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# Scoping Opinion Responses

## The Yorkshire and Humber (CCS Cross Country Pipeline) Development Consent Order

*Under Regulation 5(2)(a) of the Infrastructure Planning  
(Applications: Prescribed Forms and Procedure)  
Regulations 2009*

26<sup>th</sup> June 2013

Tom Carpen  
Principal Case Manager  
Major Applications & Plans,  
The Planning Inspectorate,  
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Temple Quay,  
Bristol,  
BS1 6PN

Our Ref: YHCCSCCP/Scoping Opinion Response/PINS

## **Response to the Scoping Opinion for the Proposed Yorkshire and Humber CCS Cross Country Pipeline**

Dear Tom,

Thank you for providing a Scoping Opinion regarding the above, which was issued to National Grid Carbon Limited (National Grid) on 27<sup>th</sup> March 2013.

AECOM has been appointed by National Grid for the preparation of the Environmental Impact Assessment (EIA) for the above project and write on behalf of National Grid to seek clarification on certain points raised by the Secretary of State (SoS) in the Scoping Opinion for the proposed Yorkshire and Humber CCS Cross Country Pipeline.

### **Landscape and Visual**

We are seeking clarification on two points regarding the Scoping Opinion, provided in section 3 on Landscape and Visual. These points of clarification refer to paragraphs 3.60 and 3.63 respectively.

**3.60** of the Scoping Opinion states:

*The Scoping Report states that pipeline route is unlikely to have a significant effect during construction because the works will be temporary and short term. The proposal is for a high level appraisal based on the identification of the main settlements / receptors, proximity and duration of the works. The SoS does not agree that a 'high level' assessment is suitable for these proposals. The SoS considers that there is potential for significant effects over a long period resulting from the removal of landscape features and the sterilisation for land use along the pipeline route. Therefore these impacts should be assessed fully within the ES.*

The visual effects of the pipeline element of the scheme can be broken down into two main categories.

- 1) The visual effects of the construction activity in terms of presence and movement of construction plant and crew.

This will be an issue of importance to local residents, although the short duration of the work (usually around two weeks for the installation of the pipeline, although the effects will be longer at road

crossings etc), in any particular location, means that it is highly unlikely to be a significant adverse effect. In addition, the pipeline has been routed to ensure that no construction will take place in close proximity to residential properties and centres of population. For this reason we felt that an approach based on identification of the main settlements / receptors along the route and giving an indication of the likely proximity and duration of the work would be sufficient.

2) The potential for changes to visual amenity as a result of the loss of landscape features.

Landscapes and landscape features have been taken into account in developing the pipeline Scoping Corridor. The preferred route alignment of the pipeline within this corridor is continuing to be developed and a key element in this 'micro-routeing' work is to avoid direct effects on landscape features, in particular by avoiding areas of woodland and mature trees and utilising gaps in existing field boundaries, wherever practical. Where vegetation is required to be removed a mitigation strategy will be implemented in consultation with consultees and land will be rapidly returned to its existing use post construction.

A working width of 36m is expected to be adopted for the construction of the pipeline, however this may be reduced in some areas to minimise effects to sensitive sites and/or to avoid the removal of mature trees which could not be avoided by routeing as described above.

Short term (i.e. extending beyond construction, but only for 12-24 months) visual effects would result due to the removal of landscape features such as the grass sward and hedgerows. The grass will grow back within 12 months, and the route of the pipeline installation at this stage would be barely discernible as illustrated by numerous gas transmission pipeline projects around the country; this aspect is therefore not considered to be a likely significant effect. The growth of reinstated hedgerows to a point where the gap made during construction is barely discernible, will take around two years. This is also unlikely to be a likely significant effect in terms of either landscape character effects or visual amenity. As ground levels would be reinstated to match those present before installation of the pipeline there would be no short (i.e. extending beyond the construction period) or long term landscape or visual effects as a result of changes to local topography.

The only long term effect that could result from the construction of the pipeline could be the effect of removing mature trees. As highlighted above, this is likely to be limited to discrete areas, and only a limited number of trees., as avoiding mature trees is a key micro-routing criterion. Where mature trees are unavoidable, rectification planting would be of the same species and would offer a comparable level of visual and landscape value as the removed vegetation. . In addition trees will be replaced on a three for one basis, where this is appropriate to the visual amenity and landscape character. Given that replanting will take place in the first appropriate season after construction, the effects are therefore considered to be only temporary; albeit the trees will not be replanted within the pipeline easement. The reason we suggested a higher level visual assessment is that the effects of removing a small number of mature trees, spread out along a 75km length of pipeline route, are likely to be very similar at each location, and would not, in our view, warrant the same level of analysis as that proposed for the above ground elements. For example we would not intend to use viewpoint analysis to look at the individual effects of the loss of one or two mature trees in a particular location. We would, however, include a table identifying the mature trees likely to be lost, including a grid reference for each, and would provide some commentary about any key receptors that may have their views affected by the removal of the tree, despite the fact that these visual effects are unlikely to ever be significant.

