

Summary of Screening Report – Planning Application APP/12/00513

Brief description of the project or plan:

1. The project is for the proposed installation of an estuary water and saltwater pipeline as part of the King Street Gas Storage project. The pipelines will run from King Street, Northwich, Cheshire to sites within the Mersey Estuary off the coast of Bromborough, Wirral. The project proposes to abstract estuary water from the Mersey Estuary which will travel via the pipeline to salt mine cavities where these cavities will be enlarged through controlled solution mining. The resultant salt water will then travel via a second parallel pipeline to an outfall in the Mersey Estuary off the coast at Bromborough.
2. This project was subject to a previous planning application APP/2008/5472 which gained planning permission. This current application is to extend the time period for implementation of this project. The project details and proposals have not changed since the previous application, therefore this HRA has not revisited the conclusions made regarding likely significant effects from the project. This report has only revisited the in combination effects assessment to assess this project against any projects which have come forward since the previous planning application in 2008. In addition, the report has been updated to reflect legislation and policy changes as a result of the Habitats Regulation 2010 and the National Planning Policy Framework.
3. The project will involve abstraction of estuary water from the estuary via a screened intake structure located approximately 120m offshore, 50m outside of Natura 2000 Mersey Estuary Site. Saltwater will be discharged via an outfall and diffuser arrangement in Middle Deep channel approximately 800m offshore and 450m outside of Mersey

Estuary SPA and Ramsar sites. These structures are approximately 7km from the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. Pipeline sections which run through the Mersey Estuary are to be tunnelled under the bed of the estuary, however, intake and outfall structures will need to be constructed on the bed of the estuary and this will be by vibropiling.

4. It is intended that the project will run for 6-7 years, after which time it is intended that the pipelines could be used for other projects which require similar services. Any further use of the pipeline for other projects will require screening under the Habitat Regulations. This screening considers this project only. Once there are no further uses the pipelines will be decommissioned according to industry standards, abstraction and discharge points will be removed when the pipelines are decommissioned.

Background

5. The pipeline links to other elements of the King Street Gas Storage Project which involves the installation of an underground gas storage facility to be created through controlled solution mining at King Street, Northwich (subject to a separate planning application).

Brief description of the Natura 2000 sites
--

Natura 2000 sites in Wirral

6. The proposal lies within the boundary of the following two Natura 2000 sites:
 - Mersey Estuary Special Protection Area (SPA)
 - Mersey Estuary Ramsar

7. Two other Natura 2000 sites lie to the north of the proposal site these are:
 - Mersey Narrows and North Wirral Foreshore potential SPA
 - Mersey Narrows and North Wirral Foreshore proposed Ramsar

8. These are coastal sites. Mersey Estuary SPA and Ramsar share the same boundary as do Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. The main habitat interests in these sites are sandflats, mudflats, rocky shore, saltmarsh and saline lagoon. Birds are the main species of interest.

9. Brief descriptions of each of these sites, plus their conservation objectives and vulnerabilities are set out in Appendix 1.

Other Natura 2000 sites

10. There are other Natura 2000 sites in neighbouring local authority areas, which have links especially in terms of bird movements with these sites in Wirral. These include Dee Estuary SPA and Ramsar sites, the Ribble and Alt Estuaries SPA and Ramsar and with Martin Mere SPA and Ramsar, also designated primarily for its birdlife.

The closest Natura 2000 sites to this project include:

- proposed Mersey Narrows and North Wirral Foreshore SPA
- proposed Mersey Narrows and North Wirral Foreshore Ramsar Site
- Ribble and Alt Estuaries SPA
- Ribble and Alt Estuaries Ramsar site
- Sefton Coast SAC
- Martin Mere SPA
- Martin Mere Ramsar site
- Dee Estuary SPA
- Dee Estuary Ramsar and proposed Ramsar site

- Dee Estuary possible SAC
- Liverpool Bay potential SPA

Advice is that Habitats Regulations Assessment should be 'appropriate' and fit for purpose. Of the sites listed above we consider that only Mersey Narrows and North Wirral Foreshore requires screening against this project. We judge it inappropriate to screen this project against these sites if the screening of the Natura 2000 sites within the Mersey Estuary shows no significant effect i.e. no full Appropriate Assessment is required for them.

Assessment criteria

1. Describe the individual elements of the project (either alone or in combination with other plans or projects) likely to give rise to impacts on the Natura 2000 sites.

Alone

11. The project is for the proposed installation of an estuary water and saltwater pipeline as part of the King Street Gas Storage project. The project proposes to abstract estuary water from the Mersey Estuary which will travel via the pipeline to salt mine cavities at King Street these cavities will be enlarged through controlled solution mining. The resultant salt water will then travel via a second parallel pipeline to an outfall in the Mersey Estuary off the coast of Bromborough.
12. The pipeline links to other elements of the King Street Gas Storage Project which involves the installation of an underground gas storage facility to be created through controlled solution mining at King Street, Northwich (subject to a separate planning application).

13. Individual elements of the project likely to give rise to impacts on the Natura 2000 sites are:
- Saline discharge into the Mersey Estuary on the saline regime of the Mersey Estuary SPA and Ramsar and Mersey Narrows and North Wirral Foreshore pSPA and pRamsar and the effect of this on bird prey items.
 - The potential for the release of historic pollutants from deep sediments into the Mersey Estuary during construction of the intake and discharge structure which may result in impacts to the SPA and Ramsar.
 - Disturbance to birds at the construction stage, specifically through the construction of the Bromborough pumping station, located 25-30m from the shoreline within Mersey Estuary SPA and Ramsar. Disturbance may also occur through construction of the intake and discharge within the Mersey Estuary.
 - Impacts from construction related pollutants entering the Mersey Estuary, either directly from construction works in connection with the Bromborough pumping station or indirectly from pipeline works close to water courses which discharge into the Mersey Estuary.
 - Direct land take within the Mersey Estuary from the outfall and intake structures. These are not within the SPA and Ramsar but significant land take could affect the integrity of the SPA and Ramsar.
14. Following review of these potential impacts against information provided by the applicant, we consider that there are no individual elements of the project which are likely to give rise to impacts on the Wirral Natura 2000 sites.

