

A428 Black Cat to Caxton Gibbet improvements

TR010044

Volume 6

6.3 Environmental Statement

Appendix 4.4: Screening assessment of proposed gas pipeline works for the purposes of section 20 of the Planning Act 2008

Planning Act 2008

Regulation 5(2)(a)

Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

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Planning Act 2008

**The Infrastructure Planning
(Applications: Prescribed Forms and
Procedure) Regulations 2009**

**A428 Black Cat to Caxton Gibbet
improvements
Development Consent Order 202[]**

**Appendix 4.4: Screening assessment of proposed gas pipeline works
for the purposes of section 20 of the Planning Act 2008**

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1 Introduction

1.1 Purpose of this document

1.1.1 Highways England (the Applicant) has submitted an application under Section 37 of the Planning Act 2008 (PA 2008) (REF 1-1) for an order to grant development consent for the A428 Black Cat to Caxton Gibbet improvements (the Scheme). The Scheme proposes construction of a new 16km (10 mile) dual carriageway from the Black Cat roundabout to Caxton Gibbet roundabout, to be known as the A421, and in addition approximately 3km (1.8 miles) of tie-in works. The Scheme is defined as a nationally significant infrastructure project (NSIP) under s14(1)(h) and s22(1)(a) of the PA 2008 (REF 1-1).

1.1.2 The Scheme also includes the diversion of a high-pressure gas pipeline (Pipeline) which will be treated as an NSIP if it meets the thresholds set out in section 20 of the PA 2008 (REF 1-1). The relevant thresholds are:

- a. The construction of a pipeline by a gas transporter is within section 14(1)(f) only if (when constructed) each of the conditions in subsections (2) to (5) is expected to be met in relation to the pipeline.
- b. The pipeline must be wholly or partly in England.
- c. Either – (a) the pipeline must be more than 800 millimetres in diameter and more than 40 kilometres in length, or (b) the construction of the pipeline must be likely to have a significant effect on the environment.
- d. The pipeline must have a design operating pressure of more than 7Bar gauge.
- e. The pipeline must convey gas for supply (directly or indirectly) to at least 50,000 customers, or potential customers, of one or more gas suppliers.

1.1.3 The Scheme meets the thresholds set out in (a), (b), (d) and (e). The Pipeline would be wholly in England, has a design operating pressure of more than 7 bar gauge and supplies more than 50,000 customers. In addition, the Pipeline is expected to be constructed by Cadent Gas Limited (the current operator of the gas pipeline to be diverted) who is a "gas transporter" (as it holds a licence under the Gas Act 1986).

1.1.4 The first part of threshold (c) does not apply, however the second part relating to likely significant effects is considered further in Section 1.3.

1.2 Location of the pipeline

1.2.1 The Pipeline is located south of St Neots and east of the existing Black Cat roundabout in an area currently used for agricultural purposes. The Pipeline lies to the east of the East Coast Main Line railway and runs parallel with it.

1.2.2 At this stage the precise alignment of the diverted Pipeline has not been fixed and is subject to further detailed design and engineering considerations. However, for the purposes of this screening assessment, the limits of deviation for the Pipeline diversion have been assumed to correspond with the limits of deviation contained in the application as set out on the Works Plans **[TR010044/APP/2.3]**.

1.3 Assessment of likely significant effects

1.3.1 This screening assessment has been prepared for the purpose of determining whether the threshold under section 20(3)(b) of the PA 2008 is met for the purpose of confirming whether the Pipeline diversion meets the criteria for designation as an NSIP.

1.3.2 It assumes that the archaeological remains are in situ and have not been excavated at the time that construction of the pipeline diversion occurs, which represents the existing baseline. The site of the archaeological remains has been identified as being of high value in accordance with DMRB LA104 (REF1-1) and are herein referred to as high heritage value archaeological remains. To assess the reasonable worst case, it also assumes that the diversion will impact on the in situ archaeological remains, although the exact alignment of the pipeline diversion is not yet known, and it is possible that the alignment itself will reduce the magnitude of impact such that no likely significant effects would arise.

1.3.3 For the purposes of this screening assessment and in order to make a determination under section 20(3)(b) of the PA 2008, the pipeline diversion has been assessed alone rather than as part of the wider Scheme. However, the Environmental Statement assesses the likely effects of the Scheme as a whole in line with best practice, and the requirements of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.

