White Rose Carbon Capture and Storage (CCS) Project

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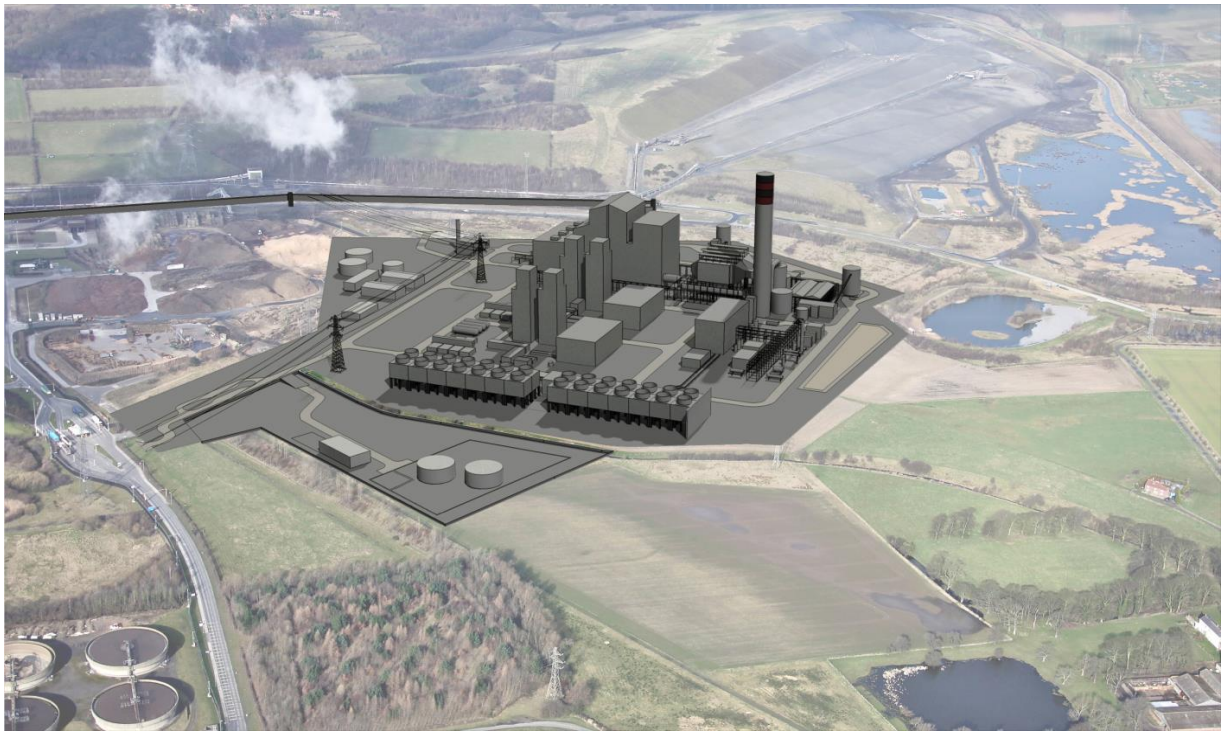
The White Rose CCS (Generating Station) Order

Land adjacent to and within the Drax Power Station, Drax, near Selby, North Yorkshire

Applicant's Statement of Common Ground with North Yorkshire County Council and Selby District Council - DRAFT

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 - Regulation 5(2)(q)



Applicant: Capture Power Limited
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1.0	29.04.15	First draft for discussion.	GB
2.0	20.05.15	Second draft for discussion taking account of draft Local Impact Report and meeting with NYCC and Selby DC on 08.05.15.	GB

Glossary	
ASUs	Air Separation Units.
CHP	Combined Heat and Power.
CO_2	Carbon Dioxide.
CPL	Capture Power Limited.
CCR	Carbon Capture Readiness.
CCS	Carbon Capture and Storage.
DAS	Design and Access Statement.
DCO	Development Consent Order.
EN-2	National Policy Statement for Fossil Fuel Generating Infrastructure.
EPS	Emission Performance Standards.
ES	Environmental Statement.
FDO	Footpath Diversion Order.
GPU	Gas Processing Unit.
HGV	Heavy Goods Vehicles.
kV	Kilovolts.
LIR	Local Impact Report.
LVIA	Landscape and Visual Impact Assessment.
NERC	Natural Environment and Rural Communities Act 2006
NGCL	National Grid Carbon Ltd.
NYCC	North Yorkshire County Council.
PROW	Public Rights of Way.
SDC	Selby District Council.
SM	Scheduled Monument.
SoCG	Statement of Common Ground.
TCPA 1990	Town and Country Planning Act 1990.
WRCCS	White Rose Carbon Capture and Storage.
YWT	Yorkshire Wildlife Trust