In combination

15. HRA requires both plans and projects that 'either individually and / or in-combination with other plans or projects' could have an effect on the Natura 2000 sites to be considered. Advice is that HRA should be 'appropriate' and fit for purpose and that the 'plans' focus should be on development plans.
16. Potential in-combination pathways of impact from this project and other plans and projects relate to the elements listed above and this section of the report focuses on these issues.

Unitary Development Plans, Local Development Frameworks and Plans

17. Each of the six Merseyside authorities – Sefton, Liverpool, Wirral, Halton, St. Helens and Knowsley – have an adopted Unitary Development Plan; and are at the various stages of work on the preparation of their Core Strategies and other Local Development Framework documents including HRA. This is set out in their Local Development Schemes.
18. These Core Strategies are still in progress and the HRAs are yet to be adopted. This project will apply the precautionary principle and will consider in-combination effects as far as possible given the stage each has reached. However, these Core Strategies are likely to be adopted within the project period and will need to be considered within the HRAs for Reserved Matters.

Wirral UDP and Core Strategy

19. The Wirral Unitary Development Plan (2000)¹ is the key land-use planning document for Wirral and includes policies for the protection and enhancement of Natura 2000 sites. HRA was not required for the UDP.

¹ Wirral Metropolitan Borough Council (2000). *Adopted Wirral Unitary Development Plan*

20. HRA has been undertaken for Wirral's developing Core Strategy², which identified a range of potential pathways of impact on Natura 2000 sites. These include: disturbance; atmospheric pollution; water resources and water quality; port and channel construction and maintenance; shipping; dredging and coastal squeeze. The HRA report identifies recreational disturbance as the main potential disturbance impact on Natura 2000 sites. Dredging and fishing are also identified as potential disturbance impacts to Natura 2000 site habitats. The HRA screening proposed a number of changes to draft preferred policies to ensure no likely significant effects. Progress on the Core Strategy is ongoing at the time of writing.

Draft Mersey Ports Master Plan

21. The draft Mersey Ports Master Plan³ outlines a 20-year vision for growth and future developments of the Mersey Ports. The draft Plan covers the Port of Liverpool and Manchester Ship Canal, and includes: Port of Liverpool; Liverpool Docks and Birkenhead; Port Wirral; Port Bridgewater; Port Ince; and Port Warrington. These sites are all located on the banks of the River Mersey, or up-stream on the Manchester Ship Canal and as such have potential to impact directly upon the Mersey Estuary SPA / Ramsar, Mersey Narrows and North Wirral foreshore SPA / Ramsar and Liverpool Bay SPA. A public consultation exercise on the draft Plan closed in September 2011. The draft Plan details Peel Ports Mersey's growth strategy and predicted volume forecasts up to 2030, which would see a 70% growth in tonnage handled by Peel Ports Mersey. The draft Plan sets out how the Port can best accommodate this growth whilst also capturing new business opportunities from a number of key developments.
22. The draft Plan includes development of Wirral Waters. The developments of Wirral Waters East Float, Northbank and Wirral

² Wirral Borough Council Core Strategy - Habitats Regulation Assessment, URS Scott Wilson August 2010

³ Mersey Ports Master Plan, Peel 2011

Waters ITC have already gained planning permission and have been subject to Habitats Regulation Assessment and are discussed in the project section (from paragraph 4.2.23).

23. HRA has not yet been undertaken for this plan and it is unclear whether HRA will be undertaken for the draft Plan or for the individual schemes. As the plan is an indicative framework for development and is not yet formalised it is not possible to determine if there will be in-combination impacts with this project.

Liverpool John Lennon Airport (LJLA)

24. The Airport has produced a Masterplan outlining their objectives for development of the airport up to 2030⁴. A number of projects are described in the Masterplan. However, none have as yet been brought forward. The Masterplan is accompanied by a Sustainability Appraisal (Peel, November 2007) which identifies possible environmental impacts of the Masterplan in broad terms. Halton Core Strategy HRA report⁵ has also assessed the impact on Natura 2000 sites. The findings of the wintering bird study carried out to inform the LJLA Masterplan suggest that the LJLA expansion is unlikely to result in adverse effects on the integrity of the Mersey Estuary SPA / Ramsar through direct land take, or disturbance to feeding or roosting birds. However, it is unclear whether this opinion has been accepted by Natural England.

