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Our ref: 141034 ADW L170504

4 May 2017

Dear Sirs

CUMBRIA MINERALS & WASTE LOCAL PLAN – MAIN MODIFICATIONS CONSULTATION

CENTRICA, BARROW

We act on behalf of Centrica Plc and Hydrocarbon Resources Ltd (HRL), a wholly owned subsidiary of Centrica Plc. Our clients are key stakeholders in the local area, with interests including the following:

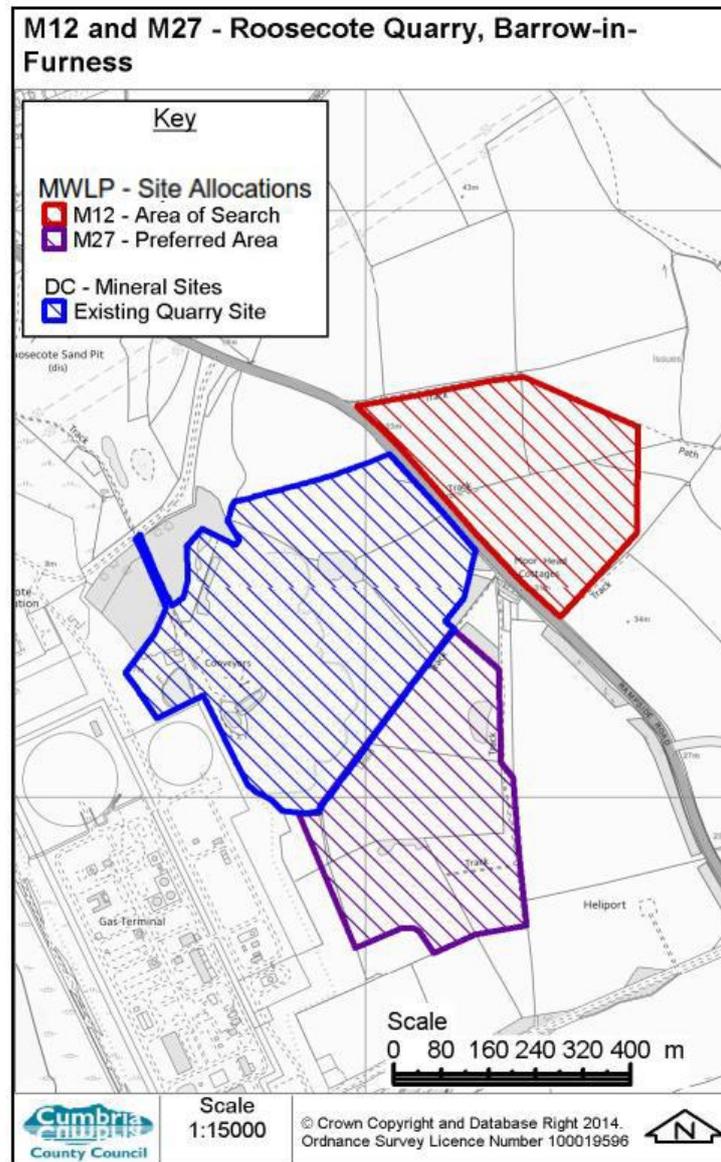
- The former Roosecote Power Station site, which is being redeveloped for new energy activities.
- The three Gas Terminals and the land to the north east between the Terminals and Rampside Road.
- Pipelines which transfer gas from the offshore fields in the Irish Sea to HRL's Gas Terminals.
- A water pipeline that runs from the former Power Station site to a pump house at Cavendish Dock.
- The gas condensate storage facility on land to the west of Ramsden Dock, which is operated on land leased from Associated British Ports.
- A condensate pipeline, which is essential to and serves the gas Condensate Storage Facility from the Terminals, and runs along the southern and western boundaries of Cavendish Dock before crossing Ramsden Dock and entering the land adjoining the storage facility in the north east corner.
- A gas oil pipeline, which also runs from the former Power Station site and along the southern boundary of Cavendish Dock.

These Centrica / HRL assets play an important role both in meeting the UK energy needs, as well as providing an important source of employment / jobs for residents of the local and wider regional areas. Accordingly, it is requested that the Cumbria Minerals & Waste Local Plan supports the continuation and future growth of Centrica / HRL operations.

Land adjacent to Centrica/ HRL's three Gas Terminals and the existing Roosecote sand and gravel quarry is proposed to be allocated as a Preferred Area for sand and gravel extraction (ref. M27)



under Policy SAP4 (Areas for minerals), as edged purple on the extract from the Submission Version document below.



This allocation is in addition to the area edged red on the plan which is proposed to be allocated as an Area of Search for sand and gravel extraction (ref. M12).

The land covered by proposed allocation M27 is located immediately to the east of the Gas Terminals and is owned by Centrica / HRL.