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APPENDICES

1.0 INTRODUCTION

OVERVIEW

1.1 This is the Statement of Common Ground ('SoCG') between Capture Power Limited (the 'Applicant') and North Yorkshire County Council ('NYCC') and Selby District Council ('Selby DC') relating to the application (the Application') that has made to the Secretary of State ('SoS') for a Development Consent Order ('DCO') under Section 37 of the Planning Act 2008 (the '2008 Act').

1.2 The Application' seeks development consent for the construction, operation and maintenance of the White Rose Carbon Capture and Storage (CCS) project (the 'Project'). The Application was submitted in November 2014 and accepted for Examination on 17 December 2014.

1.3 The Project would be located on land within and adjacent to the operational boundary of the existing Drax Power Station site (the 'Power Station site'), near Selby, North Yorkshire.

THE BACKGROUND TO THE PROJECT

1.4 The Project comprises a new thermal generating station (an ultra-supercritical oxy-fuel coal-fired power plant of up to 448 MWe gross with the ability to co-fire biomass) that will be fitted with carbon capture and storage ('CCS') technology and associated development.

1.5 The CCS technology would capture up 90% of the carbon dioxide emissions from the new power plant. The carbon dioxide would be transported via the National Grid Carbon Limited Yorkshire and Humber CO_2 Pipeline (a separate project) for permanent storage beneath the North Sea.

1.6 The Project forms part of the UK Government's CCS Commercialisation Programme and would assist in demonstrating new coal-fired power plant fitted with CCS at a commercial scale. The Project would make an important contribution toward the delivery of national energy policy, which is aimed at ensuring the security of energy supplies while moving toward a low carbon electricity generation mix.

THE APPLICANT

1.7 The Applicant is an English private limited company that was incorporated in December 2011 as a fully owned subsidiary of Drax CCS Limited (a company fully owned by Drax Group plc) to promote the Project.

1.8 In December 2013 ALSTOM UK Holdings Limited (an Alstom Group company) and The BOC Group Limited (a Linde Group company) each acquired a one-third interest in CPL. The Applicant (CPL) is therefore currently a joint venture company equally owned by Drax CCS Limited, ALSTOM UK Holdings Limited and The BOC Group Limited.

NORTH YORKSHIRE COUNTY COUNCIL AND SELBY DISTRICT COUNCIL

1.9 The Project site lies entirely within the administrative areas of NYCC and Selby DC. NYCC and Selby DC fall within the definition of a local authority ('LA') for the purposes of Section 43 of the 2008 Act and are 'host local authorities' for the purposes of the Application. NYCC is an 'upper tier' local authority, with Selby DC being the 'lower tier' authority.

1.10 For the purposes of the Examination of the Application, NYCC and Selby DC have prepared a joint Local Impact Report ('LIR'). Both local authorities have also registered as interested parties for the examination process. The preparation of the SoCG has been informed by the LIR and discussions and meetings with the two authorities.

1.11 It is agreed that Selby DC would be the relevant planning authority to which the Applicant would submit the details needed to discharge the requirements contained within Schedule 2 of the draft DCO. Selby DC would be responsible for carrying out any consultation in respect of the requirements and ultimately the discharge and enforcement of these requirements.

THE PURPOSE AND STRUCTURE OF THE SOCG

1.12 The purpose of this SoCG is to set out the agreement that has been reached between the Applicant and NYCC and Selby DC in respect of a number of matters relating to the Project, including the:

- Description of the Project site.
- Description of the Project.
- Relevant planning history.
- Local planning designations.
- Relevant planning policy.
- The need for the Project.
- Site selection and alternatives.
- Limits of deviation and detailed design.
- Good design.
- Combined heat and power.
- Carbon capture and storage and carbon capture readiness.
- Sustainability and climate change.
- Access and public rights of way.
- Minerals and waste.
- Environmental Impact Assessment.
- The benefits and adverse effects of the Project.
- The scope of the draft DCO and the draft requirements.
- The need for a development consent obligation.
- The site raising and preparation works planning application.