Projects:

25. The following projects were considered for in-combination effects on the grounds that there are common potential pathways of impact:

- Biossence Eastham;
- Granox Ltd, single stream fluidised bed plant;
- Wirral Waters East Float;
- Wirral Waters Northbank East;
- Wirral Waters ITC;
- The Column;
- Mersey Gateway;
- Extension to the River Mersey dock facilities at Seaforth, Bootle;
- HBC Fields, Widnes;
- 3MG A5300 Link Road;
- Junction of A41 Rock Ferry/Bedford Road East and car park;
- Wellington Dock Waste Water Treatment Works (extension to Sandon Dock WwTW);

⁴ Liverpool John Lennon Airport Master Plan, Peel November 2007

⁵ Habitats Regulations Assessment, URS Scott Wilson, May 2011

- Stobart Park; and
- Alexandra Dock power plant;
- Croda

Biossence Eastham (APP/2007/5747):

26. This development was granted planning permission in February 2009 but is not yet operational. The purpose of the scheme is to process waste and extract biomass to fuel an on-site combined heat and power plant. Waste will arrive on site in sealed containers via road and barges. The barges will sail from Garston or Liverpool Docks across the Mersey to the Manchester Ship Canal and up to Hooton Wharf. The use of barges will require modification of the wharf, including installation of container cranes and floodlights. The site is located less than 100m from the Mersey Estuary SPA / Ramsar site.
27. The following pathways were identified⁶: disturbance to birds; contaminant release to waters; hydrodynamic changes; and loss of supporting habitat. The latter two were screened out, and pollution controls would be put in place to prevent contaminant emissions to water. Bird disturbance was considered to be minimal with no likely significant effect. Taking into account proposed mitigation and permit controls, it was concluded that no likely significant effects on the Mersey Estuary SPA / Ramsar site would occur. Due to the proximity of this site to the pipeline intake and outfall there is potential for in combination effects as a result of disturbance to qualifying bird species. However, both projects have concluded no likely significant disturbance impacts to birds and even when considered in combination any disturbance impacts are likely to be insignificant. **No likely significant in combination effects.**

⁶ MEAS (2008) Habitats Regulations Assessment – *Biossence Waste to Energy Facility, Hooton Park, Eastham*

Wirral Waters East Float (OUT/09/06509):

28. The project is for the creation of a new city neighbourhood at East Float, including a maximum of 13,521 residential units, office and research and development floor space, retail uses, hotel and conference, culture, education, leisure, community and amenity floor space and marina. In addition to associated car and cycle parking, structural landscaping, formation of public spaces and associated infrastructure and public realm works and including retention of and conversion works to Grade II Listed Hydraulic Tower. It is located 1.7km south west of Liverpool Waters, on the Wirral.
29. Pathways identified were^{7,8}: loss of roosting and feeding habitat for birds; disturbance to birds as a result of noise; recreational impacts arising from use of the dock as a marina; and increased numbers of residents seeking outdoor leisure opportunities on and adjacent to nearby Natura 2000 sites; disruption of flight lines of birds travelling between feeding and roosting areas; bird collisions with tall buildings (bird strike); surface water runoff or discharge with the potential for water quality changes; release of any existing on-site contamination during construction; release of pollutants such as construction dust and additional lighting.
30. It was concluded that there may be some disturbance to roosting and feeding cormorants and great crested grebes. However this will be mitigated for by a “minimal disturbance bird zone”. Replacement roosts would be provided as mitigation to reduce the impact of potential displacement of 48 cormorant and 27 great crested grebes on the site. Measures to control boat use of the dock would be employed. The other issues were found to not result in likely significant effects (i.e. no flight lines were recorded over the site), especially with the implementation of mitigation measures. Overall, and taking into

⁷ WSP Environmental UK (2009), *Wirral Waters East Float Outline Planning Application Environmental Statement*

⁸ MEAS (2010) *Habitats Regulations Assessment - Draft Screening Report for Wirral Waters East Float Major mixed use development*

account proposed mitigation measures a conclusion of no likely significant effects was reached. Given distance between these projects and differences in bird species present there are unlikely to be any significant in combination effects as a result of this project. **No likely significant in-combination effects.**

Wirral Waters Northbank East (APP/2009/5109):

31. The proposed development includes the construction of five buildings between 20 and 40 storeys, generally increasing in height towards the east. The proposed scheme is mixed use and includes 1,672 residential units. This is Phase 1 of the Wirral Waters proposal.
32. Identified pathways included⁹: bird disturbance; and water quality impacts. No likely significant effects were concluded as numbers of birds at risk of displacement was considered to be low, while water quality impacts were to be mitigated by planning conditions. Overall, and taking into account proposed mitigation measures a conclusion of no likely significant effects was reached. Given distance between these projects and differences in bird species present at these two project sites there are unlikely to be any significant in combination effects as a result of this project. **No likely significant in-combination effects.**

Wirral Waters ITC (OUT/11/00645)

33. A project located within Birkenhead Docks and part of Wirral Waters. It involves the demolition of existing buildings and the construction of buildings to be used as an International Trade Centre (comprising trade showrooms, storage, distribution and product assembly space, exhibition space, ancillary food and drink facilities, ancillary office and

⁹ MEAS (2009) *Habitats Regulations Assessment – Screening Report for Planning Application APP/2009/5109 Outline application for mixed use development project known as Wirral Waters Northbank East*

management accommodation, security facilities, and associated car parking, access points, servicing areas and landscaping).

34. Potential impacts from the project were identified as¹⁰: loss of roosting and feeding habitat for Natura 2000 qualifying bird species; disturbance to birds; surface water runoff or discharge with the potential for water quality changes; release of any existing on-site contamination during construction; release of pollutants such as construction dust; additional lighting; changes to air quality; and changes in number of boat / shipping movements.
35. It was concluded that there was a likelihood of disturbance to roosting and feeding cormorants and great crested grebes. However, this will be mitigated for by a “minimal disturbance bird zone”. The project is not likely to result in the release of air emissions or changes in water quality which will significantly impact the Mersey Estuary Natura 2000 sites. The changes to shipping movements were considered to have no likely significant effect. Overall, and taking into account proposed mitigation measures a conclusion of no likely significant effects was reached. Given distance between these projects and differences in bird species present at these two project sites there are unlikely to be any significant in combination effects as a result of this project. **No likely significant in-combination effects.**

The Column (APP/11/01272):

36. This project is located within East Float, Wirral Waters and is the siting of a public art installation known as ‘The Column’. The Column is a rotating and ascending column of air and water vapour. It is made visible by an outer skin of condensing water vapour and works via coherent convection. The Column will be approximately 30m in diameter and will lift off the surface of the water and ascend up to and beyond the cloud base. The art installation is for the London 2012

¹⁰ MEAS (2011) *Habitats Regulations Assessment - Draft Screening Report for Wirral Waters International Trade Centre*

Cultural Olympiad. It is a temporary installation for a period of 12 months from the end August 2012 to August 2013 for the installation and operational phase.

