

SSSI Assessment form: Appendix 4

Application for permission - Formal Notice (For Advice/Consultation)

This is a formal notice from the Environment Agency (EA) to Natural England (NE) (or other relevant Statutory Nature Conservation Body (SNCB)) to meet the requirements under Section 28I of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act (CRoW) 2000).

This is the duty in relation to granting any consent, licence or permit for activities likely to damage Sites of Special Scientific Interest (SSSI). We must seek advice (consult NE, or other SNCB) before permitting any activities that may damage a SSSI.

This notice was sent to Natural England or other SNCB for consultation.

An additional component charge for habitats assessment was levied for this application.

Version number and date: Final - 29/07/2021

1. Name of SSSI

River Eden and Tributaries SSSI

2. Type of permission

Environmental Permit (PPC Installations)

3. Proposed timing of permission

To be confirmed

4. Predicted 28 day date for NE (or other SNCB) response (under S28 I (4))

26/08/21

5. EA reference number

EPR/SP3609BX/A001

6. EA site/project name

Kingmoor Energy Recovery Facility

7. National grid reference

NY3814559189

8. Description of proposal

Fortum Carlisle Limited is developing the Kingmoor Energy Recovery Facility (Kingmoor ERF, the Facility) to incinerate incoming waste fuel on land south of the Kingmoor Park Industrial Estate, near Carlisle, which is accessible from the A689 via Kingmoor Park Road. The stack is located approximately at a National Grid Reference of NY 38145 59189, approximately 4-5 km north-west of Carlisle city centre.

To the north of the Installation Boundary is Kingmoor Park Road. The A689 is to the east of the Installation Boundary and a railway line (the West Coast Mainline) lies approximately 100m from the western boundary. A number of industrial facilities are located to the north, east and south of the Installation Boundary. Carlisle town centre lies approximately 5km south/southeast of the Site.

The Facility will burn up to 274,000 tonnes of non-hazardous waste per annum.

Emissions from the Facility will be released from a 70 m high stack. Emissions will consist mainly of oxides of nitrogen, sulphur dioxide, hydrogen chloride, hydrogen fluoride and ammonia. Detailed air dispersion modelling of emissions from the stack has been undertaken. See associated HRA Section 8 for more detail.

The only discharge to water will be of clean surface water run-off to Cargo Beck.