1.13 Sections 2 to 20 of the SoCG set out the areas of agreement in relation to the above matters while Section 21 sets out any matters that are not agreed.

2.0 DESCRIPTION OF THE PROJECT SITE

2.1 The Project site comprises land both within and adjacent to the boundary of the existing Power Station site, including part of the Barlow Mound.

2.2 The River Ouse is located approximately 1.5 km to the north and north-east of the Project site, with the Barlow Mound (the area used for the long-term storage of fuel ash from the existing Drax Power Station) being situated immediately to the north and west. The existing Power Station site is located to the south.

2.3 The Project site, with the exception of the land within the operational area of the existing Power Station site and at the Barlow Mound, consists of land used for storage, handling and preparation of wood and biomass materials (for co-firing within the Power Station), topsoil storage and agricultural purposes. It is crossed by a number of drainage ditches, including the Carr Dyke.

2.4 A public right of way ('PROW') runs along the western side of the Project site, past Barlow Mound, and then eastwards across the site to New Road/Pear Tree Avenue in the east. Another footpath runs south-east from New Road across the Project laydown area to the east of New Road. A Footpath Diversion Order ('FDO') was confirmed by NYCC on 13 February 2015, which allows for the PROW to be re-routed around the Project site.

2.5 Immediately to the north of the Project site is a Scheduled Monument ('SM') known as Drax Augustine Priory. To the east of the SM is Drax Abbey Farm.

2.6 The Project site has good road and rail links. There is road access to the existing Power Station site from Junction 36 of the M62 via the A645, which is used as the route for all heavy good vehicle

('HGV') traffic. A dedicated rail spur enters the existing Power Station site from the south-west, serving the internal rail systems used for the delivery of coal.

2.7 The existing Power Station site has use of a jetty on the River Ouse approximately 1.5 km to the east, reached by Redhouse Lane and then Carr Lane. The River Ouse provides access to the Port of Goole, the River Humber and North Sea. The jetty forms part of the Project Site.

2.8 It is agreed that Section 3 of the Design and Access Statement ('DAS') (Document Ref: 5.5) provides an accurate description of the Project site, its immediate surroundings and access arrangements.

3.0 DESCRIPTION OF THE PROJECT

3.1 The Project is formally described at Schedule 1 to the draft DCO (Document Ref. 2.1). It is agreed that the description of the Project at Schedule 1 is accurate and that all of the components of the Project are capable of being granted development consent within the scope of the draft DCO.

3.2 The Works Plans (Document Ref. 4.3) identify the location and extent of the components of the Project within the Project site by reference to the Works Nos. set out in Schedule 1 of the draft Order.

3.3 In summary, the Project comprises the following:

- **Work Nos. 1A and 1B** - site raising and preparation works, including the creation of a development platform for the generating station to an appropriate level to mitigate flood risk, the creation of bridges and crossings over the Carr Dyke, and the creation of construction and laydown areas and site access works (works for raising the level of the Project site would be confined to the area of Work No. 1A and those for the construction and laydown area to Work No. 1B).
- **Work No. 1A** - the generating station (the 'coal-fired power plant') located in the northern part of the Project site, to the north of the existing Power Station site, primarily fuelled by coal, but with the ability to co-fire biomass, that will be capable of generating up to 448 MWe gross of electricity, including a boiler house, steam turbine, cooling water towers, flue gas treatment systems, a flue gas emissions stack, air separation units and CO_2 processing and compression facilities;
- **Work No. 2** - fuel intake, limestone and gypsum and fuel ash handling and transportation infrastructure, including connections with the existing Power Station site (located broadly along the western side of the Project site and the existing Power Station site) for the delivery of fuel and limestone for the combustion and flue gas desulphurisation processes and the export of fuel ash for storage at the existing Barlow Mound and also for the transport of gypsum;
- **Work No. 3** - fuel ash storage on part of the existing Barlow Mound forming the north-western part of the Project site and located to the north-west of the existing Power Station site.
- **Work No. 4** - a primarily underground connection to the electricity grid comprising an electrical cable running along the eastern side of the Project site to the existing 400kV substation located in the south-eastern part of the existing Power Station site.
- **Work No. 5** - connections for cooling water, potable water and sewerage and related facilities between the Project site and the northern part of the existing Power Station site.
- **Work No. 6** - vegetation clearance and the creation of a new hardstanding area immediately adjacent to the existing jetty on the River Ouse, located to the east of the main Project site and the existing Power Station site, to provide a laydown area for abnormal indivisible loads delivered by barge and space for parking and circulation of vehicles.
- **Work No. 7** - the underground diversion of an existing 11kV overhead electrical cable on the north-eastern edge of the Project site; and
- **Work No. 8** - works to the 400kV substation located in the south-eastern part of the existing Power Station site to facilitate the grid connection.