37. Potential impacts from the project were¹¹: disturbance to qualifying bird species using the East Float, namely cormorant and great crested grebe; impacts to bird flyways; and impacts to water quality.
38. The potential effects were assessed as not significant as the installation is temporary, and there is likely to be sufficient area within East float to allow a buffer between the installation and viewing area to prevent significant disturbance impacts to qualifying bird species within the Mersey Estuary SPA / Ramsar, Mersey Narrows and North Wirral Foreshore pSPA / pRamsar and Dee Estuary SPA / Ramsar. The project was not considered to impact on bird flyways. The project will not result in any significant changes in water quality. The applicant has agreed to undertake monitoring to ensure no likely significant effects on qualifying bird species. Taking into account the proposed mitigation measures and the time-limited duration of the project a conclusion of no likely significant effects was reached. Given distance between these projects and differences in bird species present there are unlikely to be any significant in combination effects as a result of this project.
No likely significant in-combination effects.

Mersey Gateway (HAL04/001):

39. This project will provide a new crossing of the River Mersey alongside the existing Silver Jubilee Bridge (also referred to simply as “Runcorn Bridge”). The project was consented in early 2010 following a number of public inquiries. The Mersey Gateway was approved by the Secretaries of State (SoS) for Transport, and Communities and Local Government in 2010. The SoS concluded that the Mersey Gateway Bridge and the associated proposals which comprise the Project would

¹¹ MEAS (2011) *Habitats Regulations Assessment - Draft Screening Report for The Column, Tower Road*

not adversely affect the integrity of the European sites. This conclusion was supported by the Environmental Statement and the Shadow HRA, a thorough consideration of likely significant effects and took into account the proposed mitigation measures. Natural England withdrew its holding objection.

40. The Shadow HRA concluded that there will be no effects on the important bird populations of the Mersey Estuary SPA because they do not use the Upper Mersey Estuary, that will be crossed by the New Bridge, for feeding, roosting and any other purposes to any significant extent, and the bird populations of the Upper Mersey Estuary are not part of the SPA populations. In effect, no common pathways exist, and this project alone has no pathway to the European sites.
41. Further Applications were recently submitted by the applicant (January 2012). These applications clearly set out the changes from the approved proposals. MEAS has reviewed these applications and concluded that the Further Applications will not result in any material changes and that the previous conclusion of the SoS remains valid. Natural England undertook a HRA of the further application and also concluded no likely significant effects. Modifications to the Mersey Gateway were approved by the Council on 12 March 2012. There is potential for in-combination effects from bird disturbance from these two projects due to their proximity to each other.
42. However, the construction timetable for the pipeline will mean that the most disturbing phases of this project will be completed prior to any works on the gateway bridge commencing. Assessment of the bird disturbance impacts on birds within the Mersey Estuary as a result of the King Street pipeline are considered to be minimal. **No likely significant incombination effects.**

Extension to the Dock facilities at Seaforth, Bootle:

43. The Mersey Docks and Harbour Company applied for a Harbour Revision Order on 19 August 2005 for the construction and maintenance of works for:

- A new quay wall some 854 metres long from the south west corner of the Royal Seaforth Dock to the river wall at the Gladstone River Entrance and the formation of a berthing pocket on the seaward side of the wall;
- An extension to the existing Bootle Northern Outfall Sewer from the existing river wall at Gladstone Dock for a distance of some 200 metres to an outfall to be constructed in the proposed new quay wall;
- The dredging of the Outer Channel of the River;
- The extinguishment of public rights to parade and walk and the creation of new public footpath; and
- Related works.

44. The Harbour Revision Order was confirmed and authorised by the Secretary of State (Department of Transport) on 20 March 2007. In doing so, the Secretary of State accepted Natural England's views that the scheme would have no adverse effect on integrity of the Natura 2000 sites, provided the Mitigation and Monitoring Plan is implemented in full, and this is due to happen (para 4.1, SoS letter, 20 March 2007)¹². The documents indicate that the main effects needing mitigation would be on the Liverpool Bay Special Protection Area, and that sediment and erosion are likely to be the main issues.

45. There are no sediment and erosion issues associated with Liverpool Bay SPA as a result of the pipeline project, therefore there will be **no likely significant in-combination effects**.

A41 Rock Ferry (APP/11/00249):

¹² Department of Transport (2007b). Letter from Department of Transport (Head of Ports Division) "*The Mersey Docks and Harbour Company (Seaforth River Terminal) Harbour Revision Order*".