Previous Representations

Previous representations were submitted on behalf of Centrica / HRL objecting to previous proposals to allocate this land for minerals extraction in the Cumbria Minerals and Waste Local Plan. These representations date as far back as 2009 with the reasons for this summarised as follows:

- i. There are a number of operational risks and other issues which would need to be overcome in locating quarrying activities within proposed allocation M27, particularly as a result of its close proximity to the Gas Terminals. As set out in more detail in our June



2016 representations, these include issues relating to Health and Safety, Security, Vibration and Dust, Noise, Flood Risk and Access, which mean that locating quarrying activities within proposed allocation M27 would be **incompatible** with Centrica / HRL's adjacent Gas Terminals, unless satisfactory mitigation is provided to address these issues.

- ii. The land which comprises proposed allocation M27 is of strategic importance to Centrica / HRL's future operations, as well as to the local and wider regional and national economies; in terms of job creation, energy generation, transmission and site security.

Centrica / HRL also attended the Cumbria Minerals and Waste Local Plan Examination hearing in November 2016 in relation to their objection. At the hearing, the reasoning behind Centrica / HRL objection was duly noted by the Inspector. Accordingly, it was agreed that the Local Plan should be amended as part of the Main Modifications to address the concerns raised.

Main Modifications

The Main Modifications proposed include MM76 which comprises the proposed new paragraph (18.27) reproduced below in relation to proposed Roosecote Quarry allocation (M27):

“The existing Roose Quarry and the proposed Preferred Area for its future extension (M27) lie adjacent to existing gas terminals. Recent engineering work at the terminals has led to consolidation of gas processing at the north terminal, which is closest to M27, and this is likely to have increased the risks at this terminal. The results of the new safety case for gas processing, being prepared for the Health & Safety Executive, are not scheduled for issue until 2017. Whilst it is acknowledged that this consolidation, and perhaps future operations on the terminals estate, may impact upon the feasibility of M27 to be worked for sand and gravel, the County Council consider that this is an important site that will help to provide an adequate and steady supply of this mineral over the Plan period; therefore, the site has been retained as a strategic allocation. However, a clear and robust monitoring framework has been developed, which would trigger a review of the Local Plan, if necessary, once the information becomes available regarding the feasibility of the site for future minerals extraction. Any review of the Plan could lead to the removal of this site or to the consideration of a smaller area, as appropriate.”

A new Table (17.2) is also proposed as MM67 in relation to the monitoring of and triggers for a review of the Local Plan, which includes the following relating to proposed allocation (M27):

New Table 17.2: Non-policy monitoring schedule

Contextual Indicator	Trigger for review of the Plan	Action
Social, Economic or Environmental		
National Park extension areas in Cumbria	a - Yorkshire Dales National Park Authority and/or Lake District National Park Authority adopt the Cumbria Minerals and Waste Local Plan for the new National Park areas	a – addendum note to be added to Cumbria MWLP
	b - YDNPA and/or LDNPA prepare and adopt their own MWLP covering the new National Park areas	b – addendum note to be added to Cumbria MWLP
HSE Safety Report for Barrow Gas Terminals	a – site allocation M27 (Roose sand quarry) falls wholly within an incident effect zone, that would preclude future sand and gravel extraction	a – M27 becomes unavailable and future mineral extraction will be directed to M12
	b - site allocation M27 falls partly within an incident effect zone	b – if sufficient resource lies outside the zone, future mineral extraction will be directed to that part of M27
	c – site allocations M27 and M12 (new sand and gravel quarry at Roose) fall partly within an incident effect zone	c - if sufficient resource lies outside the zone, future mineral extraction will be directed to that part of M27 or M12
	d - site allocations M27 and M12 fall wholly within an incident effect zone	d – incorporate data into LAA; partial review, with call for site(s) and public consultation

Amendments have also been proposed to the supporting Site Assessments document in relation to proposed allocation M27 (see pages 118-125), which include the following:



“Once the results of the new safety case for gas processing at the terminals become available, the feasibility of site M27 for future minerals extraction should become clearer; consequently, the robust monitoring framework set out in the Local Plan could trigger a review of the Plan, which may lead to the removal of site M27 or to the consideration of a smaller area, as appropriate.

Given the proximity of the gas terminals, future quarrying at M27 also has the potential to have an impact on operations at the terminals; therefore, if a planning application were to come forward for all or part of site M27, impacts at the gas terminals to be considered would include security, vibration, dust, noise, flood risk and access. There would be an opportunity for the adjoining landowners to make representations on any proposal; the Health & Safety Executive would also be consulted, as a statutory consultee. The consideration of any planning application would include an assessment of the health and safety implications on both adjoining uses and site operatives.”

Representations

Pursuant to the above, Centrica / HRL note the Main Modifications set out above but consider that further changes are required to the Cumbria Minerals and Waste Local Plan to ensure it can be found to be sound, for the reasons set out in more details below.