We do not therefore feel that there is potential for significant effects over a long period resulting from the removal of landscape features.

The pipeline will be constructed through agricultural land, following which the land will be reinstated and existing agricultural land use practices allowed to continue, usually within 12 months of construction. There are no anticipated changes to existing land uses as a result of installation of the pipeline.

In his response the SoS raised an issue in relation to the presence of the easement limiting possible future permanent changes of land use, for example it would not be possible in the future to construct a permanent building on top of the easement. We do not consider this to be a likely scenario as a key routing criterion for National Grid is to route through agricultural land and the pipeline has been routed to avoid any known future development or land allocations for development. We do not feel that it would be possible, or appropriate, to pre-judge what future unknown development may or may not be proposed along this strip of agricultural land if the pipeline were not constructed, particularly in terms of landscape and visual effects.

*The SoS does not agree that a 'high level' assessment is suitable for these proposals*

The landscape and visual assessment will consider the effects of the pipeline on the character of the agricultural landscape and landscape features throughout the study area, and the assessment will be based on previous experience of reinstatement on similar gas transmission pipelines.

This approach to assessment was set out as part of a series of thematic groups which the project team have held with statutory consultees throughout the development of the scheme to date. Representatives attended from Natural England, East Riding of Yorkshire Council, English Heritage and North Yorkshire County Council. Representatives from Selby District Council, Doncaster Metropolitan Borough Council and the Forestry Commission were unable to attend, however, comment was invited from all parties on the proposed approach for the 'high level' visual assessment described above. No feedback was received following the invitation to comment disagreeing with this proposed approach.

### **3.63**

Please can the SoS confirm whether in the first sentence *that in addition to the prominent above ground infrastructure* the word 'prominent' should be replaced with 'permanent'.

In conclusion, we would be grateful if the SoS could confirm what is proposed above, with regard to points **3.60** and **3.63**, is acceptable.

### **Individual Consultees**

In addition to seeking clarification on the Scoping Opinion, individual responses have also been sent to three consultees. These are contained within Appendix 1 and summarised below for information. These respond to elements of the individual consultation response to the SoS but which have not been set out within the Opinion provided by the SoS. These consultees are:

- Natural England;
- Health Protection Agency; and
- Market Weighton Town Council

#### *Natural England*

Natural England advises in its response to the SoS that a Habitat Survey (equivalent to Phase 2) is undertaken. Following completion of a detailed extended Phase 1 Habitat Survey no significant areas

of high botanical interest have been identified to warrant completion of a National Vegetation Classification (NVC) survey. As such clarification is sought from Natural England on the requirements for this survey.

*Health Protection Agency (HPA)*

The HPA has provided a number of generic considerations that the HPA advises are addressed by all Environmental Statements for Nationally Significant Infrastructure Projects (NSIPs). A response has been prepared on a number of the points raised to provide the HPA clarity on how / if the recommendations raised will be addressed through the EIA or other provisions. A response is provided to the following recommendations.

- The EIA should provide sufficient information to fully assess the potential impact on public health. The HPA will only consider information contained or referenced in a separate section of the ES summarising the impact of the proposed development on public health;
- Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard;
- Consideration of Electro Magnetic Fields (EMF) of associated development and
- Waste

*Market Weighton Town Council*

Market Weighton Town Council response noted that an Agricultural Land Classification of England and Wales (MAFF, 1988) should be undertaken along the entire route and infrastructure works are in the national interest.

Once the pipeline is installed, existing agricultural practices will continue above the easement as such it is not expected that this will result in any permanent impact on agricultural land. As the effect on the agricultural land associated with the pipeline is temporary a full Agricultural Land Classification (ALC) is not proposed as this is not deemed to be necessary.

Collectively, the AGIs would not result in the loss of 20 hectares or more<sup>1</sup> of the best and most versatile agricultural land. The loss of 20ha or more is the amount of land lost over which the Local Planning Authority must consult with Natural England. As such the cumulative impact is not considered to generate a likely significant effect and detailed ALC surveys are not proposed.