46. The project is located at the intersection of the A41 and Bedford Road East, along both Bedford Road East and Rock Lane East, east of the A41, and includes an area of land bounded by these roads. The project involves the construction of a signal controlled junction between the A41 Rock Ferry bypass and Bedford Road East; including the re-alignment of Bedford Road East and the separation of Rock Lane East and Bedford Road East.; and construction of a car park split into two parts, 40 spaces accessed from Bedford Road East and 10 from Rock lane East. The site is located approximately 5 metres from the Mersey Estuary Natura 2000 sites.
47. The pathways which could impact the Natura 2000 sites were identified as¹³; an increase in recreational activity leading to disturbance to feeding birds. This is due to a well developed existing use of the area for sailing (predominantly at high tide and during the summer) and local residents informal walking. Also access to the waterfront is via the Esplanade, a surfaced promenade. However this is a private structure and is closed to the public due to health and safety issues. The project will also include preventative measures to discourage any visitors from walking along the Esplanade or foreshore. Visitors will instead be directed through Rock Park Estate Conservation Area. Taking the mitigation measures into account a conclusion that there would be no likely significant effects was reached. This project due to its proximity to the pipeline intake and outfall site has the potential to result in in combination disturbance impacts to qualifying bird species. However, disturbance from both projects is considered to be minimal and even when considered together disturbance as a result of these projects is considered to be unlikely to result in any likely in combination effects.
- No likely significant in combination effects.**

Wellington Dock Waste Water Treatment Works (WwTW):

¹³ MEAS (2012) *Habitats Regulations Assessment Screening Report - Junction of A41 Rock Ferry/Bedford Road East and car park*

48. The Sandon Dock WwTW are currently at capacity. This project involves infilling of Wellington Dock to provide additional WwTW. Pathways identified were¹⁴: loss of supporting habitat; water emissions; and disturbance to birds. Pathways were not considered significant as the site was not considered to provide supporting habitat, water emissions would be controlled by Environmental Permit and bird use of the site was too low for disturbance to be an issue. The project is likely to have a positive contribution to the quality of water in the River Mersey. Overall, and taking into account proposed mitigation measures a conclusion of no likely significant effects was reached. There are no likely significant in combination effects with the King Street pipeline project. **No likely significant in combination effects.**

Alexandra Dock Power Plant:

49. Pre-application discussions regarding proposals for a power plant on the Alexandra Dock site are taking place but there are no details available at present. The findings of this report will inform consideration of in-combination effect with the Alexander Dock proposals.

Veolia Environmental Services, Combined Heat and Power (CHP) Facility at King Street, Liverpool (11F/1273):

50. This project involves the construction of a small building to house a CHP facility using waste solvents as a fuel source. The site is located adjacent to the Mersey Estuary SPA/Ramsar. Pathways identified were¹⁵: Release of ground contaminant pollutants during construction; Dust release during construction; Vehicle emissions during construction and operation; Storage of oil, fuel and chemicals during construction and operation; Contaminated surface water run-off (silt

¹⁴ Jacobs (2011) *Habitat Regulations Assessment Stage 1 Screening Report for Liverpool Wastewater Treatment Works extension*

¹⁵ MEAS (2012) *Habitats Regulations Assessment Screening Report – Veolia Environmental Services CHP Facility.*

and chemical) during construction and operation; Visual or noise disturbance to birds during construction and operation; and Air emissions during operation. The site setting would mean disturbance to birds would have no likely significant effects. Measures to control water and air emissions would be secured via a CEMP and revisions to the existing Environmental permits would be required. Overall, and taking into account proposed mitigation measures a conclusion of no likely significant effects was reached. Due to the distance between the pipeline intakes and outfall and the Veolia site as well as the limited potential for impacts from the Veolia project there is unlikely to be any in combination effects as a result of these projects. **No likely significant in combination effects.**

HBC Fields (11/00269/FULEIA):

51. This project site is located within part of the wider development known as the 3MG Mersey Multimodal Gateway. The application proposes an occupier-specific development for B8 use with ancillary B1. The application relates to the construction of a warehouse, a warehouse mezzanine, an office mezzanine, a bridge link, a 2-storey stair and lift tower and gatehouse, together with car parking, site road access, open space and landscaping. The proposal covers a total area of 31.6 hectares.
52. Pathways identified were¹⁶: noise disturbance to bird species; loss of roosting and feeding habitat for birds; accidental release of pollutants into surface water; release of pollutants into the estuary including construction dust and windblown waste materials; vehicle emissions; and abstraction of water from the mains supply. The site was not considered to have likely significant impacts on birds due to the

¹⁶ MEAS (2011) *Habitats Regulations Assessment - Screening Report for Planning Application 11/00269/FULEIA Proposed construction of a single rail-served building for storage and distribution, use class B8) together with associated infrastructure, parking, open space, landscaping and ancillary development.*
HBC FIELDS, Halebank Road, Widnes, Cheshire.

distance from the Natura 2000 site and lack of use as supporting habitat. Mitigation to prevent surface water runoff discharging into the River Mersey would be put in place. Aerial emissions and abstraction were considered to have no likely significant effects. Taking into account the proposed mitigation including the Environmental Permit requirement, a conclusion of no likely significant effects was reached.

53. Due to the distance between the pipeline intakes and outfall and the HBC Fields site there is unlikely to be any in combination disturbance effects as a result of these projects. There is potential for both projects to impact on water quality within the Mersey Estuary, however, the HBC Fields project will result in increased water quality once construction is completed and therefore given there are no likely significant effects from the King Street pipeline on water quality within the Mersey Estuary SPA / Ramsar we conclude **no likely significant in combination effects**.

3MG A5300 Link Road

54. Construction of a new link road from the A562/A5300 junction southwards to the HBC Fields site. The new stretch of road will be a single carriageway and will be 1km long. The project includes extensive post-construction landscaping and the use an existing drain (north of the site) to discharge surface water into Ditton Brook, and the construction of a balancing pond (south of the site) that will also discharge into Ditton Brook. Therefore, there are potential in combination effects from changes to water quality within the Mersey Estuary. However, changes in water quality as a result of both the link road and pipeline are unlikely to result in any likely significant effects on the Mersey Estuary. **No likely significant in combination effects**.