3.4 The works adjacent to the jetty (Work No. 6) is 'associated development' for the purposes of Section 115 of the 2008 Act.

3.5 There would be temporary works connected with the construction phase of the Project, which would be removed once construction has been completed. The draft DCO, Schedule 2, includes a requirement (Requirement 22 'Restoration of land used temporarily for construction') to secure the appropriate reinstatement of areas used temporarily during construction.

3.6 The detailed description of the Project provided at Chapter 5 of Environmental Statement ('ES') Volume I 'Main Report' (Document Ref. 6.2) is agreed.

3.7 It is agreed that the Project is accurately represented upon the following plans and drawings, although it is agreed that certain detailed and options are still to be fixed and that consequently the exact location and footprint of certain components will be subject to change within the limits of deviation referred to at Article 3 'Development consent etc. granted by the order' of the draft DCO.

- 4.3 - Works Plans (Key Plan and Sheets 1-4).
- 4.5 - Indicative Generating Station Drawings (Sheets 1-5).
- 4.6 - Indicative Site Raising Drawings (Sheets 1-2).
- 4.7 - Indicative Fuel Intake, Limestone and Gypsum and Fuel Ash Handling Transportation Infrastructure Drawing (Sheets 1-3).
- 4.8 - Indicative Electrical Cable Route for 400 kV Drawing.
- 4.9 - Indicative Drainage Plan.
- 4.10 - Indicative Landscaping and Biodiversity Plan.

4.0 RELEVANT PLANNING HISTORY

4.1 It is agreed that together the Planning Statement (Document Ref. 5.4, Section 2) and LIR accurately summarise the planning history of relevance to the Project. Further detail to be added from final LIR.

4.2 It is agreed that the extant consent (and deemed planning permission) granted under Section 36 of the Electricity Act 1989 for the Ouse Renewable Energy Project (Secretary of State Ref. 12.04.09.04/16c) is most directly relevant application to the Project. It is also agreed that the following planning history is relevant:

- Section 36 consent under the Electricity Act 1989 (and deemed planning permission) for the Ouse Renewable Energy Plant (Secretary of State Ref: 12.04.09.04/16c).
- Planning permission ref. C8/22/89/PA dated 30.08.1989 for the temporary storage of peat arising from construction work at Drax Power Station.
- Section 36 consent and deemed planning permission dated 28.04.1993 for the deposition of ash, gypsum and flue gas desulphurisation residues and ancillary works including plant and equipment (including the linked Section 106 agreement dated 04.09.1992).
- Planning permission ref. C8/22/89A/PA dated 21.09.1998 for non-compliance with Condition 2 of planning permission ref. C8/22/89/PA dated 30.08.1989 to allow continued storage of peat.
- Planning permission ref. C8/22/34M/PA dated 11.12.1998 for non-compliance with Conditions 5, 15, 16 and 39 of deemed planning permission dated 28.04.1993.
- It is agreed that the Project has the necessary consent for the storage of hazardous substances by virtue of Hazardous Substances Consent ref. 2013/1186/HAZ dated 07.05.2014.

5.0 LOCAL PLANNING DESIGNATIONS

5.1 It's agreed that although the Project site and the existing Power Station site are identified on the Selby DC Proposals Map as lying in the open countryside where development, subject to certain exceptions,

is generally not supported in planning policy terms, the principle of power generation on much of the operational area of the Project site has already been established by the consent granted for the Ouse Renewable Energy Project.