9. Is the proposed activity within (wholly or partially) the SSSI boundary?

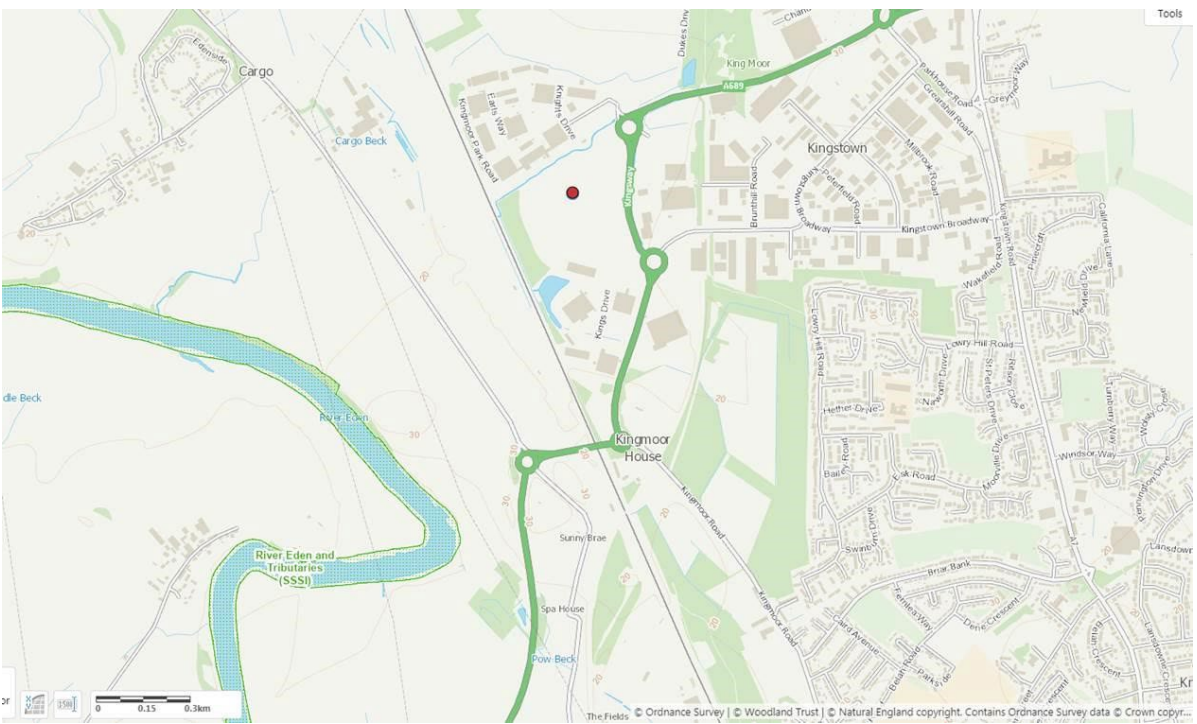
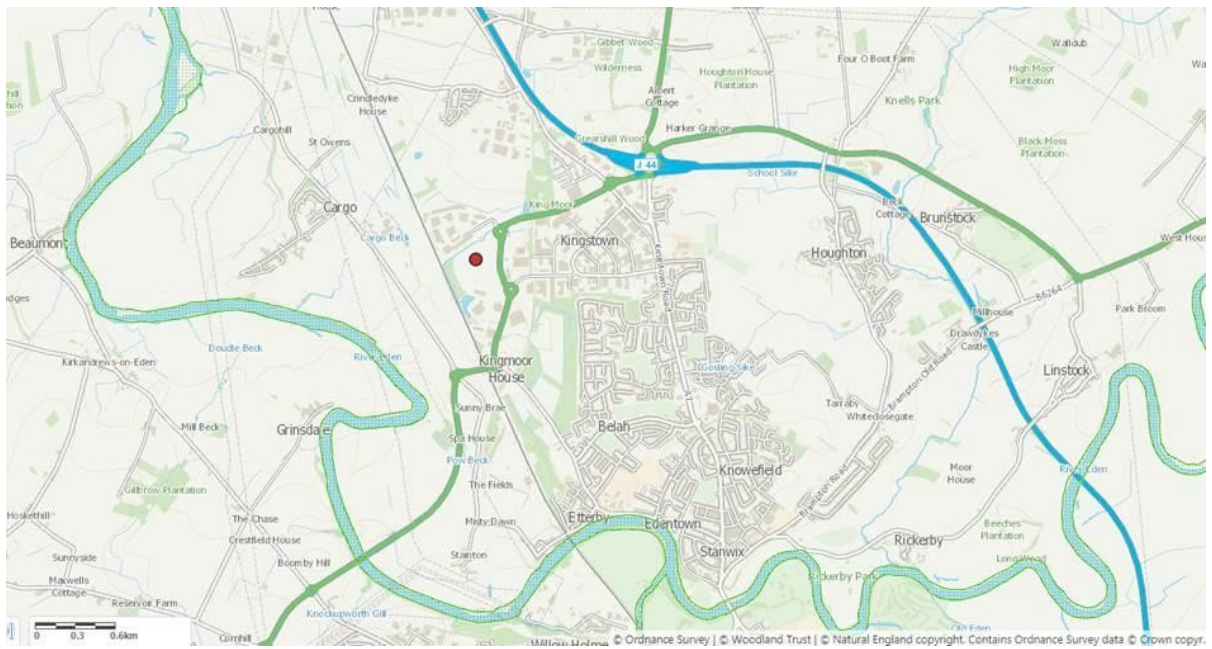