Expansion of Stobart Park / 3MG, Widnes (11/00266/OUTEIA)

55. This project is located within the wider development known as the 3MG Mersey Multimodal Gateway. The project is located at National Grid Reference SJ486845 and is 150m from Mersey Estuary Natura 2000 sites at its closest point the main site area is approximately 300m from the Mersey Estuary SPA/Ramsar/SSSI. The project involves the following: comprehensive remediation due to the presence of galligu; construction of approximately 140,000m² of new B8 distribution and warehousing floorspace; vehicle parking; connection to the proposed and existing road network; construction of rail sidings and connection to existing rail freight terminal; surface water and foul water drainage to main drains and to Ditton and Stewards Brook; landscaping; all associated engineering works. The proposal covers an area of 34 Ha.
56. Pathways identified were: noise and visual disturbance to birds during construction, in particular those birds within Ditton Brook; release of existing on site contamination during construction and accidental release of construction related pollutants into Ditton and Stewards Brooks which feed into the Mersey Estuary; disturbance to birds through lighting; air emissions from HGV and trains which may impact Manchester Mosses.
57. HRA screening concluded no likely significant effects as disturbance is minimal and works to Ditton Brook are to be timed outside of the wintering bird period. Construction Environmental Management Plan and Site Remediation Strategy will prevent release of existing on site contamination and construction related pollutants. A lighting plan has been submitted to show that all lighting will be directed away from the brooks and Mersey Estuary. Air emissions as a result of the project are unlikely to significantly contribute towards air emissions at Manchester Mosses. Due to the distance between the pipeline intakes and outfall and the Stobart site there is unlikely to be any in combination disturbance effects as a result of these projects. There is potential for both projects to impact on water quality within the Mersey Estuary, however, the Stobart project will result in increased water

quality once construction is completed and therefore given there are no likely significant effects from the King Street pipeline on water quality within the Mersey Estuary SPA / Ramsar we conclude **no likely significant in combination effects.**

Granox (08/00344/FUL):

1. The project site is located on Desoto Road, Widnes. The Mersey Estuary Special Protection Area (SPA) and Ramsar sites lie approximately 150m to the south of the site. The Granox site currently operates a twin stream fluidised bed combustion plant, compression ignition engines and steam raising boilers. This project is for the proposed structural and fabric alterations to an existing building (Regal Building) to accommodate a single stream fluidised bed plant. The fluidised bed combustor is designed to combust biomass materials for the production of electricity. Associated plant and equipment will also be installed adjacent to Regal Building.
2. Potential impacts from this project were identified as¹⁷: deposition of atmospheric pollutants from the site chimney; water quality; disturbance to water birds; and release of dust and contaminants during the construction period. Taking into account proposed mitigation and permit controls, it was concluded that no likely significant effects on the Mersey Estuary SPA / Ramsar site would occur.
3. The potential in-combination effects were assessed and screened as not significant as the impacts to water quality, dust and lighting would all be minimised due to on site controls. Disturbance impacts to qualifying bird species within the Mersey Estuary SPA / Ramsar were assessed as insignificant impacts due to the distance between bird use areas and the site location. **No likely significant in combination effects.**

Granox Ltd - demolition of existing stores and construction of new stores (12/00026/FUL)

¹⁷ MEAS (2008) Habitats Regulations Assessment – *Draft Screening Report for proposed structural and fabric alterations to an existing building to accommodate a single stream fluidised bed plant, Granox Ltd, Desoto Road, Widnes*

4. The project is within Granox Ltd which is used as a rendering plant. The project includes the demolition of up to 6 existing buildings, within the applicant's land ownership, and the erection of one replacement building. The project area is approximately 1.16 hectares, of which the new building will be approximately 0.4 hectares, and is "broadly in line with existing stores". The new building will be used to store animal by-products and electrical equipment. The new building will also contain an open sided trailer park for parking of lorry trailers. A retaining wall will be constructed to the north of the new building to facilitate the construction.
5. Possible impacts were identified as; release of existing on site contamination; noise disturbance; dust release, including asbestos containing material; and the combined increase in vehicle emissions due to other large construction works occurring within the vicinity of the project.
6. HRA screening concluded that there would be no likely significant effects upon the Natura 2000 sites. This was due to, methods to contain and stabilise the existing contamination; the new building construction being over 200 metres from the Natura 2000 sites and the demolition works being conditioned to be undertaken during the summer months; dust suppression techniques to in line with obligations under the Control of Asbestos Regulations; and confirmation from the APIS website that the Natura 2000 sites were not over their critical load for Nitrogen and the combined projects being unlikely to increase emission by 25%. Given the distance between this project and the pipeline intakes and outfalls within the Mersey Estuary there are unlikely to be any in combination effects as a result of these projects.
No likely significant in combination effects.

Dry Mortar Silo and Bagging Plant, Bromborough

7. The planning application for this proposal (application reference: 2007/5782) was granted planning permission on 28 March 2008. The

report to Planning Committee on 27 March 2008 concluded that the proposal either alone or in combination with other plans or projects would not have an unacceptable adverse impact subject to certain conditions being attached – the conditions related to lighting and discharges to air and water from construction. Natural England was satisfied that there would be no adverse impacts on the Mersey Estuary SPA and Ramsar with those conditions.

8. Accordingly, we consider that there are no adverse 'in combination' effects arising from the Dry Mortar Silo and Bagging Plant with current proposal.

