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PAC 1596/4.5.45/DG/L/145a

Dear Mr. Gelly

**South Wales and the West Reinforcement Pipelines  
Route Corridor Investigation Study (RCIS) Report**

We provide the enclosed reply to the RCIS report published by NG in September 2005. This is provided without prejudice to other submissions that this Authority may make with respect to this project.

Yours sincerely

Chris Gledhill  
Chief Executive

cc. Gary Mohammed DTI  
Dr. Maggie Hill CCW  
Peter Ogden CPRW  
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Diana Reynolds, Nature Conservation Branch WAG  
Gerry Quarrell, Head of Countryside WAG  
Brian Burrows WDA

## **Main report – RCIS South Wales and West Reinforcement Project**

### **Our response in brief:**

- Clearly we would prefer that the pipeline does not cross through the National Park at all and therefore we object to the proposal. Furthermore we are not convinced that sufficient evidence has been presented in this report to determine clearly which of options 12 and 13 are the least damaging.
- However, without prejudice to other representations that this Authority may make on the overall sustainability of this scheme, if the pipeline were to pass within the Brecon Beacons National Park, we would prefer that it follow route option 13 to route options 5 or 6. That is not to say that we prefer route option 13 to route option 12 however. We seek clarification on a number of points used to appraise the different routes.
- As we understand Appendix G of the report, option 12 is the most favourable route. This is borne out in Table 7.4 of chapter 7, although according to the evaluation of construction constraints in chapter 7, NG prefers option 13. We are not convinced that the report clearly demonstrates that option 13 should be preferred to option 12.
- We concur with the advice provided by CCW in its response to this report, “National policy is that major developments should not occur within a National Park except in exceptional circumstances, the availability of alternatives being a key factor... We recommend that the Environmental Statement should provide a more conclusive level of proof that there is no alternative to routing through the BBNP,” (our emphasis). Clearly, if an engineering solution is possible for option 12, even if this comes at greater cost, then an alternative is available. It is then for the DTI to determine which option is the more sustainable, 12 or 13.
- We emphasise that sustainable development must be achieved in a way that fulfils the functions of the Brecon Beacons National Park, in so doing providing every opportunity for people who live and work in the park to achieve sustainable development too.<sup>1</sup>
- We object to the assumption made that there will be “little or no medium or long-term physical or environmental impact once installed along the most environmentally benign route possible.” It is for the DTI to determine whether all possible routes in south Wales have been explored satisfactorily, whether Strategic Environmental Assessment is required either of the pipeline, gas transmission licensing or gas auctions and whether this additional pipeline beyond Aberdulais is required at all.

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<sup>1</sup> The UK Sustainable Development Strategy includes the following purpose, which has been agreed by the UK Government and Devolved Administrations:

*“The goal of sustainable development is to enable all people throughout the world to satisfy their basic needs and enjoy a better quality of life, without compromising the quality of life of future generations... that goal will be pursued in an integrated way through a sustainable, innovative and productive economy... and a just society... This will be done in ways that protect and enhance the physical and natural environment, and use resources and energy as efficiently as possible. Government must promote a clear understanding of, and commitment to, sustainable development so that all people can contribute to the overall goal through their individual decisions.”*

Furthermore, this assumption pre-judges the Environmental Statement and any submissions received thereon by the DTI. It pre-judges the appropriate assessments that must be completed by the various competent authorities under the Habitats Regulations. The presence of a buried pipeline also sterilises the ground above it for built development or for a range of farm enterprises such as developing woodland, which might otherwise be a suitable option to generate farm income, achieve habitat expansion, surface water retention and production of biofuel or mitigating climate change. In other words, sustainable use of the ground above the pipeline is not possible, compromising the functions of the National Park. Furthermore we do not consider that it is the function of a Level 1 Survey Report to make such an assumption. We therefore recommend that it should be discounted at this stage.