Yours sincerely,



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<sup>1</sup> <http://publications.naturalengland.org.uk/publication/35012>



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## Appendix 1 – Individual Responses



26<sup>th</sup> June 2013

James Walsh  
Land Use Operations  
Natural England

[REDACTED]  
[REDACTED]  
[REDACTED]

The Planning Inspectorate Response Ref: 130218\_EN070001\_1660273  
Our Ref: YHCCSCCP/Scoping Opinion Response/NE

Sent via e-mail to [REDACTED]

Dear James,

**Environmental Impact Assessment (EIA) Scoping Consultation: Proposed Yorkshire & Humber Carbon Capture and Storage (CCS) Cross Country Pipeline**

**Ecological Scope of Work**

Thank you for the scoping opinion response to the Planning Inspectorate dated 18<sup>th</sup> March 2013, your ref: 78958 regarding the above.

AECOM has been appointed by National Grid for the preparation of the Environmental Impact Assessment (EIA) for the above project and write on behalf of National Grid to seek clarification on certain points raised in the scoping response to the Planning Inspectorate for the proposed Yorkshire and Humber CCS Cross Country Pipeline.

AECOM appreciate that Natural England have provided within Annex A in your letter advice relating to EIA Scoping Requirements which is generic to all types and scales of EIA. However it is important that the opinion provides comment on the specific scope as outlined in the Scoping Report (*Yorkshire and Humber CCS Cross Country Pipeline 10-2574-RPT-0033 Scoping Report Rev1, February 2013*) to ensure that the level of survey and assessment work is appropriate to the potential for likely significant effects.

With regards to Annex A in your letter, the standard advice relating to Items 1, 2.1, 2.2, 2.3 and 2.4 is noted and will be taken into account when undertaking the EIA.

Under Item 2.5 AECOM note the recommendations *'that a habitat survey (equivalent to Phase 2) is carried out on the site, in order to identify any important habitats present.'* It is assumed by 'Phase 2' this is meant as a National Vegetation Classification (NVC) type survey. As stated at Section 8.3.18 of the Scoping Report *'following completion of detailed Extended Phase 1 Habitat Surveys within the study area no significant areas of high botanical interest (or potential interest) or non typical habitats have been identified to warrant the completion of NVC Surveys.'* Where permanent habitat loss is predicted, i.e. at the Above Ground Installation (AGI) sites these areas all comprise of common and widespread habitats e.g. arable and species poor grassland. Given the lack of botanical interest, we do not feel it is appropriate to undertake NVC survey, which is more usually required to define the diversity of scarcer habitats of greater potential value.

In addition the recommendation that *'invertebrate surveys should be carried out at appropriate time in the year, to establish whether any scarce or priority species are present'* is also noted. As outlined at Section 8.3.15, 8.3.17, 8.3.19 and 8.3.20 of the Scoping Report, based upon the findings of the desk study, consultation and Extended Phase 1 Habitat Surveys it is not intended to undertake detailed invertebrate surveys to inform the Ecological Impact Assessment, as no habitats have been identified, that are considered likely to support rare or protected invertebrate species, which could also be affected by the scheme.

I would be grateful if you could confirm that the specific scope of works, as proposed in the Scoping Report is acceptable, based upon the information provided.

Yours sincerely



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26th June 2013

Allister Gittins  
Environmental Public Health Scientist  
Health Protection Agency

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The Planning Inspectorate Response Ref: 130218\_EN0700L 1660273  
Our Ref: YHCCSCCP/Scoping Opinion Response/HPA

Dear Allister,

### **Proposed Yorkshire and Humber Carbon Capture and Storage (CCS) Cross Country Pipeline**

Thank you for the scoping opinion response to the Planning Inspectorate dated 18<sup>th</sup> March 2013 (your reference EN FF PL 1302190216) regarding the above.

AECOM has been appointed by National Grid for the preparation of the Environmental Impact Assessment (EIA) for the above project and write on behalf of National Grid to respond to certain points raised in the scoping response to the Planning Inspectorate for the proposed Yorkshire and Humber CCS Cross Country Pipeline.

We recognise the Health Protection Agency (HPA) has provided generic considerations that the HPA advises are addressed by all promoters when preparing Environmental Statements for Nationally Significant Infrastructure Projects.

We welcome the advice provided; however there are a number of points raised in the generic advice for which we would like to provide further information, with the aim of providing the HPA with better clarity as to how and if the *recommendations* raised will be addressed through the EIA or other provisions.

