



PRESALL UNDERGROUND GAS STORAGE FACILITY, LANCASHIRE

**Infrastructure Planning Commission (IPC) Application
Reference Number: EN030001**

**STATEMENT OF COMMON GROUND BETWEEN HALITE
ENERGY GROUP LIMITED AND LANCASHIRE COUNTY
COUNCIL ON THE TOPIC OF LAND USE INCLUDING OPEN
SPACE, GREEN INFRASTRUCTURE & GREEN BELT**

Author:	Barton Willmore LLP Elizabeth House 1 High Street Chesterton Cambridge CB4 1WB Telephone: 01223 345555 www.bartonwillmore.co.uk
Date:	June 2012
Version Number:	Final

PLANNING ACT 2008

**Underground Gas Storage Facility Preesall, Lancashire
In respect of an application for a Development Consent Order
By Halite Energy Group Limited
Application Reference: EN030001**

**STATEMENT OF COMMON GROUND BETWEEN HALITE ENERGY GROUP
LIMITED, LANCASHIRE COUNTY COUNCIL AND WYRE BOROUGH COUNCIL
ON THE TOPIC OF LAND USE INCLUDING OPEN SPACE, GREEN
INFRASTRUCTURE & GREEN BELT**

**Barton Willmore LLP
Elizabeth House
1 High Street
Chesterton
Cambridge
CB4 1WB**

Tel: 01223 345555

STATEMENT OF COMMON GROUND : LAND USE INCLUDING OPEN SPACE, GREEN INFRASTRUCTURE & GREEN BELT

1. This Statement of Common Ground (SOCG) is made between Barton Willmore LLP on behalf of Halite Energy Group Limited (Halite) and Lancashire County Council (LCC) and Wyre Borough Council (WBC) in relation to Halite's application for a Development Consent Order (DCO) for an Underground Gas Storage (UGS) facility at Preesall (the 'Project'). This SOCG sets out the agreed issues relating to land use, including open space, green infrastructure and Green Belt.
2. The impact of the Project on land use, including open space, green infrastructure and Green Belt is set out by Halite in paragraphs 3.87 – 3.98 of the Planning and Sustainability Statement (Doc Ref 9.1.1).

National Policy Statements

3. It is agreed that NPS EN-1 requires the IPC to have regard to the provisions of the development plan when determining applications (para 5.10.13) and a separate SOCG has been prepared on planning policy.
4. It is also agreed that NPS EN-1 (July 2011) also requires that the IPC should:
 - not grant consent for development on existing open space, sports and recreational buildings and land unless an assessment has been undertaken either by the local authority or independently, which has shown the open space or the buildings and land to be surplus to requirements or the IPC determines that the benefits of the project (including need), outweigh the potential loss of such facilities, taking into account any positive proposals made by the applicant to provide new, improved or compensatory land or facilities. The loss of playing fields should only be allowed where applicants can demonstrate that they will be replaced with facilities of equivalent or better quantity or quality in a suitable location (para 5.10.14).

- ensure that applicants do not site their scheme on the best and most versatile agricultural land without justification. It should give little weight to the loss of poorer quality agricultural land (in grades 3b, 4 and 5), except in areas (such as uplands) where particular agricultural practices may themselves contribute to the quality and character of the environment or the local economy (para 5.10.15).
- expect applicants to have taken advantage of opportunities to maintain and enhance access to the coast. In doing so the IPC should consider the implications for development of the creation of a continuous signed and managed route around the coast, as provided for in the Marine and Coastal Access Act 2009. (para 5.10.16).
- In respect of development in the Green Belt, the IPC are asked to assess whether there are very special circumstances to justify inappropriate development. Very special circumstances will not exist unless the harm by reason of inappropriateness, and any other harm, is outweighed by other considerations. In view of the presumption against inappropriate development, the IPC are asked to attach substantial weight to the harm to the Green Belt when considering any application for such development while taking account, in relation to renewable and linear infrastructure, of the extent to which its physical characteristics are such that it has limited or no impact on the fundamental purposes of Green Belt designation (para 5.10.17).

5. The above bullet points are used as a structure to the assessment.

Assessment

6. **Open Space:** It is agreed that the Halite proposals include development of open space in the following locations on the west side of the Estuary :

