



Meeting note

Project name	HyNet North West Hydrogen Pipeline
File reference	EN060006
Status	Final
Author	The Planning Inspectorate
Date	20 June 2022
Meeting with	Cadent Gas Limited
Venue	Microsoft Teams
Meeting objectives	Project Update Meeting
Circulation	All attendees

Summary of key points discussed, and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Scoping Update

The Applicant ran through points raised in the Inspectorate's Scoping Opinion (SO) and how the Applicant intends to address those matters, as below:

- **Biodiversity**

The Applicant explained how it intended to address the Inspectorate's comments regarding its proposal to scope out ecological features determined to be important at negligible level from the assessment (SO ID 3.1.8 refers):

- If studies and surveys identify the potential presence of species determined to be important but at negligible level the Applicant proposes they will be scoped out in line with IEMA, EIA and CIEEM guidance which call for a proportionate assessment of effects. This is because they are sufficiently widespread, unthreatened or will not be significantly affected; and
- Adequate reasoning and justification to be provided in the Environmental Statement (ES) for features of negligible importance if this matter is scoped out (as per paragraph 1.7.4 of the SO).

The Applicant noted that if the presence of species determined to be important is identified through surveys, the likely significant effects will be assessed.

Regarding the Applicant's proposal to scope out breeding bird surveys targeted at non-Schedule 1 species (SO ID 3.1.5 refers), the Applicant noted that some consultation bodies wanted to discuss this matter further. The Applicant will be liaising with those

bodies in its formal discussions and confirmed that it intends to prepare a Biodiversity Mitigation Plan (BMP), to be secured through the draft DCO. Advice from the Inspectorate is that the timing of works to avoid impacts to breeding birds could be secured through the BMP or via a specific draft DCO Requirement.

- **Geoarchaeology**

The Applicant noted comments raised by Historic England (HE) in its scoping consultation response, recommending that “...*geophysical survey should not be carried out without first carrying out a geomorphological survey of the study area. This should take the form of a desk-based geoarchaeological assessment and deposit model*”. This is due to the potential presence of peat and organic-rich alluvial deposits which may be of archaeological interest, due to their potential to contain material of paleoenvironmental interest (plant remains, pollen, insects). The HE response also identifies a possible need for intrusive investigations of such deposits, such as coring or test pitting.

The Applicant has since had a meeting with HE and has agreed the following approach to address the comments raised:

- A desk-based assessment of readily available borehole and deposit data to inform baseline and evaluation strategy;
- Report to be submitted with the ES;
- Set up a further meeting with the HE Science Advisor to confirm approach; and
- Potential for follow up working monitoring and assessing the project's Ground Investigation (GI) programme.

The Applicant stated that a GI contractor is due to be appointed and that works will start at the beginning of August 2022 until October 2022. The works involved in the GI will inform Engineering design and Environmental Assessment. These include a series of boreholes, trial pits, window sampling and coal penetration tests which will take place predominantly at crossing points, such as across the motorways, railways, rivers, etc to understand the geology.

- **Ground Conditions**

The Applicant noted the concern raised by Natural England in its scoping consultation response regarding development on peat soils. NE recommended detailed soil/ peat surveys to inform the assessment of impacts on all peat soils.

The Applicant explained that the preliminary GI would inform the assessment of impacts on peaty soils. This is targeting areas identified through desk-based research as having potential for deep peaty soils. The investigation would include boreholes and trial pits, peat sampling and laboratory testing, and logging of peat.

The Inspectorate queried if the pipeline would affect the use of land in terms of farming practices, to which the Applicant replied that the pipeline will stay at 1.2m depth and will not impact farming practices.

In relation to the Inspectorate's comments in SO ID 3.8.3, the Applicant confirmed it has been engaging with the Cheshire Brine Subsidence Compensation Board to further

understand the risks of subsidence due to salt and brine extraction. The Applicant explained that it considers stability to be a geotechnical issue managed by UK design standards and not an Environmental Impact Assessment (EIA) issue - with the exception of potential impacts on other receptors as a result of the project causing instability, which the Applicant intends to consider in the Major Accidents and Disasters ES assessment. The Inspectorate confirmed that cross-referencing can be used to avoid duplication in the ES, provided it is clear to the reader where information is set out. The Applicant noted that baseline data on ground instability required by the engineering team will be included in the Phase 1 Desk Study for completeness.

The Applicant explained it is in discussions with the Health and Safety Executive regarding safety and standards for hydrogen pipelines.

- **Agricultural Land**

The Applicant noted comments raised by Natural England in its scoping consultation response regarding detailed Agricultural Land Classification (ALC) surveys. The Applicant intends to focus borehole survey effort on land which would be subject to permanent development and with potential loss of agricultural land. The Applicant will also consider temporary areas of land take serving as construction compounds.

The Applicant's approach is as follows:

- Targeted ALC and soil surveys will be completed prior to the ES, including areas of permanent soil sealing (Hydrogen Above Ground Installations (HAGI) and Block Valve compounds) and some areas of temporary soil sealing
- Elsewhere, a worst-case approach will be adopted where ALC data is not available, whereby Grade 3 land is assumed to be Grade 3a Best & Most Versatile land

The Inspectorate noted this appeared to be a proportionate approach but advised the Applicant to make effort to agree the assessment approach with Natural England and to ensure the ES clearly explains how any assumptions and limitations have been taken into account in the assessment.

The Applicant mentioned that it has had some useful engagement with Natural England on district level licensing, but is struggling to engage more widely with Natural England due to resource pressures presently. The Inspectorate reminded that its good practice to engage with such bodies to agree on matters during pre-application which can reduce issues later during the Examination period.

Section 35 Direction request update

The Applicant stated that the section 35 Direction request was sent to BEIS on 16 May 2022 which was for blending position regarding the regulation. The request of information was received from BEIS on 31 May 2022 that related to the spurs (mainly works to install smaller pipelines linked to individual customers) in the streets. This should be considered as part of the DCO.

The Applicant responded to this request from BEIS and is expecting to hear from BEIS in early July 2022.

Statutory Consultation

The Applicant was due to issue their Statement of Community Consultation (SoCC) to the host authorities on the day of this meeting.

The Applicant identified the deposit locations across the consultation zone where they will have hard copies of the docs and the locations where the Applicant will hold events. The Applicant has also started the blogs for providing general information which will be published on the Applicant's website.

The Applicant will have at least 100m buffer for development with temporary effects e.g. underground cable and at least 300m buffer for permanent infrastructure e.g. HAGIs.

The Inspectorate advised to send the s46 notification to the Inspectorate before the start of the consultation and advised to send the documents by email or file sharing site rather than a USB.

AOB

The Applicant mentioned that in terms of land referencing they are not land referencing the sub-soil and would like some advice from the Inspectorate.

The Inspectorate advised to include Compulsory Acquisition as a standardise item on the meeting agendas in future.

The proposals for "Environmental Outcome Reports" (EORs) to replace EIA, as set out in the Levelling Up and Regeneration Bill, were briefly discussed. These are likely to be subject to consultation in future.

The next meeting to be organised likely at end of September 2022.