The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Nodyn cyfarfod

Enw'r prosiect	Piblinell Carbon Deuocsid HyNet North West
Cyfeirnod ffeil	EN070007
Statws	**Drafft**
Awdur	Yr Arolygiaeth Gynllunio
Dyddiad	10 Awst 2021
Cyfarfod gyda	ENI, Progressive Energy Limited, WSP
Lleoliad	Microsoft Teams
Amcanion y cyfarfod	Diweddariad ar y Prosiect
Dosbarthiad	Yr holl fynychwyr

Crynodeb o'r pwyntiau allweddol a drafodwyd a chyngor a roddwyd

Cynghorodd yr Arolygiaeth Gynllunio (yr Arolygiaeth) y byddai nodyn o'r cyfarfod yn cael ei wneud a'i gyhoeddi ar ei gwefan yn unol ag adran 51 Deddf Cynllunio 2008 (PA2008). Ni fyddai unrhyw gyngor a roddwyd o dan adran 51 yn gyfystyr â chyngor cyfreithiol y gallai ymgeiswyr (neu eraill) ddibynnu arno.

Diweddariad Allweddol ar y Prosiect

Amlinellodd yr Ymgeisydd y cyd-destun polisi ehangach sy'n llywio'r datblygiad. Mae'r Ymgeisydd yn disgwyl rhagor o wybodaeth am ddilyniant clystyru BEIS.

Ymgynghoriad Anstatudol

Cafwyd ymgynghoriad anstatudol dros gyfnod o bedair wythnos, yn dechrau ar 9 Mehefin 2021 ac yn dod i ben ar 11 Gorffennaf 2021, a denodd 123 o ymatebion ar ffurf holiaduron wedi'u llenwi, adborth o'r map rhyngweithiol ar-lein a negeseuon e-bost. Diben yr ymgynghoriad anstatudol oedd cyflwyno'r prosiect i'r cyhoedd, cynyddu ymwybyddiaeth a chaffael adborth ar yr opsiynau llwybr arfaethedig ar gyfer y biblinell CO_2.

Eglurodd yr Ymgeisydd fod y Datganiad Ymgynghoriad Cyhoeddus (SoCC) wrthi'n cael ei ddrafftio ar hyn o bryd gyda mewnbwn anffurfiol gan yr awdurdodau lleol perthnasol, a bydd yn cael ei gyhoeddi ym mis Hydref 2021. Byddai ymgynghori statudol yn cael ei gynnal rhwng Ionawr a Chwefror 2022. Eglurodd yr Ymgeisydd ei fod yn bwriadu ymgorffori hyblygrwydd yn y Datganiad Ymgynghoriad Cyhoeddus i alluogi cynnal digwyddiadau a gweithgareddau ymgynghori wyneb yn wyneb.

Diweddariad ar y Prosiect

Amlinellodd yr Ymgeisydd ei fwriad ar gyfer y rhaglen cyn-ymgeisio a oedd yn weddill:

- Cwblhau'r Adroddiad Gwybodaeth Amgylcheddol Rhagarweiniol (PEIR) – Ch4 2021;
- Ymgynghoriad Statudol i'w gynnal – Ch1 2022;
- Adolygiad gan yr Arolygiaeth o ddogfennau drafft y cais – Ch 2022; a
- Chyflwyno Gorchymyn Cydsyniad Datblygu (DCO) – Ch3 2022.

Ymgysylltu â Rhanddeiliaid

Dywedodd yr Ymgeisydd ei fod yn cynnal cyfarfodydd rheolaidd gyda Chyngor Sir y Fflint a Chyngor Gorllewin Caer a Chaer ers mis Ebrill 2021, a chrynhodd y bu'r ymgysylltu â Chyngor Sir y Fflint a Chyngor Gorllewin Caer a Chaer yn gadarnhaol hyd yma. Roedd Cytundebau Perfformiad Cynllunio gyda phob Awdurdod Cynllunio Lleol (ACLl) wrthi'n cael eu datblygu.

Dywedodd yr Arolygiaeth ei bod yn bwriadu sicrhau ymgysylltu cynnar â rhanddeiliaid technegol, gan gynnwys Cyrff Cadwraeth Natur Statudol. Roedd cyfarfodydd â rhanddeiliaid eisoes wedi'u cynnal gyda Natural England (NE), Cyfoeth Naturiol Cymru, Historic England a Llywodraeth Cymru i drafod materion yn ymwneud â'r Asesiad o'r Effeithiau Amgylcheddol (AEA). Yn ogystal, dywedodd yr Ymgeisydd ei fod yn bwriadu cynnal cyfarfodydd bob deufis gyda Natural England a Cyfoeth Naturiol Cymru i sicrhau bod y rhaglen, materion i'w cyflawni a mewnbynnau yn cael eu cyfleu'n effeithiol.