This response covers the following recommendations raised.

***'The EIA should provide sufficient information to fully assess the potential impact on public health. The HPA will only consider information contained or referenced in a separate section of the ES summarising the impact of the proposed development on public health.'***

The ES will consider impacts arising from the construction, operation and decommissioning of the scheme. Sensitive receptors will be identified and an assessment made of likely significant effects. The ES will consider, but will not be limited to, the following:

- Construction noise from construction works and traffic;
- Noise from the AGIs excluding the block valves;
- Construction traffic;
- Potential for disturbance during construction of potentially contaminated soils posing a potential risk to human health, groundwater, soils and geology;
- Dust deposition during construction;

- An increase in concentration of airborne particles and nitrogen dioxide due to exhaust emissions from diesel powered vehicles and equipment during construction;
- An increase in deposition of atmospheric pollutants during construction;
- Potential construction and operational impacts to surface and groundwater quality; and
- Potential to impact on flood risk during construction and operation.

The above will also be considered in terms of inter-project cumulative impacts on sensitive receptors. Inter-project cumulative effects occur where a single receptor is affected by more than one source of impact arising from different aspects of the scheme e.g. a receptor affected by dust, noise and traffic disruption during construction.

The ES will therefore assess effects on health in terms of air quality and dust, noise, water quality, traffic and transport and potential for contamination in each of the individual chapters and cumulatively as part of the inter-project cumulative impact assessment. It is therefore not proposed to include a separate section within the ES summarising the above on health.

***Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard.***

National Grid recognises the importance of public perception of major infrastructure projects, particularly when new technology is involved such as that required for Carbon Capture and Storage. As part of an ongoing research programme National Grid has commissioned its own research into public perception, specifically regarding the transportation and storage of the carbon dioxide. The research was carried out by the Tyndall Centre, part of The University of Manchester, and the results will be published in due course. National Grid has been able to use initial feedback from this research to inform the public consultations that have been held in association with the project over the last two years. National Grid's approach to consultation has been to explain the CCS process and familiarise consultees with carbon dioxide and its everyday use. These consultations have helped, and continue to help, manage and minimise community anxiety by providing information and an outlet for discussion with the community.

***Consideration of EMF of the associated development.***

The Yorkshire and Humber CCS Cross Country Pipeline has very limited potential to generate EMF as it is not an electricity project. The only exception to this is the 66kV substation proposed as part of the Pumping Station at Barmston. This installation will comply with the Government Policy on EMFs exposure levels which have been set to ensure the appropriate level of protection for the public from these fields. The electricity industry designs all new equipment to comply with the Government guidelines as set out in the Code of Practice such that there is no potential for this installation to give rise to a likely significant effect on human health.

The Pumping Station and the other Above Ground Installations (AGIs) will need to be connected to the electricity grid. These connections will be applied for separately by the relevant Distribution Network Operator (DNO). They are likely to comprise of a 66kV buried cable for the pumping station and low voltage connections for the other installations.

As there is no potential for likely significant effects, either alone or cumulatively with other projects., this topic will not be considered within the EIA.

**Waste**

The Scoping Report states:

*'There is likely to be very little waste generated as a result of either construction or operation of the CCS onshore infrastructure. In the absence of a source of any real magnitude, the risk to receptors (landfill capacity) is considered to be low and not likely to have significant effects'*

The SoS Scoping Opinion confirms:

*'The applicant considers that there is likely to be very little waste generated as a result of either the construction or operation of the proposed development. On the basis that increased traffic during construction, including transport of waste will be assessed as part of the Traffic, Transport and Access chapter the SoS agrees to scope out waste during construction. The SoS also agree that waste generated during operation is likely to be below significant levels and can be scoped out of the assessment. This does not negate the need for a waste management plan and the requirement to consider waste arising in terms of the waste hierarchy.'*

Whilst waste has been scoped out of the EIA a Site Waste Management Plan (SWMP) will be developed and implemented during the construction of the scheme. The SWMP will describe the procedure by which waste will be managed during the construction period. The document will also act as a guide to project/construction personnel on how to manage all types of waste, in accordance with statutory and best practice requirements. The SWMP will be developed in line with the requirements of the Site Waste Management Plan Regulations 2008 (enacting Clause 54 of the Clean Neighbourhoods and Environment Act 2006) or equivalent regulations at the time of its production to ensure full compliance with any future legislation or changes to the existing regulatory framework.

