



**Application by Keuper Gas Storage Limited**

**Keuper Gas Storage Project (EN030002)**

**The Examining Authority's first written questions and requests for information**

**Issued on Wednesday 23 March 2016**

The following table sets out the Examining Authority's (ExA) first written questions and requests for information.

The second column of the table indicates **to whom questions are directed**. In no way does this preclude an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a **unique reference number** which combines a section number and a question number.

**When you are answering a question, please start your answer by quoting the unique reference number.**

If you are answering a limited number of questions, responses in a letter format will suffice. If you are answering several questions, it will assist the ExA if you use a table based on that used below. An editable version of this table, in Microsoft Word, is available on request from case team by emailing:

[KeuperGSP@pins.gsi.gov.uk](mailto:KeuperGSP@pins.gsi.gov.uk)

**The deadline for responses to these questions and requests for information is Friday 29 April 2016.**

Question to:

Question:

**1. Geology, Land and Water Quality**

1.1

Cheshire East Council, Cheshire West and Chester Council, Halton Borough Council and the Environment Agency

Confirm whether you agree with the scope and spatial extent of the geology, land and water quality desk studies, the level of site investigation data supplied and the approach to further ground investigation for the main assessment area and Runcorn Outfall and whether these studies are appropriate to inform the Environmental Impact Assessment (EIA).

**Cheshire West and Chester (CWAC) Response: The Council has made detailed comments on this matter through its written representations (see paragraphs 12-13). To summarise the Council considers that further consideration should be given to the potential for contamination arising from possible historic brickmaking activity on the main assessment area and to the possible deviation in the exact location of diseased animal burial pits.**

2.4

Applicant, Cheshire and Chester West Council, Natural England

The Main Assessment Area

Some gaps in data are identified in the Annexes to the ecology assessment, for example at section 3.5 of Ecology Annex I [APP-180], where access for carrying out surveys was not available, or areas could not be accessed for surveys due to safety reasons. Commentary is also provided in the Annexes on the date of the surveys and the periods over which they could be considered to be valid. Please can Natural England and Cheshire West and Chester Council confirm that they are content with the baseline data provided in ES [APP-179] Chapter 8 and the Ecology Annexes [APP-180], given the stated limitations to the scope of the surveys and period of

Question to:		Question:
		<p>validity of the data collected outlined in the Ecology Annexes?</p> <p><b>CWAC response: The Council has made detailed comments on this matter through its written representations (see paragraph 23++). To summarise the Council does have an objection to inaccessible ponds not being surveyed. Broadly speaking the baseline data is considered to be adequate although clarity on whether barn owl surveys can confirm that two of the barn owl boxes are not occupied is sought.</b></p>
2.19	Applicant, Cheshire West and Chester Council, Natural England	<p>Whitley Pumping Station</p> <p>ES [APP-179] Table 17.1 scopes out the assessment of ecology impacts for the Whitley Pumping Station. Please can Cheshire West and Chester Council, and Natural England, confirm that they are content that no significant ecological impacts are likely to arise from the proposed works at Whitley Pumping Station, and that therefore no habitats or species surveys are required at this location.</p> <p><b>The Council has made detailed comments on this matter through its written representations (see paragraph 31). To summarise the Council considers that the EIA should include an assessment of the likely ecological impact of the development at Whitley Pumping Station.</b></p>
3.1	Applicant, Cheshire West and Chester Council	<p>Main assessment area</p> <p>ES [APP-179] paragraph 9.4.8 states that ISO9613 has been used to</p>

Question to:		Question:
		<p>predict construction noise levels. ES paragraph 9.4.6 suggests that due to the similarities between other gas storage projects and the current scheme, it is reasonable to use data underpinning the assessment for those consented schemes (e.g. SGSP and Holford Gas Storage Project (HGSP) to assess operational noise effects. Can Cheshire West and Chester Council confirm whether construction noise monitoring data is available from previously consented gas storage schemes referenced in the text that would confirm the predicted noise levels.</p> <p><b>CWAC response: The Council has not retained details of noise assessments or any monitoring carried out for the SGSP and HGSP.</b></p>
3.11	Applicant, Cheshire West and Chester Council	<p>Main assessment area</p> <p>Please can the applicant explain why it is reasonable to assume that noise emissions from the proposed gas storage facility are non-tonal and free of other acoustic features. Please explain how tonality and acoustic features will be avoided in detailed design and operation of the facility. Please can Cheshire West and Chester Council confirm whether issues of tonality or acoustic features have arisen from existing facilities within the area.</p> <p><b>CWAC Response: The Council has no records of complaints arising from tonality or acoustic features from existing gas storage facilities in the area but would refer the Inspector to paragraph 20 of its written representations which provides the Councils position on this matter.</b></p>