1.3.4 **Table 1-1** provides a qualitative assessment of the environmental effects of the Pipeline diversion, based on professional judgement of competent experts. The assessment has taken into consideration the effects identified in the main body of the Environmental Statement **[TR010044/APP/6.1]**. No formal independent screening in connection with these works in isolation has been requested on the basis that they are proposed (and therefore assessed) as part of the Scheme Environmental Statement.

Table 1-1: Assessment of the Pipeline for the purposes of determining whether section 20 of the Planning Act 2008 applies

Topic	Description of effect	Likely significant environmental effect
Air Quality	The area adjacent to the Pipeline diversion route is not subject to any air quality designations and the Pipeline diversion is not adjacent to any air quality receptors. It is expected there will be dust arising from the construction works to undertake the Pipeline diversion. However, in accordance with relevant environmental laws and best practice, dust suppression techniques will be used during construction to minimise potential impacts. In addition, there will be no air emissions generated during operation or maintenance.	No likely significant environmental effects identified.
Cultural Heritage	The site in and adjacent to the Pipeline diversion is not designated because of any cultural heritage assets or significance. However, a cultural heritage assessment for the Scheme identified, through aerial photography studies, that cropmarks were present and further investigation through geophysical survey and evaluation trenching identified that the site had Roman and Iron Age remains. Evaluation trenching also identified internal enclosures, diversion, roundhouses and occupation deposits. These remains have been evaluated as being high heritage value archaeological remains based on the assessment criteria within LA104 (REF1-2).	<p>Yes – in relation to archaeology</p> <p>Likely significant environmental effects are predicted due to the presence of buried archaeology, assessed as being of high value in the location of the Pipeline diversion. The presence of an enclosed and complex Iron Age and Roman settlement, noted through cropmarks, has been confirmed by further archaeological evaluation. Whilst the archaeological remains would be excavated in accordance with an approved written scheme of investigation prior to construction of the Pipeline diversion, this would not avoid the impact of excavation which is likely to result in a significant effect.</p> <p>Paragraphs 6.9.44 – 6.9.46 of Chapter 6, Cultural heritage of the Environmental Assessment [TR010044/APP/6.1] set out a description of the archaeological assets in this location.</p>
Landscape and Visual Effects	The site in and adjacent to the Pipeline diversion is not in an area of landscape designation. Due to the location of the Pipeline diversion, construction works are not anticipated to disrupt views as the construction techniques used will be similar to agricultural machinery in fields.	No likely significant environmental effects identified.

Topic	Description of effect	Likely significant environmental effect
	<p>This effect will be temporary. In relation to operation, the Pipeline will be underground for its operation and will not affect views or the wider landscape.</p>	
Biodiversity	<p>The site in and around the Pipeline diversion is not on, adjacent to or hydrologically linked to any biodiversity site. The northern hedgerow of the field within which the Pipeline diversion is located, is a bat commuting route and there is evidence of badgers foraging in the area. In the event that construction compounds for the Pipeline diversion extend in to the northern part of the field, best practice measures will be employed to maintain 3m stand offs between the hedge. If work is completed within March – August (inclusive), the hedge will be checked for nesting birds by an ecologist. The soil storage areas will be searched for badgers and there will be no excavation in areas marked as reptile habitat as set out within Appendix 8.13 of the Environmental Statement [TR010044/APP/6.1].</p> <p>During operation, the Pipeline will be grassed over and will not interact with its surroundings.</p>	No likely significant environmental effects identified.
Geology and Soils	<p>The diversion of the Pipeline will not take place through an area which is designated for its geology. The soils in the area are Best and Most Versatile. By following relevant environmental laws and best practice, site hygiene practices will allow for subsoil and top soil to be returned in an order where it can still be used for agricultural purposes. During operation, the field will still be able to be used for agriculture.</p>	No likely significant environmental effects identified.
Material Assets and Waste	<p>The diversion of the Pipeline is not within or adjacent to any sites which are designated for either material assets or as landfill sites. During construction, it is expected the trench excavated to house the Pipeline will be filled in with excavated material and the rest of the material will be levelled into the site,</p>	No likely significant environmental effects identified.

