the impact upon the surrounding highway network during these periods.

Public Rights of Way

More information will be required in respect of the diversion of restricted byway Rudheath no.7 including the route of the proposed diversion, timescales for alerting the Council of the diversion and details of the proposed surfacing.

Noise

Broadly speaking, the mitigation measures proposed in respect of the worst-case scenario for construction-based noise is considered to be adequate. Construction hours have yet to be determined and this is considered to be a key factor in determining the likely level of impact and the adequacy of the proposed mitigation. In view of the lack of detail, the Council currently request that construction hours are restricted to standard 08:00-18:00 Monday to Friday, 08:00 to 13:00 hours on Saturday and no time on Sunday or public holidays.

There are concerns regarding noise arising from proposed 24 hour drilling operations. The predicted increase in background noise levels range between 1dB and 15dB which would therefore likely fail to accord with Policy P3 of the Adopted Vale Royal Borough Local Plan. The ratings levels also indicate an impact ranging between adverse and severely adverse under guidance provided in BS4142. It is, however, acknowledged that the assessment does not factor all possible mitigation and a comparison between with the existing LAeq for both daytime and night-time noise would provide a more accurate assessment of the impact upon the nearest sensitive receptors. It is also acknowledged that drilling activity would be for temporary period only. The Council therefore reserves judgement upon the likely impact of noise arising from drilling operations until further assessment is carried out and clarification upon the length of time the drill phase will be operational is provided. This should form part of the Environmental Statement.

Similarly, operational noise arising from the development indicates ratings increase above that which would normally be considered acceptable. Again though, the assessment does not factor all possible mitigation and a comparison between with the existing LAeq for both daytime and night-time noise would provide a more accurate assessment of the impact upon the nearest sensitive receptors. This information should be provided within the Environmental Statement and the Council reserves judgement on this matter at this stage.

Contaminated Land

In identifying the risk of contaminated land within the main assessment area reference is made within the PERI to the presence of infilled ponds that have arisen from 'farming practices'. The nature of farming practices should be clarified so that the nature of potential contamination can be better understood and appropriate mitigation can be brought forward.

The applicant is advised to liaise more closely with the Local Authority so that local information regarding the presence of animal burial sites which date from a foot and mount break in 1967 can be used to inform the project. In particular, the known presence of a burial site near Drakelow Farm

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should be considered and contingency plans adopted should the sites need to be disturbed. The applicant's attention is also drawn to the existing permit regime which administers such sites and their disturbance.

Further consideration should be given to the potential for contamination arising from the construction and operational phases of the development and how this will be addressed through future land restoration. In order to ensure that restoration take place with regard to the existing land quality, environmental baselines for these works should be established at an early stage.

Archaeology

Generally the proposed mitigation is considered to be sufficient but there are a couple of elements which require further attention. Firstly, the sections of historic hedgerows which are proposed to be cut should be recorded and incorporated into the watching brief. Secondly, high visibility sheet fencing should be erected during the construction period at the boundary of the moat at Drakelow Hall Farm. This would be a preventative measure designed to ensure that there is no encroachment during the construction of wellhead H508 and the associated pipelines. The Council would support any advise provided by English Heritage on this matter.

Geology

The Council does not wish to comment specifically in relation to the impact of the proposal upon geology or hydrogeology and would defer to the opinion of the Health and Safety Executive and the British Geological Survey on this matter. The Council would expect that any concerns which are raised are taken into account in the final design of the proposal.

If you require any further information please do not hesitate to contact me.

Yours sincerely

Steven Holmes
Planning Officer





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Your ref

Date 30th October 2014

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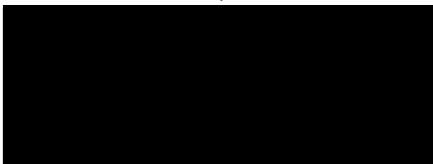
Dear Mr Stewart

RE: Statutory Consultation Keuper Gas Storage Project

Thank you for your consultation on relation to the above project. The Council has reviewed the documents. The details contained within the Preliminary Environmental Information Report appear to cover the issues the Council expect to be covered. In particular the need for site investigation data and further assessment is acknowledged and will be required prior to construction (this information should form part of the full ES when its submitted). At this stage have nothing further to add.

Please don't hesitate to contact me to discuss further or if you need any more information on 0151 511 7672.

Yours Sincerely



Andrew Plant
Principal Officer – Development Control

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