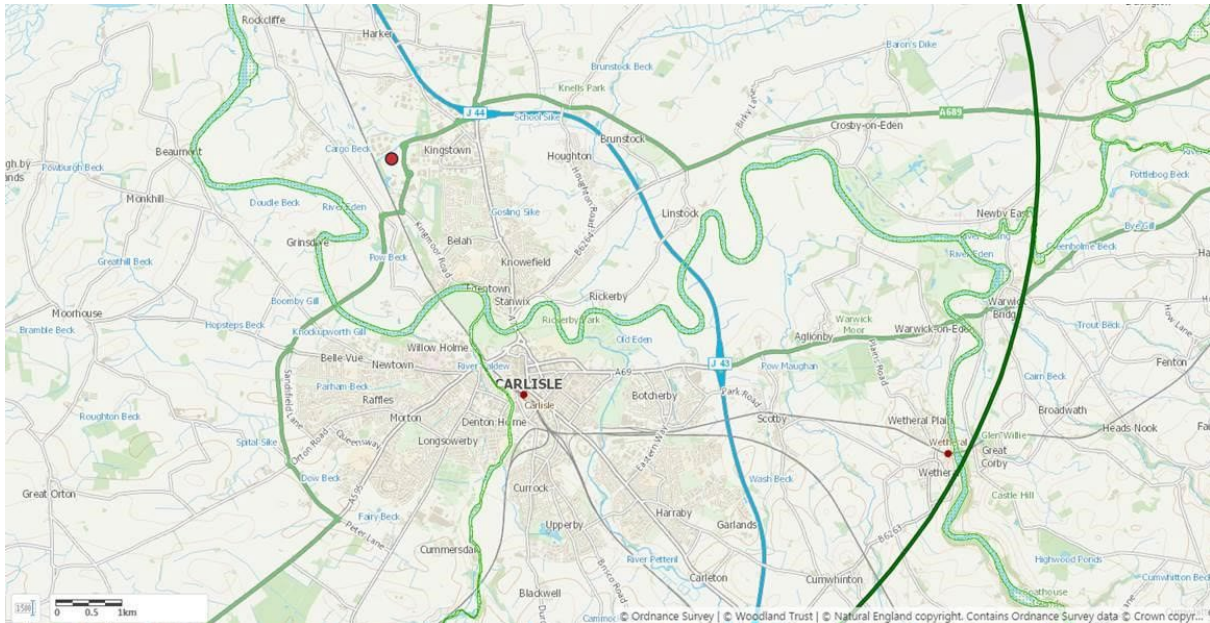
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No

Only one English SSSI has been identified. When cross referencing with the Scottish SSSI, the nearest is approx. 8km away. It covers the English SAC/SPA in estuary, so is not within the screening distances for IR EPR discharges to air.

The following maps shows the nearest associated SSSI. The permission location is shown as the red dot.





Please note: NE on the 21 October 2020, identified a number of other SSSI that may be relevant – ‘Oulton Moss, Scaleby Moss, Thurstonfield Lough, Finglandrigg Woods, Drumburgh Moss, Black Snib, White Moss Crosby Moor), all of which have habitats that are sensitive to aerial pollution. However these are all beyond the relevant screening distances. Therefore not considered further in this assessment.

The only relevant SSSI, is that of River Eden and Tributaries SSSI as it falls within the screening distance of 2km.

NE staff noted on the 9 November 2020, that:

‘The River Eden and Tributaries SSSI has the same features as the SAC (see above for those features within 10km) and some additional habitats and species. Most of the additional habitats are not within 10km of the proposed installation, however the invertebrate assemblage of river shingles and river bank, colonies of breeding sandmartins and wetland communities are within 10km, and these are likely to be sensitive to aerial pollution.’

NE also confirmed that:

‘these are unlikely to be within 2km of the installation.’

10. Has there been any discussion or correspondence with NE or other SNCB?

Yes – See info above and also correspondence log in Section 13 of the associated HRA.