- Similarly we object to the assertions about “short-term temporary environmental, visual and land loss impacts, with routes reinstated to their original condition after installation.” Evidence from the Gilwern to Hafodyrynys pipeline across Mynydd Llangatwg (part SAC), the existing oil pipeline extending west to east through the Park and the common sense that anything that has been permanently disturbed cannot return to its “original condition” contradict this assertion. The doubts expressed by the Countryside Council for Wales in its response to the report, over the effectiveness of mitigation for the Gilwern to Hafodyrynys pipeline have arisen because there was not any tried and tested technology that was known to be successful prior to the onset of that scheme.
- For each of the route options within the area of search, where “desk-based study was supplemented by site visits from public rights of way,” this presumably was not undertaken for the offshore (marine) options apart to and from potential landfalls. Is this a limitation of the survey?
- Of the 16 onshore corridor options examined, 15 of these cross the Brecon Beacons National Park for at least part of their distance. We question whether this illustrates the real limitation of available terrestrial routes in south Wales or the inevitability that for engineering reasons a project such as this will always seek relatively undeveloped areas such as this protected landscape.
- We question the absence of any examination of the A465T route option. NG has explained during meetings and the report explains that the Welsh Assembly Government has advised NG that this is a “protected road.” Yet the BBNP is a protected landscape. Given the volume of construction currently underway or planned for this trunk road, surely this offers the WAG an excellent opportunity to explore the feasibility of constructing a major ‘service duct’ across the heads of the valleys that might carry major energy installations such as a gas pipeline? The land that would be sterilised by this might then be reserved for low impact activities such as cycling, horse riding or access on foot via a new strategic, sustainable public right of way. We are not suggesting that this *is* possible but that its feasibility should be explored. We are not aware that the Welsh Assembly Government has ruled this out; only that NG has done so.
- We suggest that the list of “significant environmental and construction constraints associated with offshore alternatives” paints a bleaker picture than is actually the case, by inferring that all of these constraints are found throughout the entire offshore corridor. Whereas different combinations of constraints occur in different

locations, which is also true for the terrestrial route options. Therefore, if the DTI is concerned that the offshore options should be explored fully, we recommend that a truer reflection of constraints, and indeed opportunities, would be gained from providing a route by route analysis for the offshore alternatives.

- Table 1 (Route length and cost comparison onshore v offshore) is misleading because the land-based option tabled is the Aberdulais to Llanvetherine (central corridors) one, rather than NG's preferred, significantly longer Felindre to Tirley option. We believe that a truer comparison should be made between offshore options and route options 5, 6, 12 and 13. NG has used length and associated additional costs to rule out the offshore options, yet additional length and costs are anticipated for the preferred option.
- We believe there is merit in making closer examination of the offshore options, in particular the one involving landfall only at Neath Port Talbot (Margam Sands) and Dunster Beach. We believe that this route option would fall outside the area of safeguarded sand and gravel deposits within the Bristol Channel.
- We recommend that greater consideration be given to the following topics:
  - How the construction, restoration and residual long term adverse effects will impact on the implementation of sustainable initiatives and community strategies within the BBNP, Powys and Carmarthenshire
  - The presence of ancient semi-natural woodland of less than 2 hectares along the routes
  - The amount of agricultural land that will be damaged or become sterilised, effectively preventing any woodland production (for example bio-fuel crops as a diversification option) and perhaps other farm diversification options
  - The maps give a very poor impression of the scale and extent of damage, passing through a range of significant and successful farm enterprises, as well as small and vulnerable settlements
  - The Fforest Fawr Geopark designation
  - The increased likelihood of extreme weather events (drought, flood, heavy and prolonged rainfall) that may have an adverse effect on terrestrial hydrology and the behaviour and condition of soils along the finished pipeline route.
- Were the DTI to grant consent for this pipeline, we would expect to have been offered appropriate compensation by NG for damage to land owned by the Brecon Beacons National Park Authority.

### **Our response in detail:**

#### RCIS areas of search

Whilst the RCIS is strategic in nature, we welcome the efforts made to include additional information, which we believe has produced a report that is more informative and helpful than might normally be required in a Level 1 Survey Report. We suggest however that the DTI ensures that all details here that are relevant to the formal Environmental Impact Assessment are also drawn into the EIA.

1.5 We recommend that an EIA and Environmental Statement will be required.

### **3.14 Dismantled railways**

We welcome the intention to treat dismantled railways as part of the available rail infrastructure.