Question to:		Question:
3.28	Cheshire West and Chester Council	<p>Main assessment area</p> <p>Are Cheshire West and Chester Council satisfied that the proposed requirements can achieve the level of mitigation set out in ES [APP-179] Chapter 9?</p> <p><b>The Council has made detailed comments on this matter through its written representations (see paragraphs 18-19). To summarise the Council considers that there is insufficient information provided on the nature of the mitigation proposed to confidently predict the impact of mitigation on noise levels.</b></p>
3.35	Applicant, Cheshire West and Chester Council	<p>Whitley Pumping Station and Runcorn Outfall</p> <p>Please confirm what sound pressure level would be achieved at the façade of the pumping station. Please can Cheshire West and Chester Council confirm what specified noise emission limit should be achieved at the façade of Whitley Pumping Station and secured in the DCO.</p> <p><b>CWAC Response: For operational noise the Council would normally require that the rated noise level is 5dB below the background as measured in accordance with BS4142:2014 when measured at the façade of the nearest noise sensitive receptor. In cases where background noise levels are low then the Council would not expect the rated noise level to be lower than 30dB.</b></p>
6.1	Applicant, Cheshire West and Chester Council	<p>Main assessment area</p>

Question to:		Question:
		<p>ES [APP-179] Section 12.2 describes the baseline conditions in respect of traffic and transport, which have been established through a combination of desk-based studies and traffic surveys. Accident data covering 3 years from January 2011 to December 2013 is provided for the northern access route but not the southern access route. Are Cheshire West and Chester and East Cheshire councils satisfied with the geographic zone of influence adopted for the traffic and transport assessment?</p> <p><b>CWAC Response: The Council can confirm it is satisfied with the geographic zone of influence adopted for the traffic and transport assessment.</b></p>
6.2	Cheshire West and Chester & East Cheshire councils	<p>Main assessment area</p> <p>Are the councils satisfied that the baseline traffic flow data used to undertake the traffic and transport assessment is representative of current conditions on the road network close to the main assessment area site?</p> <p><b>CWAC Response: The Council can confirm it is satisfied with the baseline traffic flow data.</b></p>
6.3	Cheshire West and Chester & East Cheshire councils	<p>Main assessment area</p> <p>Are the councils satisfied with the basis for factoring down 12 hour/peak hour data as discussed in ES [APP-179] paragraph 12.2.20 and does this remain valid based on recent traffic flow trends?</p> <p><b>CWAC Response: The Council can confirm it is satisfied with the</b></p>

Question to:		Question:
		<b>adopted approach.</b>
6.4	Cheshire West and Chester & East Cheshire councils	<p>Main assessment area</p> <p>Are the councils satisfied that the period and the scope of accident data are sufficient to assess transport effects on the main access routes to the site?</p> <p><b>CWAC Response: The Council can confirm it is satisfied with the scope of accident data adopted.</b></p>
6.25	Applicant, Cheshire West and Chester Council	<p>Whitley Pumping Station</p> <p>ES [APP-179] Section 19.2 describes the baseline conditions in respect of traffic and transport. Are Cheshire West and Chester Council satisfied that the baseline traffic flow data used to undertake the traffic and transport assessment is representative of current conditions on the road network close to the Whitley Pumping Station site?</p> <p><b>CWAC Response: The Council can confirm it is satisfied with the baseline data utilised.</b></p>
7.1	Applicant, Cheshire West and Chester Council and other Interested Parties	<p>Could Cheshire West and Chester Council and other interested parties comment on the applicant's approach to the assessment of socio-economic effects (ES [APP-179] Chapter 13, paragraphs 13.2.6 – 13.2.16), specifically the criteria outlined in ES Tables 13.3 and 13.4. Please also elaborate on the definition of their assessment criteria as being "based on precedents within the National Infrastructure Planning process and</p>