5.2 Furthermore, it is agreed that while the Project site is not specifically allocated on the Proposals Map for power generation, both the Selby District Local Plan (2005) and the Selby District Core Strategy Local Plan (2013) contain text and policies that recognise the importance of the location for power generation and that are supportive of power generation and related development.

5.3 The Proposals Map identifies the Drax Augustinian Priory SM to the north-east (but outside) the Project site.

5.4 The Project site is shown lying within Flood Zones 2 and 3 within the Selby District Core Strategy Local Plan (Map 3, page 13) hence the need to raise the level of the site to mitigate flood risk.

5.5 It is agreed that there are no other designations or allocations identified within the local development plan that apply to the Project site.

6.0 RELEVANT PLANNING POLICY

6.1 It is agreed that the following planning policy is the primary policy basis for the consideration of the Project:

- Overarching National Policy Statement for Energy (EN-1).
- The National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2).
- The National Policy Statement for Electricity Networks Infrastructure (EN-5).

6.2 In addition, it is agreed that the following are important and relevant to the consideration of the Project:

- National Planning Policy Framework and Planning Practice Guidance.
- National Planning Policy for Waste.
- The 'saved' policies of the Selby District Local Plan - adopted February 2005:
  - Policy ENV 1 Control of Development.
  - Policy ENV 2 Environmental Pollution and Contamination.
  - Policy ENV 3 Light Pollution.
  - Policy ENV 27 Scheduled Monuments and Important Archaeological Sites.
  - Policy ENV 28 Other Archaeological Sites.
  - Policy EMP 10 Additional Industrial Development at Drax and Eggborough Power Stations.
  - Policy T 1 Development in Relation to the Highway Network.
  - Policy T2 Access to Roads.
  - Policy T8 Public Rights of Way.
- The Selby District Core Strategy Local Plan - adopted October 2013:
  - Policy SP1 Presumption in Favour of Sustainable Development.
  - Policy SP2 Spatial Development Strategy.
  - Policy SP13 Scale and Distribution of Economic Growth.
  - Policy SP15 Sustainable Development and Climate Change.
  - Policy SP 16 Improving Resource Efficiency.
  - Policy SP17 Low-Carbon and Renewable Energy.

- Policy SP18 Protecting and Enhancing the Environment.
- Policy SP19 Design Quality.

6.3 All of the policies of the North Yorkshire Structure Plan, with the exception of Policy E8, have been cancelled. Policy E8 relates to the extent of the Green Belt areas in North Yorkshire. It is agreed that as the Project site does not encompass any Green Belt land or lie in close proximity to such land the policy is not relevant.

6.4 Relevant minerals and waste policies are considered at Section 15.0.

7.0 THE NEED FOR THE PROJECT

7.1 It is agreed that the 'need' that exists for the Project in policy terms is accurately set out at Section 4 of the Planning Statement (Document Ref: 5.4).

7.2 The need that exists for the Project in terms of providing new electricity generating infrastructure is confirmed in the NPSs for energy infrastructure, in particular EN-1.

7.3 Section 3.3 of Part 3 of EN-1 sets out a number of key reasons why there is an urgent need for new electricity generating infrastructure, including:

- meeting energy security and carbon reduction objectives;
- the need to replace closing electricity generating capacity;
- the need for more electricity capacity to support the increased supply from renewables; and
- future increases in electricity demand.

7.4 Paragraphs 3.3.15 - 3.3.24 of EN-1 underline the urgency of the need for new electricity generating capacity. Paragraph 3.3.15 states that in order to secure energy supplies that enable the UK to meet its climate change obligations to 2050, there is an urgent need for new (and particularly low carbon) energy infrastructure to be brought forward as soon as possible, and certainly in the next 10-15 years, given the crucial role of electricity as the UK decarbonises its energy sector.

7.5 Paragraph 3.3.23 confirms that the Government believes (based on predictions) that it is prudent, in order to minimise the risk to energy security and resilience, to plan for a minimum need of 59 Gigawatts of new electricity generating capacity by 2025. The Government would like to see a significant proportion of the balance come from low carbon generation (paragraph 3.3.22).