### **4.1 Climate**

We recommend that consideration be given to the effects of climate change during the lifetime of this pipeline, for example effects on soil conditions (expansion, shrinkage, saturation, subsidence), surface run off, permeability, land slips and so on.

### **4.2 Soils**

We have been advised by the National Soil Resources Institute (during conversations unrelated to this scheme) that the Soils of Wales map is not fully accurate. For example some areas of deep peat within the BBNP have not been recorded, there may be other omissions.

### **4.2 Agreements with Farming Organisations**

We stress that farmers should not be put at any disadvantage as a consequence of this pipeline. This should include their ability to fulfil the requirements of cross compliance, good agricultural and environmental condition and to be able to continue to implement any farm diversification enterprises successfully.

The agricultural land classification also gives an indication of the current or potential wildlife value, whereby poorer quality agricultural land, which is already under stress, is likely to be of higher wildlife value. Farmers are now encouraged to treat environmental goods as part of a farm's output; the ability of a farmer to fulfil or increase environmental output should not be compromised by this proposal.

### **4.4.4 Brecon Beacons National Park**

The National Park also comprises Mynydd Ddu to the west of Fforest Fawr, across the northern edge of which the northern route corridor would travel.

Section 62 (2) of the 1995 Environment Act applies to NG and also to the DTI.

We have previously advised NG that this Authority had applied to become designated as a European Geopark (this application was successful) and that this would comprise the Fforest Fawr Geopark, not the smaller Sleeping Giant Geopark referred to in the report, which has been amalgamated into the wider Fforest Fawr Geopark. UNESCO granted the designation on October 5 2005. It

comprises the entire western half of the BBNP (see <http://www.breconbeacons.org/folder.2005-10-04.5000538736> for more information).

#### **4.5.1 National Nature Reserves**

The list here includes “Section of the River Usk between Hirwaun and Aberdare (SN975 050). This must be an error; there being no part of the River Usk here, neither is any of it NNR. The Afon Cynon flows here.

##### *The BBNP Local Biodiversity Action Plan*

The report refers to the habitat and species action plans that have been published to date. This is merely the first tranche of action plans. It would be more useful to refer to the habitat and species audits, which list the priority habitats, priority species and species of conservation concern.

##### *Local Authority Country Parks*

The BBNPA owns and runs Craig y Nos Country Park.

#### **4.5.3 Ancient Woodland**

The provisional inventories of ancient woodland on which this list is based are not definitive and only include information on sites of at least 2 hectares and larger. There will of course be areas of ancient semi-natural woodland that are smaller than this.

Where land adjacent to or within ancient woodland is sterilised as a consequence of underground engineering, this precludes any possibility for woodland restoration or expansion. This may not be in the best interests of biodiversity conservation or the landowner affected and, within the BBNP, would be contrary to the Park Authority’s functions.

#### **4.6 Archaeology and Cultural Heritage**

This section should refer to the Register of Historic Landscapes developed by Cadw, CCW and Welsh Historic Monuments. For example, 2 Historic Landscapes have been identified in Powys - the Middle Usk Valley: Brecon and Llangorse, and the Middle Wye Valley – and these also fall within the BBNP.

Additional point: the Welsh Assembly Government requires the BBNPA to safeguard areas along the Usk Valley for sand and gravel deposits; these may be affected by the preferred route.

The Fforest Fawr Geopark might also be covered in this section.

#### **4.7.1 Local Tourist Attractions**

In addition to possessing numerous local tourist attractions, as a Protected Landscape Area, the Brecon Beacons National Park is a nationally and internationally important tourist attraction. The report should include mention of Mynydd Ddu as well as Fforest Fawr.

Among the tourist attractions listed for the National Park, it should also include the A40, which is an extremely popular and attractive route, as well as a major tourist highway.

#### **4.7.2 Recreational Facilities**

We are puzzled by the juxtaposition of attractive features here, whereby the BBNP 'complements' the historic towns listed (why is Brecon not mentioned?) yet it is possible that the pulling power of the towns listed owes a lot to their location within a National Park.

