

National Infrastructure Directorate  
Planning Inspectorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

**Our ref:** RA/2015/131206/02-L05  
**Your ref:** EN10048  
**Our ID:** 10030429  
**Date:** 20 May 2015

## WRITTEN REPRESENTATION SUMMARY

Dear Sir/Madam

### **THE WHITE ROSE CCS (GENERATING STATION) DEVELOPMENT CONSENT ORDER. LAND WITHIN AND ADJACENT TO THE DRAX POWER STATION SITE, DRAX, NEAR SELBY, NORTH YORKSHIRE.**

We would like to provide the following summary of our Written Representation.

#### **1.0 Flood Risk**

- The submitted FRA and associated breach analysis are acceptable;
- The risks are adequately understood and suitable mitigation has been proposed;
- We request minor amendments to requirement 13 to improve its precision. These previously requested amendments are not reflected in revision 2 of the draft DCO;
- The River Ouse is a Main River. EA consent will be required for any works in, over, under, or within 8 metres of it and/or the toe of its flood defence.

#### **2.0 Surface Water Management**

- We have reviewed the proposals for surface water management and are content with the assessment provided;
- We request some amendments to requirement 12, so it more precisely reflects the mitigation measures proposed in the ES. These previously requested amendments are not reflected in revision 2 of the draft DCO;

#### **3.0 Biodiversity**

- We have reviewed the project's impact on water-related biodiversity;
- Matters of terrestrial ecology fall outside our remit;
- The applicant acknowledges that there will be a net loss of pond and wetland habitat and that there is a deficit in mitigation for this loss which is, as yet, unaddressed. We do not feel it is appropriate to defer mitigation of this loss to requirement 16;

- The ecological enhancement measures currently proposed are inadequate, vague and open-ended;
- We request a schedule of biodiversity mitigation and enhancement measures to which the applicant is committed.

#### **4.0 Environmental Permit**

- The proposed project will need an Environmental Permit;
- We have promoted the benefits of parallel tracking to the applicant;
- A permit application was received on 16 April 2015;
- There is currently insufficient information for the permit application to be duly made. We have notified the applicant that we will be asking for further information and explanations of the assumptions made in the application;
- We have provided feedback to the applicant during permit pre-application stage on air emissions and about the use of guidance and methodologies for noise;
- We highlighted that we are unable to provide letters of no impediment in advance of Environmental Permit determination;
- Although we have reviewed the air quality modelling methodologies, we have not commented on the validity of the modelling conclusions. This will be done as part of the Environmental Permit determination.

#### **5.0 Abstraction Licence**

- It is the applicant's position that a minor amendment to an existing Water Abstraction Licence will be needed;
- It will also be necessary to ensure that water loss-factors do not need amending;
- If loss-factors are increased, environmental impacts would need to be assessed as part of the abstraction licensing process;
- If a new licence or substantial variation is needed, the Canal and River Trust would need to be the licence holder;
- There is currently insufficiently detailed information within the application to fully understand how water will be used as part of the project. Without this information we cannot definitively advise on what permits are required or what existing permits will need to be varied.

#### **6.0 Habitats Regulations Assessment**

- We are the competent authority for the Environmental Permit under the Habitats Regulations;
- We have, to date, been unable to carry out a Habitats Regulations Assessment;
- We would be happy to engage in competent authority co-ordination;
- CPL's intention is to stay within existing permitted limits for water abstraction and discharge. We must still satisfy ourselves at permit/licence stage in relation to alone and in-combination effects based on the latest information about other projects and relevant designated sites.

#### **7.0 Waste Management**

- We requested a minor addition to requirement 25 to ensure that we are suitably involved with the proposals for waste management;
- We also recommended an amendment to requirement 18 to secure the soil management plan and sediment control plan cited in the ES;
- The changes to these requirements requested in our Relevant Representation do not appear to be reflected in revision 2 of the draft DCO.

#### **8.0 Groundwater & Land Contamination**

- We agree with the conceptualisation of the geology and hydrogeology of the site;

- The ES adequately identifies all potential sources of contamination, as well as the environmental receptors and potential pathways;
- The main environmental risks to groundwater come from the construction phase;
- We accept the proposed mitigation measures and agree that if implemented will reduce the risk to sensitive receptors;
- Dewatering on site during construction is expected to be temporary and small scale and unlikely to affect the discontinuous groundwater flow.

### **9.0 Dis-application & Protective Provisions**

- There are no proposals in the draft DCO to dis-apply any legislation on which we rely to control certain activities through the issuing of other permits or licences;
- Our position is that paragraph 16 of Part 4 Supplemental Powers does not over-ride the need for consent from the EA.

### **10.0 Land Interest**

- We have no interest in land directly affected by the proposed project.

Should you require any additional information or clarification, please don't hesitate to contact me on the details below.

Yours faithfully

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