7.6 It is agreed that EN-1 confirmed the 'need' that exists for all types of nationally significant energy infrastructure, including new fossil fuel plant with CCS, and makes clear that the SoS should assess the Application on the basis that this 'need' and its scale and urgency has been proven. Furthermore, the SoS should give substantial weight to the contribution that all projects would make toward satisfying this need. As such, the need that exists for new electricity generating infrastructure, such as that proposed, is not open to debate or interpretation.

8.0 SITE SELECTION AND ALTERNATIVES

8.1 While the Project site is not allocated for power generation upon the Proposals Map of the local development plan, it is agreed that the local development plan documents do contain text and policies that recognise the importance of the location for power generation and that are supportive of power generation and related development.

8.2 It is also agreed that much of the operational area of the Project site lies within the Application site boundary for the Ouse Renewable Energy Plant. It is agreed that the Ouse Renewable Energy Plant consent has established the principle of a new generating station, including large scale power generation buildings and structures at this location.

8.3 It is agreed that the immediate context of the Project site, formed by the existing Power Station site, is industrialised in terms of its character and appearance. Furthermore, it is agreed that the Project site is of relatively low environmental sensitivity.

8.4 It is therefore agreed that the Project site represents an appropriate location for the Project.

8.5 It is agreed that the consideration of alternatives set out in Chapter 5 of ES Volume I is both proportionate and appropriate. Furthermore, it is agreed that there are no legislative or policy requirements that apply to the Project site that would require the Applicant to consider alternative site locations.

9.0 LIMITS OF DEVIATION AND DETAILED DESIGN

9.1 It is agreed that it is not possible at this stage to fix all design details relating to the Project. This will be dependent upon the detailed design studies undertaken by the contractor. It is therefore necessary to retain a degree of flexibility within the Project.

9.2 It is agreed that the limits of deviation referred to in article 3 of the draft DCO (Document Ref. 2.1) and shown upon the Works Plans (Document Ref. 4.3) provide for an appropriate degree of flexibility within which the Project can occur. It is also agreed that the EIA of the Project has appropriately assessed the likely significant environmental effects of the Project within the parameters defined by the limits of deviation.

9.3 In addition, there is agreement that the following draft requirements contained within the draft DCO provide an appropriate means by which to control and secure the detailed design of the Project:

- No. 4 'Detailed Design'.
- No. 5 'Provision of landscaping'.
- No. 6 'Implementation and maintenance of landscaping'.
- No. 9 'External lighting - operation'.
- No. 10 'Highway accesses'.
- No. 11 'Means of enclosure'.
- No. 12 'Surface and foul water drainage'.
- No. 13 'Flood risk mitigation'.

10.0 GOOD DESIGN

10.1 It is agreed that the Design and Access Statement (Document Ref. 5.5) provides an appropriate appraisal of the Project site's context. With regard to this, it is agreed that the immediate context within which the Project would sit is industrial, being dominated by the large buildings and structures associated with the power generation uses at the existing Power Station site. Furthermore, that the landscape character of the immediate area is not particularly sensitive to change.

10.2 It is agreed that the design of the Project is appropriate given its function and purpose (to generate electricity) and the industrial context within which it would sit. It is recognised that in terms of siting and layout, the Applicant has sought to minimise the visual impact by locating the Project close to the development at the existing Power Station site and that it would include appropriate on-site landscaping. Appropriate access routes and arrangements would also be made within the site.

10.3 Further to the above, it is recognised that the Project incorporates a number of measures within its design to ensure that it will be resilient in terms of the effects of climate change as well as contributing to mitigating those effects.

10.4 It is therefore agreed that the Project represents 'good design' for the purposes of energy infrastructure and policy set out in EN-1, EN-2 and EN-5.

11.0 COMBINED HEAT AND POWER

11.1 It is agreed that the Applicant has appropriately assessed the feasibility of combined heat and power ('CHP') and that this is documented within the CHP Assessment (Document Ref. 5.6). It is agreed that at this current time there is no viable demand for CHP.

11.2 In addition, it is agreed that the draft DCO includes an appropriate requirement (requirement No. 24 'Combined heat and power') that will ensure that during the lifetime of the Project the feasibility of CHP is periodically reviewed and space is maintained for CHP facilities in order to ensure that it is 'CHP Ready' in accordance with Environment Agency guidance.