#### **4.9 Socio-economic Factors**

We would expect the EIA to carry out thorough examinations of the effects of the construction and after phases of the pipeline on all aspects of tourism and farming activities within the BBNP. Together with conservation, we would expect the EIA to examine the potential for material adverse effects on this aspect of the Park's functions and the viability of private enterprises.

The NPA has developed strategies on Sustainable Tourism, Cycling, Walking and Pony Trekking. It is tasked with developing a Social Inclusion Strategy and a Sustainable Development Strategy, as well as publishing a National Park Management Plan and State of the Park Report. If the pipeline receives consent under the regulations, we are concerned about our ability to implement these strategies effectively and report effectively or positively for the areas of the Park affected.

#### **5.2 Route Corridor Selection Criteria**

We are puzzled by the absence of cost as a criterion, given that this is listed in the Route Corridor Investigations Overview and featured strongly in initial discussions. It is mentioned several times in the text that follows, so presumably it is a criterion?

#### **5.3 Overall Process**

We trust that the DTI would satisfy itself that the route selection and appraisal methodology is appropriate in terms of best practice. We are also confident that CCW has provided very useful assistance and guidance to the NG consultants.

#### **5.5 Route Corridor Evaluation Methodology – Potential Construction Considerations**

***Climate***

Given the increase in autumn and winter rainfall over extended seasons, as well as the increasing incidence of drier summers (soil shrinkage), we recommend that this be included in the EIA and accounted for in method statements. We would not wish to see this effect played down; engineering operations during extreme weather conditions or unforeseen ground conditions could have significant effects on the condition and restoration of the site in question. In turn, meteorological events or shifting seasons would affect the construction timetable, with the potential for conflict of interests to arise.

**5.6 Route Corridor Evaluation Methodology - Potential Geotechnical Considerations**

Ditto 5.5.

**5.7 Key Environmental Considerations Within the Area of Search**

We would add the Geopark, Historic Landscapes and land sterilisation to the list of constraints.

**5.8.6 Watercourses**

Hazards of a pipeline crossing a watercourse also include flooding, excessive rainfall, waterlogged conditions on the adjacent land, changes to hydrology (which might also be a hazard for the pipe trench crossing areas with a high water table) and pollution incidents.

An indirect effect of crossing a river might be the loss of riparian and bank side vegetation, which might expose the riverbank to erosion once the pipeline is completed. It might also cause the short-term breakage of navigable habitat for bats.

**5.8.14 Working in Rock**

Clearly where rock is removed by some method or other, it will not be possible to restore the area to its former condition (i.e., rocky), merely to cover it over and allow grass to grow. This would amount to permanent damage of the location.

Should significant quantities of surplus rock be generated, we recommend that the EIA state how this might be made available for the local construction industry, if suitable.

**5.9 Key Geotechnical Considerations**

We would expect the pipeline to avoid any areas or pockets of deep peat, the location of which may not show up in the Wales soil map.

Is there an added risk of landslip anywhere along the route during extreme weather events, for example summer drought/soil shrinkage followed by excessive winter rainfall?

## 7.2 Potential Environmental Impacts of the Route Corridors

We believe that it is worth highlighting the sheer number of statutory designated sites affected by each of route options 5, 6, 12 and 13.

We believe that inclusion of SINC sites in this analysis is not useful, given the uneven coverage of these in different local authorities, not least of all the BBNP, where such sites have yet to be identified with any thoroughness. We believe that this pipeline proposal should not sterilise the opportunity for identifying such sites in future or of developing the wildlife interest of a site in future.

### Appendix G

We recommend that the DTI satisfy itself that in order to arrive at corridors 5, 6, 12 and 13 for further consideration during the options appraisal workshop in June 2005, like was compared with like between the 16 corridors. If this was not the case, we recommend that the DTI still satisfy itself that this is satisfactory. We consider this to be important if the DTI is to justify issuing consent for a pipeline of this size and length through the BBNP.

We recommend that the DTI satisfy itself that it is acceptable to discount terrestrial hydrology and the effects of climate change on soil condition and ground stability.

We recommend that the Fforest Fawr Geopark, a UNESCO designation (as is the Blaenavon World Heritage Site), should be included in the considerations of cultural heritage and landscape, as well as geology.