Main Modification MM76

It is requested that the amendments set out below in bold typeface are made to the proposed new paragraph 18.27.

*“The existing Roose Quarry and the proposed Preferred Area for its future extension (M27) lie adjacent to existing gas terminals. Recent engineering work at the terminals has led to consolidation of gas processing at the north terminal, which **in conjunction with the Rivers Terminal** is closest to M27, and this **work** is likely to have increased the **potential impact of any incident at the terminal on land within M27 risks at this terminal**. The results of the new safety case for gas processing, being prepared for the Health & Safety Executive, are not scheduled for issue until 2017. Whilst it is acknowledged that this consolidation, and perhaps future operations on the terminals estate, may impact upon the feasibility of M27 to be worked for sand and gravel, the County Council consider that this is an important site that will help to provide an adequate and steady supply of this mineral over the Plan period; therefore, the site has been retained as a strategic allocation. However, a clear and robust monitoring framework has been developed, which would trigger a review of the Local Plan, if necessary, once the information becomes available regarding the feasibility of the site for future minerals extraction. Any review of the Plan could lead to the removal of this site or to the consideration of a smaller area, as appropriate.”*

These amendments are required in order to ensure the proposed new paragraph is factually correct.

Site Assessments Document

Further amendments to the proposed new text on page 118 of the supporting Site Assessments document for proposed allocation M27 are also requested as set out below (see bold typeface).

“Once the results of the new safety case for gas processing at the terminals become available, **this will help inform the evaluation of whether future development is tolerable on any of site M27 and, if so, the mitigation required to facilitate this. the feasibility of site M27 for future minerals extraction should become clearer; consequently, t** The robust monitoring framework set out in the Local Plan could trigger a review of the Plan, which may lead to the removal of site M27 or to the consideration of a smaller area, as appropriate.



Given the proximity of the gas terminals, future quarrying at M27 also has the potential to have an impact on operations at the terminals; therefore, if a planning application were to come forward for all or part of site M27, **impacts issues relating to at the gas terminals to be considered as part of the planning application** would include site security, vibration, dust, noise, flood risk and access; **with mitigation likely to be required to address these impacts as part of any future development.** There would be an opportunity for the adjoining landowners to make representations on any proposal; the Health & Safety Executive would also be consulted, as a statutory consultee. The consideration of any planning application would include an assessment of the health and safety implications on both adjoining uses and site operatives.”

These amendments are required in order to:

1. Reflect the fact that the safety case will not give a definitive answer as to the extent of proposed allocation M27 that can be developed, with this instead to be informed by the subsequent assessment of the tolerability of the risk associated with the specific type of development proposed and the mitigation to be provided as part of this, informed by the results of the safety case.
2. Ensure operations at Centrica / HRL’s Gas Terminals are assessed and safeguarded in line with national policy, through the inclusion of mitigation where required in relation to issues of security, vibration, dust, noise, flood risk and access as part of any future development on proposed allocation M27.

Main Modification MM67

Work has commenced on the safety case for the Gas Terminals and, whilst this has not yet been finalised, based on current information it is considered highly unlikely that the findings of this would conclude it is not safe to develop on allocation M12, which is located to the east of Rampside Road. It is therefore requested that the proposed new Table 17.2 is either deleted or amended to reflect this as set out below (see bold typeface).

Contextual Indicator	Trigger for review of the Plan	Action
HSE Safety Report for Barrow Gas Terminals	<p>a – site allocation M27 (Roose sand quarry) falls wholly within an incident effect zone, that would preclude future sand and gravel extraction</p> <p>b - site allocation M27 falls partly within an incident effect zone</p> <p>c – site allocations M27 and M12 (new sand and gravel quarry at Roose) fall partly within an incident effect zone</p> <p>d – site allocations M27 and M12 fall wholly within an incident effect zone</p>	<p>a – M27 becomes unavailable and future mineral extraction will be directed to M12</p> <p>b – if sufficient resource lies outside the zone, future mineral extraction will be directed to that part of M27</p> <p>c – if sufficient resource lies outside the zone, future mineral extraction will be directed to that part of M27 or M12</p> <p>d – incorporate data into LAA; partial review, with call for site(s) and public consultation</p>

Without the amendments set out above it is considered that the Cumbria Minerals and Waste Local Plan would **not be Effective nor Consistent with National Policy** and therefore **not Sound**. Accordingly, Centrica / HRL’s **objection** to the Cumbria Minerals and Waste Local Plan would remain.

Centrica / HRL reserve the right to amend or withdraw these representations if necessary.



BNP PARIBAS REAL ESTATE

We trust the above is clear and satisfactory; however, if you require further information or would like to discuss the above please do not hesitate to contact Alex Willis at the above office. Otherwise, could you please confirm these representations have been "duly made".

Yours faithfully

BNP Paribas Real Estate

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