Fe wnaeth yr Arolygiaeth fflagio'r ffaith y gallai fod angen i'r Ymgeisydd ddefnyddio Gwasanaeth Cynghori Disgresiynol Natural England, ac o bosibl dod i gytundeb tebyg gyda Cyfoeth Naturiol Cymru. Cynghorodd yr Ymgeisydd bod cytundeb gyda Cyfoeth Naturiol Cymru yn cwmpasu materion ecolegol, a Datganiad Dylunio a Mynediad gyda Natural England, eisoes ar waith ar gyfer y Prosiect Piblinell CO_2, ond nododd wrth fynd heibio fod profiad ar brosiectau blaenorol yn awgrymu nad oedd timau rhanbarthol Natural England bob amser yn gallu ymrwymo i Ddatganiad Dylunio a Mynediad oherwydd pwysau adnoddau.

Mynediad i Dir a Diweddariad ar Arolygon

Cadarnhaodd yr Ymgeisydd fod oddeutu 92% o fynediad i'r tir wedi'i sicrhau. Lle'r oedd angen, byddai mynediad i weddill y tir yn cael ei sicrhau drwy a172 Deddf Tai a Chynllunio 2016. Dywedodd yr Ymgeisydd y byddai gwaith arolwg geotechnegol yn dechrau cyn diwedd Ch3 2021 ar dir lle'r oedd mynediad wedi'i sicrhau.

Barn Gwmpasu

Dywedodd yr Ymgeisydd ei fod yn cytuno'n gyffredinol â'r Farm Gwmpasu a ddarparwyd gan yr Arolygiaeth ar 14 Gorffennaf 2021 a'i fod yn bwriadu datblygu ymhellach a mireinio cwmpas y Datganiad Amgylcheddol drwy ymgynghori ac ymgysylltu â rhanddeiliaid ymhellach.

Nododd yr Ymgeisydd fod natur linol y prosiect yn gosod cyfyngiadau ar y graddau y gellir mireinio elfennau dylunio yn y cam cwmpasu, fodd bynnag, roedd yr Ymgeisydd yn bwriadu darparu mwy o fanylion dylunio i lywio'r ymgynghoriad statudol.

Eglurodd yr Ymgeisydd y byddai'r Datganiad Amgylcheddol yn cynnwys disgrifiad o'r berthynas rhwng y Datblygiad Arfaethedig a phrosiect ehangach HyNet; gan gynnwys gwaith i'w gynnal ar y biblinell bresennol rhwng Gosodiad Uwchlaw'r Ddaear (AGI) y Fflint a'r Parlwr Du.

Dywedodd yr Ymgeisydd y byddai asesiad o'r effeithiau cronnol o fewn y prosiect rhwng y prosiect a chynllun ehangach HyNet yn cael ei gynnal, ac y byddai dull yr asesiad hwn yn cael ei gytuno gyda'r cyrff ymgynghori perthnasol.

Cynghorodd yr Arolygiaeth, yn ychwanegol at effeithiau cronnol gofodol, y dylai'r Ymgeisydd roi ystyriaeth hefyd i effeithiau cronnol amserol rhwng y Datblygiad Arfaethedig a chynllun ehangach HyNet yn y Datganiad Amgylcheddol.

Unrhyw Fusnes Arall

Holodd yr Ymgeisydd ynghylch statws yr adolygiad o'r Datganiad Polisi Cenedlaethol ar Ynni (NPS) gan y disgwyliai y byddai'r adolygiad hwn yn cynnwys goblygiadau i'r gofynion am Gynnydd Net mewn Bioamrywiaeth (BNG) ac, ar ôl hynny, cyllido'r cynllun. Nid oedd unrhyw wybodaeth ychwanegol gan yr Arolygiaeth i'w darparu am raddfa amser yr adolygiad o'r NPS Ynni na'r gofynion tebygol am Gynnydd Net mewn Bioamrywiaeth. Cynghorodd yr Ymgeisydd i adeiladu rhwyd ddiogelwch wrth gostio'r Datblygiad Arfaethedig i gyfrif am ystod y deilliannau posibl yn ymwneud â Chynnydd Net mewn Bioamrywiaeth.

