

Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

18th November 2022

Dear Sir/Madam,

Keuper Underground Gas Storage Facility Order 2017, made 15th March 2017

Application for a Non-Material Change in relation to the nature of gas stored and layout of the site.

On behalf of Keuper Gas Storage Limited (hereafter referred to as “KGSL”), please find enclosed an application for proposed non-material changes to the Keuper Underground Gas Storage Facility Order 2017 (“2017 Order”). This application has been prepared in accordance with both the Planning Act 2008 (“2008 Act”) and the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011 (“2011 Regulations”).

Nature of the Proposed Changes

Following the grant of the 2017 Development Consent Order (DCO) interest has increased considerably in the storage of hydrogen gas as an alternative low carbon fuel to replace natural gas in a wide variety of applications, including both industrial and residential heating. The drivers for this change are set out in the accompanying Application Statement. Despite the growing interest in hydrogen storage the need for natural gas storage is no less of a demand, particularly during this present period of concern for energy security. Therefore, the change being sought is the addition of the option for hydrogen gas storage rather than a complete substitution.

The accompanying documents demonstrate that the storage of hydrogen gas has no material difference to that of natural gas. The caverns, pipelines, gas processing plant and associated equipment are all essentially the same and therefore the impacts on the environment and landscape are the same.

In the event that the project is developed for hydrogen gas storage then it will be necessary to locate the gas connection compound away from the natural gas network ‘National Transmission System’. The proposed location for the hydrogen connection compound had already been identified for development as a construction laydown area for the project and assessed for its environmental impacts.

The design of the project and proposed layout has continued to evolve since the grant of the 2017 Order. Design development has identified that the 'Office, control and maintenance building' would be better suited a little further from the gas processing plant and its previously proposed location. This change would be of benefit regardless of hydrogen gas storage or natural gas storage. The proposed new location was already identified as an area for development in the existing DCO as a construction carpark and previously assessed for environmental impacts.

The changes can be summarised as:

- The addition of 'hydrogen gas' in the definition of 'gas' in the 2017 Order. Associated with this are a number of consequential text alterations to the 2017 Order;
- The proposed relocation of the office, control and maintenance building;
- The optional relocation of the gas connection compound; and
- The updating of the registered address of the 'undertaker' KGSL.

The relocation of the 'office' and 'connection compound' require updates to a number of the Certified Plans as defined in Article 35 of the 2017 Order. The inclusion of hydrogen is supported by a number of updates to the subsurface (geology) technical reports listed in the Certified Plans as defined in Article 35.

The Approach to Materiality

For the reasons detailed in the Application Statement, it is considered that there is no realistic prospect that the proposed changes would generate materially different environmental effects, or that the changes could be considered material when assessed against the characteristics described in the 2011 DCLG Guidance¹.

In considering this issue in the context of an application under Schedule 6 to the 2008 Act, it is important to note that the application procedure for non-material amendments affords an opportunity for representations to be made to the Secretary of State in response to the publicity and consultation required pursuant to Regulations 6 and 7 of the 2011 Regulations. KGSL has consulted key stakeholders ahead of the application, as detailed in the Application Statement, and has publicised this application at the time of making a submission.

Enclosed Documentation

In order to support the Secretary of State's consideration of the proposed application, we are providing electronic copies of the following to KeuperGSP@planninginspectorate.gov.uk

- **Application Statement:** This includes:
 - details of the proposed changes and justification for these changes;
 - environmental information in respect of the proposed changes and a comparison with the environmental effects assessed for the consented scheme; and
 - details of engagement with key stakeholders in respect of the proposed changes.
- **Environmental Report:** Additional environmental information in support of the Application Statement;

¹ DCLG: Planning Act 2008: Guidance on Changes to Development Consent Orders (Dec 2015)

- **Draft Amendment Order:** A draft Amendment Order in the form in which KGSL requests that it is made by the Secretary of State;
- **A Track Changes Version of the Original 2017 Order:** (as corrected²) With changes made by the correction order and proposed by this Amendment Order shown as track changes;
- **Book of Revised Plans:** All revised plans are identified in the Application Statement and the draft Amendment Order;
- **Book of Revised Documents:** All revised technical documents are identified in the Application Statement and the draft Amendment Order; and
- **Copy of the Publicity Notice:** As required under Regulation 6 of the 2011 Regulations.

Regulation 4

In order to comply with Regulation 4 of the 2011 Regulations (as amended) the following information is provided:

- (a) The applicant is Keuper Gas Storage Limited who's registered address is: Bankes Lane Offices, Bankes Lane, PO Box 9, Runcorn, Cheshire WA7 4JE (*it should be noted that the registered address of the applicant has changed from that listed in the original 2017 Order*);
- (b) The applicant is acting on its own behalf;
- (c) The Planning Inspectorate's reference is EN030002;
- (d) The details of the proposed changes are given above and in the accompanying Application Statement;
- (e) The documents and plans necessary to support the application are detailed above and have been provided electronically to the Secretary of State and made available to consultees;
- (f) (i) it is confirmed that the applicant is the same person who applied for the development consent order to which the application relates;
- (ff) A copy of the Regulation 6 notice accompanies this application. Details of the steps that have been taken and will be taken by the applicant with respect to consultation and publicity in accordance with Regulations 6 and 7 are given in the Application Statement. A final statement under Regulation 7A will be submitted in due course with confirmation of dates and copies of publication notices;
- (g) It is confirmed that the applicant has a leasehold interest from its sister company, the freehold owner of the majority of the land subject to this application. In addition, the applicant has land purchase option agreements with a number of 3rd party land owners and is still seeking a land purchase option agreement with one 3rd party land owner with respect to a single cavern site, although a notice to treat has been served on that owner. Details of the nature of the various land interests concerned are given in the Application Statement;
- (h) Paper copies of the application and supporting information have not been provided but are available on request.

Regulation 4(3) – All plans provided are no larger than A0 (*supplied as A1 and A3 as appropriate*) and have been drawn to an identified scale not smaller than 1:2500 and show the direction of North.

Regulation 4(4) – Whilst some of the updated plans originally formed part(s) of sets of more than 3 sheets that were supplied with key plans, there are no changes to the key

² as amended by S.I 2017/820 - The Keuper Underground Gas Storage Facility (Correction) Order 2017

plans. Details of the updated drawings and the Key Plans are given in the Application Statement.

Next Steps

A notice will now be published in the Northwich Guardian and the Runcorn and Widnes Weekly News advertising this application. The notices will be published in those newspapers on weeks commencing 21st November 2022 and 28th November 2022. Letters have also been sent today to those stakeholders agreed with the Department for Business, Energy and Industrial Strategy (BEIS) to notify them of this application. The deadline for responses from all stakeholders is 6th January 2023. Following the publication of the notices, KGSL will provide you with our final consultation and publicity statement, detailing the steps taken to comply with Regulation 7A of the 2011 Regulations.

A fee of £6891 accompanies this application.

Yours sincerely

RD Stevenson

Richard Stevenson
KGSP Project Manger
On behalf of
Keuper Gas Storage Limited