Rock Park, Rock Ferry

9. The planning application (APP/2005/5735) is for the erection of 20 self contained flats in two blocks and underground car parking at Rock Park, Rock Ferry. The project is approximately 5 metres from the boundary of the Mersey Estuary SPA and Mersey Estuary Ramsar sites – the boundaries of these sites are the same here. There will be no incursion into the European sites by the project. The screening undertaken by Wirral Council concludes that the proposed development is unlikely to have a significant effect on Mersey Estuary SPA and Ramsar, either alone or in combination with other plans or projects. This finding requires confirmation by Natural England. A consultation draft of the screening is currently being considered by Natural England.

Ineos Chlor

10. This planning application is to construct and operate an energy from waste combined heat and power plant. This application was determined by the Secretary of State. The applicant has now submitted a EIA scoping opinion to vary a planning condition applied by the Secretary of State to ensure that 90% of waste was transported to the site by rail. The applicant no wishes to vary this to increase the proportion of road

transport. Given the distance between this project and the King Street pipeline there are unlikely to be any likely significant in combination effects as a result of these projects. **No likely significant in combination effects.**

Ince Marshes Resource Recovery Park

11. This planning application is for a resource recovery park including a integrated waste management facility and environmental technologies complex. The project includes proposals to transport waste by barge up the Mersey Estuary and into the Manchester Ship Canal. This application was subject to a public enquiry the outcome and the application was approved. The project has started with groundworks complete, however no further construction has as yet been completed. Given the distance between this project and the King Street pipeline there are unlikely to be any likely significant in combination effects as a result of these projects. **No likely significant in combination effects.**

12. Thus, we consider that there are no likely effects arising from this project in combination with other plans and projects.

Croda

13. The proposed project is located in the village of Bromborough Pool on the eastern side of the Wirral Peninsula, approximately 5km south of Birkenhead, in close proximity to the banks of the River Mersey. The proposed development is on the decommissioned Croda International chemical factory site, with Dibbinsdale Brook forming the northern boundary and Bromborough Pool village the south-eastern boundary. It is proposed to redevelop the site for mixed use, comprising employment and residential elements with open space and a river restoration scheme. This planning application has not yet been determined and the HRA assessment for this project is still being drafted. Potential likely significant impacts relate to noise, vibration , air quality and construction related dust.

2. Describe any likely direct, indirect or secondary impacts of the project (either alone or in combination with other plans or projects) on the Natura 2000 sites by virtue of:

- Size and scale;
- Land-take;
- Distance from Natura 2000 site or key features of the site;
- Resource requirements (water abstraction etc);
- Emissions (disposal to land, water or air);
- Excavation requirements;
- Transport requirements;
- Duration of construction, operation, decommissioning, etc.);
- Other.

14. This section will assess any likely direct, indirect or secondary impacts of the project (including 'in-combination' effects) on the Natura 2000 sites in Wirral.

Size, Scale and Land-take

15. No structures are located within the boundary of the Mersey Estuary SPA or Ramsar or within the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. Pipelines which will pass through the Mersey Estuary SPA and Ramsar are to be drilled through the bedrock and will not directly impact on these sites.
16. Outside of the Mersey Estuary SPA and Ramsar and Mersey Narrows and North Wirral Foreshore pSPA and pRamsar but within the Mersey Estuary there will be landtake from intake and discharge structures. The water abstraction site results in a landtake of 37.5m². At the discharge point the total land take would be 2,025m². The landtake from these structures equates to 0.0098% of the total area of the Mersey Estuary (approximately 11600 Ha) and will therefore not have a significant effect

on the overall integrity of the Mersey Estuary SPA and Ramsar or Mersey Narrows and North Wirral Foreshore pSPA and pRamsar.

17. We consider that there are no likely significant effects on the Natura 2000 sites.

Distance from Natura 2000 site or key features of the site

18. Intake will be 50m from Mersey Estuary SPA & Ramsar, discharge will be 450m from the Mersey Estuary SPA and Ramsar and c.7km from the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. Bromborough pumping station will be approximately 30m from the Mersey Estuary SPA and Ramsar and c.7km from the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar.

19. We consider that there are no likely significant effects on the Natura 2000 sites.

Resource requirements (water abstraction etc)

20. Water abstraction from the estuary is predicted to be at estimated rate of 60MI/d. The applicant states that the volume of the Upper Estuary between Rock Light, New Brighton and Runcorn is quoted to be approximately 657,000 MI. The proposed abstraction rate therefore equates to 0.009% of the volume of the Upper Estuary. This is considered *de minimis*. (MWH statement to inform Appropriate Assessment, March 2008)

21. We consider that there is no likely significant effect on the Natura 2000 sites.

Emissions (disposal to land, water or air)

22. Discharge of saline water into the estuary will have a salinity of 220ppt. Discharge of this saline water would be at a rate of 29MI/ day. Salt water would be discharged into Middle Deep section of Mersey Channel.

Salinity modelling has shown that there will be no significant increase in salinity (not greater than 10% background level – this salinity level was agreed by the Environment Agency) within the SPA and Ramsar site. Salinity modelling shows that at for a short period of the tidal cycle (approx 30 mins) there will be an increase in salinity of between 0.5 -1ppt above the existing salinity levels within the Mersey Estuary SPA and Ramsar sites. This is within the salinity range of estuarine invertebrates and will not have a detrimental effect. There will be no change in salinity within Mersey Narrows and North Wirral Foreshore pSPA and pRamsar. Therefore there is unlikely to be a significant impact the Mersey Estuary SPA and Ramsar or the Mersey Narrows and North Wirral Foreshore pSPA and pRamsar from saline discharge.