Question to:		Question:
		<p>professional judgement”.</p> <p><b>CWAC Response: The Council is satisfied with the assessment of socio-economic effects.</b></p>
8.10	Applicant, Cheshire West and Chester Council	<p>Main assessment area</p> <p>Existing visual amenity is described with reference to 16 selected viewpoints. The viewpoints have been ‘advised to’ Cheshire West and Chester Council but it is not confirmed that these have been agreed.</p> <p>Please would Cheshire West and Chester Council confirm whether they are in agreement with the selection of representative viewpoints of the Main assessment area on which the assessment of effects has been based?</p> <p><b>CWAC response: The Council is satisfied that the selected viewpoints are sufficient for the purposes of the assessment.</b></p>
8.15	Cheshire West and Chester Council	<p>Main assessment area</p> <p>Please confirm whether they are content with the 2km study area adopted for the assessment of visual impacts in relation to the Main Assessment Area?</p> <p><b>CWAC response: The Council can confirm that it is satisfied with the scope of the study area on the basis that the site and surroundings are generally flat with substantial hedgerow and tree screening and</b></p>



Question to:		Question:
		<b>no nearby high vantage points.</b>
8.23	Cheshire West and Chester Council	<p>Main assessment area</p> <p>Please confirm whether the Council is satisfied with the species mixes proposed for planting and seeding and the length of maintenance period proposed? In particular, please can the Council comment on the proposed inclusion of <i>Fraxinus excelsor</i> (ash) as this species is at present subject to ash dieback.</p> <p><b>CWAC Response: The Council considers that all proposed <i>Fraxinus excelsor</i> (ash) trees should be replaced with alternative, native species such as <i>Quercus robur</i>. Subject to this the Council is satisfied with the species mix and length of maintenance proposed although would draw attention to the comments made at paragraph 47 of the Councils written representations submission in relation to article 33 of the draft DCO and in relation to this matter.</b></p>
10.1	Cheshire West and Chester, Cheshire East and Halton Borough Councils, the Environment Agency and the Canal & River Trust	<p>Please confirm that they are satisfied with the scope of cumulative projects assessed for the main assessment area and Runcorn Outfall and that this includes reasonably foreseeable development with potential to have cumulative impacts during construction, operation, maintenance and decommissioning.</p> <p><b>CWAC response: The Council has made detailed comments on this matter through its written representations (see paragraphs 5-8). To summarise the Council seeks clarification on how the partially completed SGSP has been considered when assessing the impacts</b></p>

Question to:		Question:
		<b>and whether the assessment has been undertaken having regard to as yet unconstructed infrastructure. The Council considers that cumulative impacts would likely arise from the ongoing construction, operation, maintenance and decommissioning of the SGSP.</b>
11.3	Applicant, Cheshire West and Chester Council, Halton Borough Council	<p>Please confirm whether drafts of the construction and operational management and monitoring plans have been shared with the relevant local authorities and whether the authorities are satisfied with the content of the plans.</p> <p><b>CWAC Response: The Council has only received the version of the draft CEMP which has been submitted with the application and as such cannot comment in detail beyond this. The Council does not consider that the current draft is sufficiently detailed to be of value to assessing the proposal with regards the efficacy of mitigation measures and the CEMP needs to cover all the appropriate mitigation included within the ES. Draft requirement 3 sets out the scope of the mitigation schemes required which the Council is satisfied with.</b></p>

## 2. Development Consent Order (questions to the applicant)

Schedule 2 – R11

This requirement appears to envisage extinguishment of a right and creation of an alternative. This does not appear to be consistent with the temporary stopping up power in A31. Is this intended? What is the LPA's view?

**CWAC Response: Based on the ES and submitted plan, the Council understands that the intention is for there to be a temporary diversion of the PROW while works are undertaken so would seek clarification on this point. There does not appear to be an operational requirement for permanent extinguishment.**