11. Operations Requiring Consent or other activities associated with the work

The following 'Operations Requiring Consent' (or other activities associated with the work) that may cause damage are relevant to the proposed works:

OLD reference No.7' Dumping, spreading or discharge of any material.

A more detailed assessment of the overlapping features of this SSSI, with the SAC features has been conducted within the associated HRA.

However, upon further investigation we have not been able to identify any Critical Loads or Levels for these features. Given that there are no CL values and it is highly reasonable that any minor emissions to this aquatic species are massively diluted by the riverine flow and not directly absorbed by features, we are confident that there will be no likely significant effect.

This view is supported by the Natural England statement 7th June 2021. **12.**

Assessment of effects on features¹

Feature	Exposure, mechanism/pathway and scale of effect
Aggregations of non-breeding birds - Whooper Swan, Cygnus cygnus	Potential exposure but scale of effect negligible.
Assemblages of breeding birds - Upland waters and their margins	Potential exposure but scale of effect negligible.
Atlantic salmon, Salmo salar	Potential exposure but scale of effect negligible.
Breeding population of nationally rare fish species - Whitefish, Coregonus lavaretus	Potential exposure but scale of effect negligible.
Brook lamprey, Lampetra planeri	Potential exposure but scale of effect negligible.
Bullhead, Cottus gobio	Potential exposure but scale of effect negligible.
EW - Non Marine Permian Triassic (Red Beds) - A geological feature.	Potential exposure but scale of effect negligible.
Feature	Exposure, mechanism/pathway and scale of effect

¹ List of notified features provided by Natural England on 21 January 2021

Flowing waters - Type VI: baserich, mesotrophic rivers in western and northern Britain, with a moderate to fast current.	Potential exposure but scale of effect negligible.
Invertebrate assemblage	Potential exposure but scale of effect negligible.
Isolated bird colony - Sand martin, <i>Riparia riparia</i>	Potential exposure but scale of effect negligible.
M23 - <i>Juncus effusus/acutiflorus</i> - <i>Galium palustre</i> rush pasture	Potential exposure but scale of effect negligible.
Otter, <i>Lutra lutra</i>	Potential exposure but scale of effect negligible.
River lamprey, <i>Lampetra fluviatilis</i>	Potential exposure but scale of effect negligible.
S7 - <i>Carex acutiformis</i> swamp	Potential exposure but scale of effect negligible.
Sea lamprey, <i>Petromyzon marinus</i>	Potential exposure but scale of effect negligible.
W5 - <i>Alnus glutinosa</i> - <i>Carex paniculata</i> woodland	Potential exposure but scale of effect negligible.
W6 - <i>Alnus glutinosa</i> - <i>Urtica dioica</i> woodland	Potential exposure but scale of effect negligible.
W7 - <i>Alnus glutinosa</i> - <i>Fraxinus excelsior</i> - <i>Lysimachia nemorum</i> woodland	Potential exposure but scale of effect negligible.
W8 - <i>Fraxinus excelsior</i> - <i>Acer campestre</i> - <i>Mercurialis perennis</i> woodland	Potential exposure but scale of effect negligible.
White-clawed (or Atlantic stream) crayfish, <i>Austropotamobius pallipes</i>	Potential exposure but scale of effect negligible.

13. Decision

The proposed permission is not likely to damage any of the flora, fauna or geological or physiological features which are of special interest.

The Environment Agency is minded to issue the permission.

Name of Environment Agency officer:

Job title:

Contact phone or e-mail:

Date sent to NE (or other SNCB), if applicable: 29 July 2021

For use when the notice has been sent to NE (or other SNCB)

14. NE (or other SNCB) comment on notice

|| NE advise against permitting the operation / the operation can go ahead with / without conditions.
||

Write here...

Name of Natural England (or other SNCB) officer:

Job title:

Contact phone or e-mail:

Date of response: || Select date ||