Topic	Description of effect	Likely significant environmental effect
	resulting in no waste. During operation, no material assets will be negatively affected, or waste generated.	
Noise and Vibration	The diversion of the Pipeline is not adjacent to any sensitive noise and vibration receptors. Nor is it adjacent to any noise sensitive sites. The effects on noise and vibration during construction will be negligible and during operation the pipe is a transmission line and will not result in pumping at the diversion site.	No likely significant environmental effects identified.
Population and Health	The diversion of the Pipeline is not adjacent to any sensitive population and health receptors or population centres, therefore there will not be any adverse effects during construction. The diversion route of the Pipeline is adjacent to the East Coast Main Line Railway, however operation should not be affected because construction will integrate dust suppression techniques to minimize dust plumes arising from construction. The operation of the Pipeline is part of an existing network of natural gas pipework, resulting in a neutral effect to users because their existing service will be maintained.	No likely significant environmental effects identified.
Road Drainage and the Water Environment	The route of the diversion of the Pipeline is not adjacent to or hydrologically connected to any designated watercourses. However, in accordance with relevant environmental laws and best practice, any water runoff arising will be put through a sediment settlement process prior to being ground discharged and measures will also be used to ensure adequate treatment is implemented to reduce the amount of hydrocarbons and chemicals in water runoff, where there have been accidental releases. Water will be treated until it is at national standards for discharge.	No likely significant environmental effects identified.

Topic	Description of effect	Likely significant environmental effect
Climate	The diversion of the Pipeline will take place using conventional construction techniques and will not result in emissions which will alter the general climate. The Pipeline itself is part of the existing gas network and operational effects will be limited to the transportation of gas, not its combustion.	No likely significant environmental effects identified.

1.4 Conclusion

- 1.4.1 The qualitative assessment shows that the only factor likely to give rise to significant effects as a result of the Pipeline diversion is the impact on the high heritage value archaeological remains (based on the assessment completed using the methodology prescribed within LA104 (REF 1-1)).
- 1.4.2 Therefore, to the extent that the final alignment of the Pipeline diversion can minimise the magnitude of effect on the high heritage value archaeology it would not give rise to likely significant effects and therefore it would not meet the threshold for an NSIP under section 20 of the PA 2008.
- 1.4.3 In addition, a planning application for permission to excavate the archaeological remains has been submitted to Central Bedfordshire Council and is currently awaiting determination. To the extent that the archaeological remains are excavated pursuant to that planning permission, the diversion of the Pipeline will not itself give rise to significant effects on the environment "when constructed".
- 1.4.4 However, it is not yet known whether:
- a. the final alignment can be developed to reduce the magnitude of impact on the high heritage value archaeological remains; or
 - b. planning permission to excavate the archaeological remains will be granted; and
 - c. the archaeological remains will be removed pursuant to the planning permission prior to construction of the Pipeline diversion.
- 1.4.5 Given the above and assessed on the current baseline, it has been identified that the diversion of the Pipeline within the limits of deviation will result in likely significant effects due to impacts on the in situ archaeological remains. Therefore, for the purposes of the Scheme, the Pipeline diversion has been treated as if it meets the threshold for an NSIP under s20(3)(b) of the PA 2008 and the following documents have been prepared to support the application:
- a. The Works Plans **[TR010044/APP/2.3]** which identify the Pipeline as Work No. 51. Work 51 is further detailed in Schedule 1 of the draft Development Consent Order **[TR010044/APP/3.1]**. Additional explanation to the approach taken is provided in the Explanatory Memorandum **[TR010044/APP/3.2]**.

- b. A Pipeline Statement [**TR010044/APP/7.8**] which demonstrates how the Scheme complies with Regulation (6)(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009.
- c. **Appendix B** of the Case for the Scheme [**TR010044/APP/7.1**] which sets out an assessment of the Scheme against the relevant energy National Policy Statements (NPS). These are the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4).

1.5 References

- REF 1-1 UK Government (2008) Planning Act 2008.
<https://www.legislation.gov.uk/ukpga/2008/29/contents>
- REF 1-2 Design Manual for Roads and Bridges: LA 106 Cultural heritage assessment
(Revision 1). Highways England (2020).
<https://www.standardsforhighways.co.uk/prod/attachments/8c51c51b-579b-405b-b583-9b584e996c80>