



THE PLANNING ACT 2008

THE INFRASTRUCTURE PLANNING (EXAMINATION PROCEDURE) RULES  
2010

YORKSIRE & HUMBER CCS CROSS COUNTRY PIPELINE APPLICATION

Planning Inspectorate Reference: EN070001

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**NATURAL ENGLAND'S SUMMARY OF INFORMATION PRESENTED AT THE  
ISSUE SPECIFIC HEARING ON BIODIVERSITY ON WEDNESDAY 4<sup>TH</sup>  
FEBRUARY AT 2.00PM**

Dated 17 February 2015

## Cumulative effects

**Agenda Item 2:** *Is Natural England (NE) satisfied that there would be no cumulative effects between the proposed scheme and those at the White Rose CCS and the Don Valley Projects? (3.4)*

**RESPONSE:** Natural England is satisfied that there are no cumulative effects between the proposed scheme and those at the White Rose CCS and the Don Valley projects.

## River Hull Headwaters SSSI

**Agenda Item 4:** *In order to protect habitats within the River Hull Headwaters SSSI which may be sensitive to dewatering, measures were sought by NE to restrict dewatering at the River Hull/Driffield Canal crossing when river flows would be low, with the Snakeholm gauging station on West Beck being the appropriate measuring point. At Deadline 1, rather than adding an additional requirement to the DCO, the applicant proposed additions to the CoCP. Are the EA and NE content with the operations proposed for dewatering and whether they would be satisfactorily monitored and controlled? Has a supplementary note been produced by the applicant as intended. (3.13)*

**RESPONSE:** Natural England is content with the applicants proposed wording in the CoCP to protect the habitats within the River Hull Headwaters SSSI. Appropriate wording was provided by The Applicant in a supplementary note to Natural England on January 27, 2015.

## Offshore scheme

**Agenda Item 7:** *In their representations to date, NE has stated they do not agree sufficient information has been provided by the applicant to rule out a likely significant effect on a number of European sites when considering the project (the onshore scheme) along with the offshore scheme which is to be consented separately. Has NE's view changed as a result of submissions made by the applicant at Deadline II (specifically Document 11.3 Offshore Scheme Technical Evidence Report)? Please can NE and the applicant agree where there would be, or would not be, a likely significant effect (LSE) on any European site, and which, if any, qualifying features of the site(s) are disputed between NE and the applicant with reference to this project in combination with other plans or projects? (3.24) If NE cannot agree to no LSE, is there sufficient information to enable the Secretary of State to undertake an appropriate assessment? If further information is required, what would be the applicant's time frame for providing it? At the hearing, the ExA will seek to consider each European site in turn and confirm agreement/disagreement of no LSE, alone and in-combination. If there is disagreement, the ExA will wish to know which feature is disputed.*

## RESPONSE

1. The application for the offshore scheme is progressing under a different regime, at a different time from the application for the DCO for the onshore pipeline.
2. We are, and will continue, working with The Applicant on the offshore scheme and will of course advise The Applicant, and the relevant competent authority, for that scheme.
3. Whilst not detracting from our advice on the onshore scheme here, if new information becomes available during the process of consenting the offshore scheme, we reserve the right to amend our advice to The Applicant and the competent authority, in relation to the offshore scheme.
4. The advice Natural England gave at the hearing, and summarised in this note, is also done in the knowledge that the National Policy Statement (NPS) EN1 allows for the situation where aspects of the same project are split across different consents. Natural England, the Planning Inspectorate and The Applicant have all previously agreed that the onshore and offshore pipelines are two parts of the same project.
5. In our representations we have agreed with The Applicant that there is no Likely Significant Effect (LSE) for the onshore scheme alone on any European Site.

6. In our representations we have, however, indicated that more information was required to inform the assessment of impacts on European Sites for the onshore scheme, in combination with the offshore scheme. We have advised that this should trigger an LSE. Natural England and The Applicant agreed a 'road map' setting out the information required, and the documents to provide it. The Applicant has subsequently produced a 'shadow' Appropriate Assessment as part of that process.
7. Importantly, in order to inform the Appropriate Assessment of the onshore scheme in combination with the offshore scheme, evidence needed to be provided that gave confidence to Natural England, and Pins, that in the absence of further information (in relation to the offshore scheme) effective mitigation measures (which could include a range of options) can be called upon during construction; operation and maintenance, which are appropriate to the nature of the offshore development. The NPS EN1 summarise this at 4.9.3 that '*the IPC must be satisfied that there are no obvious reasons why the necessary approvals for the other element are likely to be refused*'. In this case the '*other element*' is the offshore scheme.
8. In order to resolve this issue, The Applicant has provided Natural England with the following documents:
  - a. Offshore technical report;
  - b. Project Habitats Regulation Assessment;
  - c. Offshore scheme shadow Appropriate Assessment and
  - d. Integrity matrices.
9. Having reviewed this information, Natural England is satisfied that there is no Adverse Effect on Site Integrity (AEOSI) for the onshore scheme, in-combination with the offshore scheme, for all sites. This is because we are satisfied there is sufficient scope within the offshore project design to identify adequate mitigation and avoidance measures, to avoid an adverse effect. Importantly, there is sufficient information in The Applicants submissions to allow an Appropriate Assessment to be carried out.

**Agenda Item 8:** *The applicant has submitted additional data on the effects of the offshore project on sea bird activity of species from the SPA and pSPA based on Flamborough Head. NE has commented that young guillemots and razorbills should be included in the assessment. Has this been done by the applicant and are there outstanding issues about the assessment of the effect of the project on the bird population at the SPA and the pSPA? (3.25)*

**RESPONSE:** The applicant has not provided additional data on the effects of the offshore scheme on young guillemots and young razorbills. However, The Applicant has provided further information in the Offshore technical report and Offshore scheme shadow Appropriate Assessment that adds detail about the timing, location and duration of offshore works. This information is sufficient to advise that there are suitable avoidance measures in the offshore scheme and that there would be no adverse effect on the integrity of the Flamborough Head and Bempton Cliffs SPA and Flamborough and Filey Coast pSPA from the onshore scheme, in-combination with the offshore scheme.

### **Barmston Pumping Station**

**Agenda Item 10:** *Could NE confirm that permanent noise from the Barmston Pumping Station would not have a significant adverse effect on breeding, feeding or foraging birds from any protected sites or on any other sensitive ecological receptor? (3.27)*

**RESPONSE:** Natural England confirm that permanent noise from the Barmston Pumping Station would not have a significant adverse effect on breeding, feeding or foraging birds from any protected sites or on any other sensitive ecological receptor.