The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Meeting note

Project name	HyNet North West Carbon Dioxide Pipeline
File reference	EN070007
Status	**Draft**
Author	The Planning Inspectorate
Date	10 August 2021
Meeting with	ENI, Progressive Energy Limited, WSP
Venue	Microsoft Teams
Meeting objectives	Project Update
Circulation	All attendees

Summary of key points discussed and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Key Project Update

The Applicant outlined the wider policy context which the development is informed by. The Applicant is awaiting the further information on the BEIS clustering sequence.

Non-Statutory Consultation

Non-statutory consultation occurred over a four-week period, commencing on 9 June 2021 and ending on 11 July 2021, attracting 123 responses in the form of completed questionnaires, feedback from the online interactive map and emails. The purpose of the non-statutory consultation was to introduce the project to the public, raise awareness and acquire feedback on the proposed route options for the CO_2 pipeline.

The Applicant explained that the Statement of Community Consultation (SoCC) was currently being drafted with informal input from the relevant Local Authorities and will be published in October 2021. Statutory consultation would take place between January and February 2022.The Applicant explained that it intended to incorporate flexibility into the SoCC to accommodate in-person consultation events and activities.

Programme Update

The Applicant set out its intention for the remaining pre-application programme:

- Preliminary Environmental Information Report (PEIR) to be finalised – Q4 2021;
- Statutory Consultation to be undertaken – Q1 2022;
- Inspectorate review of draft application documents – Q2 2022; and
- DCO submission – Q3 2022.

Stakeholder Engagement

The Applicant stated that it had held regular meetings with Flintshire County Council (FCC) and Cheshire West and Chester Council (CWACC) since April 2021, and summarised that engagement with FCC and CWACC to date had been positive. Planning Performance Agreements with each Local Planning Authority (LPA) were in development.

The Applicant stated that it intended to secure early engagement with technical stakeholders, including Statutory Nature Conservation Bodies. Stakeholder meetings had already been held with Natural England (NE), Natural Resources Wales (NRW), Historic England and the Welsh Government to discuss matters relating to the Environmental Impact Assessment (EIA). In addition, the Applicant stated that it intended to hold bi-monthly meetings with NE and NRW to ensure that the programme, deliverables and inputs are communicated effectively.

The Inspectorate flagged that the Applicant might need to use NE's Discretionary Advice Service and possibly reach a similar agreement with NRW. The Applicant advised that an agreement with NRW covering ecology matters and a DAS with NE are already in place for the CO_2 Pipeline Project, but noted as an aside that experience on previous projects suggested that NE's regional teams were not always able to enter into a DAS due to resourcing pressure.

Land Access and Survey Update

The Applicant confirmed that circa 92% of land access had been secured. Where necessary, access to the remaining land would be secured through s172 of the Housing and Planning Act 2016. The Applicant stated that geotechnical survey work would commence before the end of Q3 2021 on land where access had been secured.

Scoping Opinion

The Applicant stated that it was in general agreement with the Scoping Opinion provided by the Inspectorate on 14 July 2021 and intend to further develop refine the scope of the Environmental Statement (ES) through further consultation and stakeholder engagement.

The Applicant outlined that the linear nature of the project sets limitations on the extent to which design elements can be refined at the scoping stage, however the Applicant intended to provide further design detail to inform the statutory consultation.

The Applicant explained that the ES would include a description of the relationship between the Proposed Development and the wider HyNet project; including works to be conducted on the existing pipeline between Flintshire Above Ground Installation (AGI) and the Point of Ayr.

The Applicant stated that an assessment of the intra-project cumulative effects between the project and the wider HyNet scheme would be undertaken, and that the approach to this assessment would be agreed upon with the relevant consultation bodies.

The Inspectorate advised that, in addition to spatial cumulative effects, the Applicant should also consider temporal cumulative effects between the Proposed Development and the wider HyNet scheme in the ES.

AOB

The Applicant enquired about the status of Energy National Policy Statement (NPS) review as it anticipated that this review would have implications for the requirements for Biodiversity Net Gain (BNG), and subsequently the financing of the scheme. The Inspectorate had no further information to provide on the timescale of the Energy NPS review or the likely requirements for BNG. It advised the Applicant to build a safety net into the costing of the Proposed Development to account for the range of potential outcomes relating to BNG.