- A strip of land on the southern side of the King George's Memorial Playing Field comprising approximately 0.7 ha to the rear of No 14 to 36 (evens), South Strand, Fleetwood. The land consists of a grassed area, shrubbery, thicket and trees and is required for the construction, operation and maintenance of part of the brine pipeline. The construction works would be carried out over a period of 8 weeks, after which the land would be reinstated for open space uses.
 - A strip of land running through Kneps Farm Holiday Park comprising approximately 1.5 ha of land and hard standings for caravans situated to the north of River Road. The land is required for the installation, use and maintenance of an underground electricity cable linking to the Stanah Switchyard.
 - Two strips of land running through the beach situated west of the Marine Parade area comprising approximately 0.5 ha and 0.7 ha respectively. The land comprises shingle, sand, groynes, sloping masonry, floodwater channel and steps forming part of the beach from the Mean High Water Mark and Fairway/West Way. The beach strip is needed for access to foreshore areas from the existing seawall, the trenching of the Brine Outfall Pipeline across the top of the existing wall together with the construction of a new observation platform to cover the pipeline as it descends the seaward face of the seawall and the construction access point off West Way.
7. In its Section 42 consultation response, LCC has identified the conflict with the routing of the pipeline crossing the grounds of the King George's Memorial Playing Field and Cardinal Allen RC High School and the impact that this may have on playing space provision, associated disturbance during construction and the potential for future action and maintenance.
8. It is agreed that the proposed pipeline and electricity cable would both be situated underground and once constructed the open space areas would be re-instated.

Other than in the short-term, it is agreed that there would be no overall loss of open space and that the LPAs do not, therefore, object to the Project in respect of its impact on open space.

9. It is agreed that Halite has submitted an application to the Secretary of State for a Certificate under Sections 131 and 132 of the Planning Act 2008 on the basis that, because there would not be a permanent loss of open space, exchange land would not be required in this instance.

Agricultural land

10. It is agreed that part of the Halite proposal situated on the east bank of the River Wyre is sited on land graded as the best and most versatile agricultural land in the Agricultural Land Classification. At this location, the above ground development includes the 7 wellheads, the Booster Pumping Station Compound, the Gas Compressor Compound (GCC), the works to Higher Lickow Farm and the haul road. It is agreed that these elements of the Project will involve the loss of Grade 2 and Grade 3 agricultural land as defined in the Agricultural Land Classification. However, it is also agreed that agricultural activities will continue on the remainder of the land during the construction and operation of the Project.
11. It is agreed that the Metering Station also includes development of agricultural land of Grade 2 and this would represent a permanent loss through the life of the Project.
12. It is agreed that the brine pipeline, interconnector pipeline, gas and water manifolds and electrical cable route will also have an impact on agriculture during their construction. However, once construction is complete it is agreed that the land would be re-instated to its previous use.
13. It is agreed that during the construction phase approximately 56.2 ha of Grade 2 agricultural land and 36.6 ha of Grade 3 agricultural land would be required. Approximately 1.1 ha of urban land would be temporarily required. In addition, approximately 4.9 ha of Grade 2 agricultural land and 7.1 ha of Grade 3

agricultural land would be permanently required. Approximately 0.7 ha of urban land would be permanently required.

14. It is agreed that some agricultural land would be affected by the Landscape and Ecological Management Strategy Plan (LEMSP) but until the details are finalised with the nature conservation groups it is not possible to determine the land requirement. The matter is also complicated by the fact that the LEMSP proposes part of the site for the management of the land for pink footed geese but such management may not involve a change of land use.
15. It is agreed that neither the LPAs nor the Secretary of State raised concerns about the construction of above ground development on agricultural land in previous planning applications and appeals. In their Section 42 and 56 consultation responses to the Halite Project it is agreed that neither of the LPAs has raised the impact of the proposals on agricultural land as an issue.

Access to the Coast

16. It is agreed that on the east side of the Wyre Estuary, the proposals would not physically affect the Wyre Way but would affect people's enjoyment of it. It is also agreed that the physical closure of other existing public rights of way would only be for a temporary period during the construction process.
17. In their consultation responses to the Halite proposals, it is agreed that neither of the LPAs has raised an issue with access to the coast on either side of the River Wyre estuary but LCC has raised concerns regarding the enjoyment of such which is addressed in the Statement of Common Ground on Tourism and Socio-economic Impacts.

Green Belt

18. It is agreed that paragraph 80 of the National Planning Policy Framework (NPPF) identifies the five purposes of including land in Green Belts as:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns from merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

19. It is agreed that part of the brine pipeline at Fleetwood would be located in the Green Belt. However, it is also agreed that the pipeline, when complete, would not have an adverse impact on the functions or openness of the Green Belt as it would be underground. It is agreed that neither the LPAs nor the Secretary of State raised concerns about the construction of the brine pipeline and its impact on the Green Belt in previous planning applications and appeals. In their consultation responses to the Halite proposals neither of the LPAs has raised Green Belt policy as an issue. Accordingly, it is agreed that the LPAs do not object to the Project on the basis of Green Belt policy.

This Statement of Common Ground on the topic of land use including open space, green infrastructure & Green Belt has been prepared by Barton Willmore, on behalf of Halite Energy Group Limited, and agreed by Lancashire County Council.

Signed _____

Adrian James

on behalf of Barton Willmore

Date:

1-7-2012

Signed _____

Michael Green
Cabinet Member for Economic
Development, Environment and
Planning
on behalf of Lancashire County
Council

Date:

13th June 2012