23. A monitoring scheme is proposed to ensure that the modelling predictions are accurate. This will include monitoring at locations within the Mersey Estuary SPA and Ramsar sites. Monitoring will ensure that salinity limits for the discharge set by the Environment Agency through their Discharge Consent are maintained.
24. Initial proposals submitted with the planning application were to dredge the intake and discharge points within the estuary bed to allow their construction. However, following concerns over potential for release of historic contaminants held within deeper sediments and the potential for this to lead to impacts on bird prey items (plants and invertebrates) the applicant now proposes to pile using the vibropile technique to prevent disturbance of deeper sediments (Letter from HOW planning dated 24th July 2008).
25. There is potential for release of construction related pollutants into the Mersey Estuary directly through construction activities at the Bromborough pumping station site and indirectly through works further upstream. This has the potential to impact on the Mersey Estuary SPA and Ramsar and to a lesser extent Mersey Narrows and North Wirral

Foreshore pSPA and pRamsar. The applicant has proposed that impacts from construction related pollutants are be minimised through the adoption and compliance with British Standard for Earthworks, Pollution Prevention Guidance published by the Environment Agency and CIRIA guidance.

26. We consider that there are no likely significant effects on the Natura 2000 sites.

Excavation requirements

27. To prevent disturbance from excavation the applicant proposes vibropiling. However, there will still be some excavation of the bed in order to trim piles, install the supporting beam and secure the diffuser, however, this will be within the upper layers of sediment which are unlikely to be significantly contaminated as they are reworked and mobile due to the tide. Sampling and analysis of the bed material will be undertaken in advance of works.

28. We consider that there are no likely significant effects on the Natura 2000 sites.

Duration of construction, operation and decommissioning

29. The construction period is anticipated to take approximately 12 – 15 months. The operational period for this project is 6-7 years. However, the applicant has stated that the pipeline may be used for other uses following completion of this project. Any other future uses of the project will require screening against the Habitat Regulations. Decommissioning will include the removal of the intake and outfall structures within the Mersey Estuary. The decommissioning methods proposed will not result in a significant impact on the Mersey Estuary.

30. We consider that there is no likely significant effect on the Natura 2000 sites.

3. Describe any likely changes to the site arising as a result of:
<ul style="list-style-type: none">• Reduction of habitat area;• Disturbance to key species;• Habitat or species fragmentation;• Reduction in species density;• Changes in key indicators of conservation value (water quality etc.)• Climate change

Reduction of habitat area

31. There will be no direct loss of habitat from within the boundary of the SPA and Ramsar.
32. There will be no loss of functional habitat within the SPA and Ramsar.
33. We consider that there are no likely significant effects on the Natura 2000 sites.

Disturbance to key species

34. There is potential for disturbance to key species during the construction period. However, the disturbance impacts are considered short term impacts (one winter season). RSPB confirm that low numbers of birds are present within intertidal areas adjacent to the proposed Bromobrough pumping station and intake and discharge structures (pers. comm Colin Wells). The applicant proposes to undertake vibropiling works outside of the overwintering bird season. Therefore the potential impact from disturbance is unlikely to result in a likely significant effect on key species.

35. We consider that there are no likely significant effects on the Natura 2000 sites.

Habitat or species fragmentation

36. No physical habitat or species fragmentation will occur within the Mersey Estuary SPA and Ramsar or Mersey Narrows and North Wirral Foreshore pSPA and pRamsar as the intake and outfall structures are located outside of the SPA and Ramsar.
37. Species fragmentation has the potential to occur through impacts on prey items from salinity levels, release of contaminants from sediments or release of construction related pollutants. These potential impacts have been considered in detail in previous sections and have been shown to be unlikely to result in significant impacts on Natura 2000 sites.
38. We consider that there are no likely significant effects on the Natura 2000 sites.

Reduction in species density

39. Reductions in species density may arise from loss of prey items through excess salinity or impacts from release of contaminants or direct disturbance to birds during the construction period. These are considered in detail in the above sections and are unlikely to result in a significant effect the Natura 2000 sites.
40. We consider that there are no likely effects on the Natura 2000 sites.

4. Describe any likely impacts on the Natura 2000 sites as a whole in terms of:

- Interference with the key relationships that define the structure of the sites;
- Interference with the key relationships that define the function of

the sites.

41. We do not think that there are any likely impacts on the Nature 2000 sites, taking each site as a whole, in terms of interference with the key relationships that define structure or function of the sites from this project.

5. Provide indicators of significance as a result of the identification of effects set out above in terms of:

- Loss;
- Fragmentation;
- Disruption;
- Disturbance;
- Change to key elements of the site (e.g. water quality etc.)

42. Subject to natural change, maintain in favourable condition the habitats for the internationally important populations of regularly occurring migratory species, in particular: Intertidal sediments, rocky shores, saltmarsh.

43. Subject to natural change, maintain in favourable condition the habitats for the internationally important assemblage of waterfowl.

44. No significant reduction in numbers or displacement of birds from an established baseline, subject to natural change.

As set out in conservation objectives (English Nature 2001) Mersey Estuary. English Nature's advice given under Regulation 33 (2) of the Conservation (Natural Habitats and C.) Regulations 1994 as amended.

6. Describe from the above those elements of the project or plan, or combination of elements, where the above impacts are likely to be significant or where the scale or magnitude of impacts is not known.

45. We have identified potential impacts and considered their significance against the measures within the Favourable Conservation tables for the Natura 2000 sites.

46. We think that there are unlikely to be any significant or unknown impacts.