We note that as they are presented, Tables 3.5, 3.6 and 3.7 show option 12 to be preferable to option 13. We note that transport risks remain high for option 13. This is in contrast to the conclusion reached in chapter 7 of the main text where option 13 is preferred. Yet there does not appear to be a clear, integrated assessment in the report that arrives unequivocally at this conclusion. Rather does the conclusion appear to be based upon geotechnical and construction reasons, weighed against environmental and transport reasons.

In Tables 3.5 – 3.8 we recommend that the DTI seek clarification over the allocation of “low” sensitivity for recreation and tourism for options 12 and 13. We believe that for option 13 at least, the Geopark designation, open access to

the countryside, the impact on sustainable fisheries<sup>2</sup> and the fact that it crosses through the National Park would push this sensitivity to moderate or high.

We suggest that the recommendations we make below with respect to Tables 3.5 – 3.8 are carried over to the Trade Off Analysis in section 3 of Appendix G.

#### Table 3.5

We recommend that the designation of the Fforest Fawr Geopark should affect the “moderate” sensitivity of the landscape heritage of option 13.

In Appendix A (of Appendix G!) we understand why the distinction has been drawn between “pristine” and “managed” uplands. However, all uplands are managed, whether on common land or enclosed upland.

We do not understand the allocation of “low” sensitivity for business on options 13, 5 or 6, each of which crosses common land. We also believe that where the pipeline crosses common land or agricultural land, it may sterilise this land with respect to farm diversification or suitability for agri-environment schemes in future. We believe that land sterilisation for certain agricultural enterprises should show up under the risk categories for business in Appendix A (of Appendix G).

In Appendix A (of Appendix G), we believe that the activities listed under the “low” risk category for business - “farm closure of bridle paths, pony trekking, footpaths” and “walking” - are more applicable to one of the sensitivity categories for social (recreation and tourism). These are all facilities and activities that occur on public rights of way. Given that these are key activities in rural Wales and the BBNP, perhaps these should more appropriately be allocated to “moderate” sensitivity at least.

We do not understand the “low” sensitivity applied to the uplands crossed by route option 13 by comparison with the “moderate” sensitivity for uplands on route option 12. Both routes appear to pass equally close to the “urban areas” that determine this sensitivity.

There is an inconsistency whereby there are no sensitivities listed for transport in Appendix A, yet in Table 3.5 these are given as “High”, “High”, “Moderate” and “Moderate.”

#### Table 3.6

There is an inconsistency where for option 12 the risk to designations is given as “moderate” yet there is no risk listed next to the “moderate” category for designations in Appendix A (of Appendix G).

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<sup>2</sup> A considerable amount of river corridor and river channel restoration work is underway on the River Usk, to improve the freshwater fisheries for commercial enterprise and biodiversity conservation.

Table 3.7

We note that the risk to landscape designation becomes “low” following mitigation but that this is described in Appendix A (of Appendix G) as including the “potential for long term impact – loss of tree belts; inappropriate restoration etc.” We believe that long term adverse impacts are not acceptable within a National Park, so that this risk could more appropriately be set at “moderate” at least.

Table 3.8

The opportunities/benefits listed are identical for all 4 options. Interestingly, it is likely that the revised Technical Advice Note 5 (Nature Conservation) will require all developments, including permitted development, to lead to a net benefit for nature conservation. The benefits for terrestrial and freshwater ecology are listed as “low”, i.e., “some enhancement” in Appendix A (of Appendix G). This will need full explanation within the Environmental Statement.

Clearly the route options have target improved agricultural land wherever possible, where the intention will presumably be to return this to a productive condition (albeit sterilised for some activities from then onwards).

The main text of Appendix G states that “there are not seen to be any obvious benefit opportunities for the water environment.” Given the likely use of directional drilling techniques, this is likely to be true but it does not tally with “some enhancement” as stated.

The fourth paragraph on page 14 of Appendix G refers to Table 3.8. Presumably this should read Table 3.7.

We recommend that groundwater hydrology be considered in detail in the Environmental Statement, in particular the relationship between groundwater, soil condition and changing climate (summer droughts, increased winter precipitation).