12.0 CARBON CAPTURE AND STORAGE (CCS) AND CARBON CAPTURE READINESS (CCR)

12.1 It is agreed that the Carbon Capture and Storage ('CCS') and Carbon Capture Readiness ('CCR') Statement (Document Ref. 5.7) demonstrates that the Project complies with the requirements of the CCS/CCR regulations and guidance.

12.2 It is agreed that there would be no need for any retrofitting of carbon capture technology as the Project would have the ability to capture carbon from the commencement of operations.

13.0 SUSTAINABILITY AND CLIMATE CHANGE

13.1 The ES provides information on how the Project will mitigate and adapt to climate change. ES Volume 1, Chapter 6-9 (Document Ref. 6.2) and Volume 2, Chapter C.1 'Flood Risk Assessment' (Document Ref. 6.3.4) provide an assessment of the Project in relation to flooding and confirm that there will be no significant flood risk to the operational Project as it will be built on a raised platform and the presence of the raised platform will not significantly increase the risk or severity of flooding on neighbouring land.

13.2 ES Volume 3, Chapter N 'Climate Change Risk Assessment' and Chapter M 'Green House Gas Assessment' (Document refs. 6.4.6 and 6.4.7) provide an assessment of risks to the Project as a result of climate change and consideration of operational emissions. Sections 4-6 of the Planning Statement (Document Ref: 5.4) consider the Project relative to policy relating to climate change and sustainability, as well as the overall need for the Project.

13.3 It is agreed that the above demonstrate that the Project will, amongst other things, be designed to minimise resource use, will incorporate appropriate surface water attenuation and be designed to be resilient to flooding. It is also agreed that the Project will contribute to sustainability objectives through the generation of low carbon energy, thereby making a positive contribution to reducing carbon emissions.

13.4 It is therefore agreed that the Project seeks to mitigate the effects of climate change, while it will also be resilient to the future effects of climate change and that it will make a positive contribution toward sustainability and climate change objectives. The Project therefore represents a form of sustainable development.

14.0 ACCESS AND PUBLIC RIGHTS OF WAY

14.1 It is agreed that the Project incorporates suitable highways and other access arrangements and that the details of these would be appropriately secured and controlled through requirement 4 'Detailed design' and 10 'Highway accesses'.

14.2 It is also agreed that it would be acceptable to create a new access on to Pear Tree Avenue for the sole use for emergency ingress/egress to the temporary construction and laydown area and that the

use of the access for emergency purposes only could be secured and controlled through the amended version of requirement 10 'Highway accesses' that has been agreed with NYCC Highways (**Appendix 1**) and which has been incorporated in the draft DCO (Revision -). Will be incorporated in updated DCO to be provided at Deadline 2.

14.3 A Public Right of Way (PROW) runs along the western side of the Project site, past Barlow Mound, and then eastwards across the site to New Road/Pear Tree Avenue. A PROW also runs south-east from New Road across the Project temporary laydown area. These PROW are the subject of a FDO that was confirmed by NYCC on 13 February 2015.

14.4 The PROW would be diverted as part of the Project. It is agreed that the diversion is accurately shown by the Access and Rights of Way Plans (Document Ref. 4.4).

14.5 The changes that have been made to the draft DCO (Document Ref. 2.1 – Revision 3.0) to reflect the confirmation of the FDO (i.e. powers originally sought in the draft DCO in relation to PROW are no longer necessary) are agreed.

14.6 It is also agreed that requirement 7 'Public rights of way diversions' provides at appropriate means by which to manage and implement the confirmed footpath extinguishments and diversions required for the Project and that impacts of PROW would not be significant.

15.0 MINERALS AND WASTE

15.1 The Project would result in the deposit of ash. However, this would be dealt with in a similar way to ash from the existing Drax Power Station site, with disposal at Barlow Mound (Work No. 3). It is agreed that the requirements at Schedule 2 of the draft DCO should not apply to Barlow Mound and that the existing planning controls for Barlow Mound (including those relating to restoration and aftercare) should apply to the Project in the same manner as they currently apply to the existing Power Station site. It is agreed that NYCC should continue to be the enforcing authority in relation to those controls. It is therefore agreed that the 'saved' policies of the North Yorkshire Waste Local Plan (adopted 2006) are not of relevance, with the exception of Policy 5/1 Waste Minimisation that requires proposals for major development to include a statement identifying its waste implications and measures to minimise and manage any waste generated.

