



Flintshire County Council's response to Change Request 1

**Application ref EN070007 – Piblinell Carbon Deuocsid HyNet / HyNet Carbon Dioxide Pipeline
Unique Reference Number: 20038776**

Submitted to the Planning Inspectorate via Relevant Representation

13th June 2023

| HyNet Carbon Dioxide Pipeline PINS Reference EN070007: Consultation on the Change Request 1 | | |
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| Change Request 1 | | |
| Change Number | Change | Comments in Response to Change |
| Change 1 | Relocation of Work No. 51, Cornist Lane Block Valve Station, to the south-east by 120 metres (Applicant's Reference (AR) PS01). | <p>It is noted that the change would result in an increase in size of the Order limits.</p> <p>No tree or significant landscape impacts.</p> <p>Change 1 would include the alterations to a proposed access point on to the public highway (work no. 52). The details and specifications of which would be submitted subsequently at the detailed design stage.</p> <p>FCC would agree with the conclusions of the ES Addendum that the proposed change would not significantly change the original Environmental Assessment dated 2022.</p> |
| Change 2 | Extension of the Order Limits of Work Nos. 41 and 42 with the addition of Plot No. 18-20a, to the north-west and west, at New Bridge Farm, and addition to the Works of the removal of a slurry tank (ARs PS02a and PS02b). | <p>It is noted that the change would result in an increase in size of the Order limits</p> <p>Option PS02b change involves the reduction of the buffer for ancient woodland from 15m to 13m in the vicinity of a mature oak (T1291).</p> <p>Using the British Standard, Trees in relation to design, demolition and construction – Recommendations (BS5837:2012) the Root Protection Area (RPA) for T1291 can be calculated as a radius of a circle that is 12 times the stem's Diameter at Breast Height (DBH). Based on the measured trunk diameter of 1200mm the RPA would extend to 14.4m from the tree's centre stem. The trunk is set at least 2.5m behind the fence line that is considered to mark the boundary of the ancient woodland. Taking into account the position of the tree its RPA would extend 11.9m over the boundary of the ancient woodland and be entirely within the reduced buffer for ancient woodland of 13m and comply with the BS5837:2012.</p> |

In accordance with best practice the applicant is willing to undertake the construction work in accordance with a site-specific Arboricultural Method Statement (AMS) that is proposed to be agreed at a later stage. It is stated that the AMS will incorporate a Tree Protection Plan (TPP) and the work will be supervised by an Arboricultural Clerk of Works (ACoW). This will provide additional safeguards.

The site-specific AMS should include a detailed scaled drawing showing the extent of the canopies beyond the woodland boundary. It is also recommended that the site-specific AMS should also include several cross-section drawings showing the reduced buffer for ancient woodland, full extent of excavations, protective barrier, stockpiled soil and extent of tree canopies in cross section.

NRW's guidance relating to buffers for ancient woodland follows the same approach in BS5837:2012, referring to them as *stand-offs* (or *protection zones*) and does not adhere to the 15m buffer from the woodland's edge recommended by Natural England. There is provision for the stand-off for ancient woodland to extend further where necessary. Notwithstanding, taking into account the nature, duration and proximity of the development it is considered that an increase in the stand-off is not justified, as other potential effects such as noise, dust and light pollution will be mitigated in the CEMP. Pre-commencement surveys (e.g. badgers) will also be undertaken. It is also acknowledged that the 15m buffer will soon increase to the default 15m either side of T1291.

Both proposed options proposed complies with BS5837:2012 and is considered to meet NRW's advice on development affecting ancient woodland.

Measures set out in the outline Construction Environmental Management Plan (CEMP) and the submission of details in accordance with Requirement no.5 within the CEMP would ensure the protection of woodland during construction. Pre-commencement protects species surveys are also proposed.

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| | | <p>Retrospective Planning permission for a slurry tank was issued by Flintshire County Council under planning permission reference FUL/000111/23 on 27 April 2023.</p> <p>Either Change option proposed ref PS02a and PS02b would effectively avoid the consented slurry tank.</p> <p>FCC agree with the conclusions of the ES Addendum that the proposed change would not significantly change the original Environmental Assessment dated 2022.</p> |
| Change 3 | Relocation of Work No. 45, Northop Hall Above Ground Installation ('AGI') to the west by 75 metres. (AR: PS03); | <p>It is noted that the change would result in an increase in size of the Order limits</p> <p>No tree or significant landscape impacts.</p> <p>Change 3 would include the alterations to a proposed access point on to the public highway. The details of which would be submitted subsequently at the detailed design stage.</p> <p>It is noted that Change no.3 involves the encroachment into Flood Zone C2. FCC would respectfully defer to the advice the Examining Authority receive from NRW with regards to this change.</p> |
| Change 4 | Extension of the Order Limits of Work No. 23 and addition of Plot Nos. 9-14a, 9-16a, 9-16b, 9-18a 9-18b and 9-19a, to the north to reduce the impact on veteran trees near Backford Brook (AR: PS04); | Change is within CWAC therefore FCC have no response to make on this change. |
| Change 5 | Extension in construction working hours to include Saturday morning working (AR PS05); | <p>It is noted that the addition of Saturday mornings proposed in this change to the project working hours would allow the construction programme to be executed in a more efficient and timely manner.</p> <p>Flintshire County Council's Environmental Health/Public Protection Officers have been consulted and have raised no objection in the increase of construction working hours in include Saturday mornings.</p> |