The SWMP will ensure that:

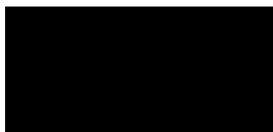
- all waste from the site is dealt with in accordance with the waste duty of care in Section 34 of the Environmental Protection Act 1990, the Environmental Protection (Duty of Care) Regulations 1991 and Waste (England and Wales) Regulations 2011; and
- Materials will be handled efficiently and waste managed appropriately.

Waste generated during the operation of the scheme will be of small magnitude and unlikely to result in a significant effect. The operation will however have regard to the waste hierarchy as set out in UK law through The Waste (England and Wales) Regulations 2011.

We trust the above provides the HPA confidence that whilst we do not believe it is appropriate for the inclusion of an assessment of the environmental effects of waste within the EIA, appropriate legislation will be adhered to and controls put in place to control and re-use waste.

We hope the above provides the HPA with sufficient confidence that the recommendations set out within the HPAs scoping response to the SoS will be addressed, either within the EIA or by appropriate regulatory controls and good practice.

Yours sincerely





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26th June 2013

Mrs Lesley-Jane Holt  
Town Clerk

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

The Planning Inspectorate Response Ref: 130218\_EN0700L 1660273  
Our Ref: YHCCSCCP/Scoping Opinion Response/MWTC

Dear Lesley-Jane Holt,

### **Proposed Yorkshire and Humber Carbon Capture and Storage (CCS) Cross Country Pipeline**

Thank you for the scoping opinion response to the Planning Inspectorate on behalf of the Secretary of State (SoS) dated 18<sup>th</sup> March 2013, your Ref LJ/SK Scoping Opinion regarding the above.

AECOM has been appointed by National Grid for the preparation of the Environmental Impact Assessment (EIA) for the above project and write on behalf of National Grid to respond to certain points raised in the scoping response to the Planning Inspectorate for the proposed Yorkshire and Humber CCS Cross Country Pipeline.

We welcome the recommendations provided within your response; however we have prepared this letter to provide clarity on the scope of the agricultural impact assessment.

The current guidance contained in the National Planning Policy Framework (NPPF March 2012) states that:

*“Local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”.*

This refers to the loss of land due to development and has particular reference to national and local importance. Higher quality land is deemed to be grades 1 to 3a and losses in excess of 20 hectares would be deemed significant<sup>2</sup>. The construction of a pipeline does not require the permanent loss of agricultural land. Construction and re-instatement works will follow industry best practice ensuring that the land will be returned to agricultural production with minimal disturbance. Temporary land loss and re-instatement issues are a matter for the compensation procedure and do not require a detailed ALC survey.

The EIA will however make an assessment of the following:

- Temporary loss of the best and most versatile agricultural land (based on national ALC system and a site walkover);

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<sup>2</sup> <http://publications.naturalengland.org.uk/publication/35012>

- Temporary reduction in agricultural land than cannot be farmed;
- Temporary effects on agricultural accesses, reducing farming viability in the short term;
- Temporary severance of fields affecting livestock movements or harvesting efficiency;
- Effects on grants for land management such as Environmental Stewardship;
- Temporary effects on agricultural drainage; and
- Potential to cause the spread of notifiable diseases and injurious weeds.

In addition to the pipeline the scheme includes of a number of Above Ground Installations (AGIs) which would result in a permanent loss of agricultural land. The Town and Country Planning (Development Management Procedure) (England) Order 2010, Article 16, Schedule 5 advises that the Local Planning Authority must consult Natural England (on behalf of the Secretary of State for the Environment, Food and Rural Affairs) on:

*(i) the loss of not less than 20 ha of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes; or*

*(ii) the loss of less than 20 ha of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 ha or more.*

It is our understanding that the above figures relate to permanent losses.

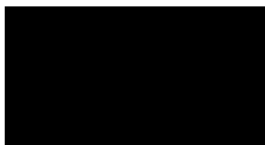
This is further supported by Natural England's Technical Advice Note (TIN049) which advises that:

*Consultations with Natural England are required on all applications for mineral working or waste disposal if the proposed afteruse is for agriculture or where the loss of best and most versatile agricultural land will be 20 ha or more.*

Collectively, the AGIs would not result in the permanent loss of 20ha or more of the best and most versatile agricultural land. As such the cumulative impact is not proposed to be significant and detailed ALC surveys are not proposed to ensure that the level of survey and assessment work is appropriate to the likely scale of effect.

We trust that whilst detailed ALC surveys are not proposed the above provides Market Weighton Town Council confidence that the impact on agriculture will be appropriately assessed within the EIA.

Yours sincerely



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