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| | | FCC agree with the conclusions of the ES Addendum that the proposed change would not significantly change the original Environmental Assessment dated 2022. |
| Change 6 | Extension of the Order Limits at Work No. 3 to enable access to Ince AGI from the adopted highway (AR PS06); | Change is within CWAC therefore FCC have no response to make on this change. |
| Change 7 | Additional footway and cycleway diversion along Chester Road adjacent to the 2 Sisters Industrial Facility at Work No. 34 and the Temporary stopping up of a footway and cycleway along Chester Road/Brookside at Work No. 44 (AR PS07); | <p>Flintshire County Council's Public Rights of Way Officer have been consulted on this proposed change and have no objections or significant concerns with regards to the proposed change.</p> <p>It is noted that this change is proposed in the interests of pedestrian and cyclist safety which is welcomed.</p> <p>FCC agree with the conclusions of the ES Addendum that the proposed change would not significantly change the original Environmental Assessment dated 2022.</p> |
| Change 8 | Reduction of the Order Limits at Work No. 3 to remove a section of the Hapsford railway line spur (AR PS08); | Change is within CWAC therefore FCC have no response to make on this change. |
| Change 9 | Reduction of the Order Limits to remove two residential properties and amenity curtilage at Grove Road Work No. 13 (Mollington) and Halls Green Lane Work No. 25 (South of Stanlow) (AR PS11); | Change is within CWAC therefore FCC have no response to make on this change. |
| Change 10 | Reduction of the Order Limits to remove part of the east bank of the River Gowy at Work No. 13A (AR PS12); | Change is within CWAC therefore FCC have no response to make on this change. |

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| Change 11 | Extension of the Order Limits to include a new private access track at Work No. 32A. Reduction of the Order Limits to remove an access track from the B5129 at Work No. 33 (AR PS13); | <p>It is noted that the change would result in an increase in size of the Order limits</p> <p>No tree or significant landscape impacts.</p> <p>FCC agree with the conclusions of the ES Addendum that the proposed change would not significantly change the original Environmental Assessment dated 2022.</p> |
| Change 12 | Clarification of construction methodology to allow non-road mobile machinery to cross features at the surface of trenchless crossings (AR PS15); | <p>No comments, the change is noted.</p> <p>FCC agree with the conclusions of the ES Addendum that the proposed change would not significantly change the original Environmental Assessment dated 2022.</p> |
| Change 13 | Reduction of the Order Limits at Work No. 31 to remove part of a Public Right of Way (PRoW) along the south bank of the River Dee (AR PS17); | <p>It is noted that the change would result in reduction in size of the Order limits.</p> <p>Flintshire County Council's Public Rights of Way Officer have been consulted on this proposed change and have no objections or significant concerns with regards to the proposed change. The Order Limits at this location at Work No. 31 have been reduced so that part of the Public Right of Way falls outside of the Order Limits which is welcomed.</p> <p>FCC agree with the conclusions of the ES Addendum that the proposed change would not significantly change the original Environmental Assessment dated 2022.</p> |
| Change 14 | Reduction of the Order Limits at Work No. 18 to remove a section of the Shropshire Union Canal (AR PS18); | Change is within CWAC therefore FCC have no response to make on this change. |
| Change 15 | Amendment to the access for the Shotton Lane Construction compound at Work No. 41A near Ewloe to reduce impact on a Badger Sett (AR PS19); | <p>No tree or landscape impacts.</p> <p>The reduction of the Order Limit in this location to remove a potential impact on an existing badger sett located in an adjacent wooded area is welcomed.</p> |

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| | | FCC agree with the conclusions of the ES Addendum that the proposed change would not significantly change the original Environmental Assessment dated 2022. |
| Change 16 | Additional PRow diversion near Stanlow at Work No. 11 (AR PS20). | Change is within CWAC therefore FCC have no response to make on this change. |
| Change 17 | Extension of Order Limits to include existing access from Bridleway (Picton PR4) at Work No. 16a (AR PS24); | Change is within CWAC therefore FCC have no response to make on this change. |
| Change 18 | Land Plans Amendments following changes to the DCO Proposed Development Submission (AR PS23) | No comments |

General comments/observations:

No objections to the proposed changes set out in Change request 1.

FCC agree with the conclusions of the ES Addendum that the proposed changes as set out in Change Request 1 would not significantly change the original Environmental Assessment dated 2022. Therefore the conclusions and considerations as set out in the Flintshire County Council Local Impact Report submitted at Deadline 1A would remain the same.