15.2 It is agreed that in principle the clay that has been stored temporarily at Barlow Mound, allowed for by planning permission ref. C8/22/89A/PA, can be removed for use in the site raising subject to appropriate restoration of that area. On this basis it is agreed that the 'saved' policies of the North Yorkshire Minerals Local Plan (adopted 1997) are not of relevance.

15.3 It is agreed that the Framework Site Waste Management Plan contained at Section R of ES Volume 3 (Document 6.4.11) provides an appropriate framework to minimise and manage any waste arising from the construction and operation of the Project. Furthermore, that the details for minimising and managing waste can be controlled and secured by requirement 25 of the draft DCO 'Waste management on site – construction and operational wastes'.

15.4 NYCC is currently preparing a Minerals and Waste Plan but the timescales for the preparation of this are currently under review and the document is at an early stage of preparation. It is agreed that it cannot therefore be afforded any weight.

16.0 ENVIRONMENTAL IMPACT ASSESSMENT

TRAFFIC AND TRANSPORT

16.1 This section considers details relating to the impact in terms of transport and access associated with the Project. The assessment of effects is set out in ES Volume 1, Chapters 6-8 (Document Ref. 6.2) and Volume 2, Chapter E 'Transport Assessment' (Document Ref. 6.3.7). The assessment considers the construction, operational and decommissioning traffic associated with the workforce, together with the import and export of materials in Heavy Goods Vehicles ('HGV').

16.2 Construction workforce travel to and from the Project site will lead to increased traffic flows particularly on New Road, the A645 (towards the M62) the A614 Rawcliffe Road, the M62 (J36) and the A1041, which it is agreed will lead to minor to moderate increases in peak hour traffic. Similarly HGV movements on the same roads will also lead to minor to moderate increases.

16.3 It is agreed that analysis of junction capacity with the Project traffic indicates that the junctions which will be affected by the Project will, with one small exception, operate with sufficient reserve capacity in all scenarios, during construction with limited queuing experienced. The one exception is one arm of the M62 northern roundabout junction and this would only apply for a few months of peak Project workforce construction traffic if that coincided with outage work on Drax Power Station, and then only during the daily peak morning and evening periods.

16.4 There is the potential for the increased traffic to change the present accident rate during construction. However, it is agreed that there is no clear pattern identified in current accidents on the local road network and with the proposed mitigation measures, especially in regards to junction design and traffic controls, are expected to maintain accident risks at current levels.

16.5 Overall, it is agreed that construction traffic will lead to increased flows of cars and HGVs on the local road network but significant effects in terms of delays are predicted at one junction and then only for the peak time of construction traffic flows at peak times of the day if this were to coincide with an outage at Drax Power Station. Other than this, it is agreed that significant effects are not predicted to road users from any other Project activities during construction.

16.6 It is agreed that operational traffic movements due to the workforce are expected to be relatively small in number, with an operational workforce of approximately 60 staff over two or three shifts. Even without spreading this number over the operational shifts the associated traffic would be negligible and will not have a significant effect. Furthermore, coal for the operational phase of the Project is expected to arrive by rail directly into the Project site.

16.7 Rail is the chosen method of transport for the import of coal to the Project site, making use of the existing Power Station site rail facilities. Furthermore, the preferred disposal method for ash would be through the existing Power Station ash facilities, with temporary storage on site before being sold or storage at Barlow Mound. Even if all bulk materials (excluding coal) were transported to the Project site by HGV, this would only result in approximately 86 HGV movements per day. In addition, if all ash left the site by road there would be approximately 10 HGVs per day.

16.8 The Project has the ability to co-fire coal and biomass. During operation of the generating station biomass would be delivered to the Project site by road. If the generating station fired at the proposed maximum of 15% biomass this would equate to a further 31 HGVs (62 HGV movements in total) accessing the Project site per day.

16.9 Following the submission of the Application in November 2014, the Applicant identified that the operational assessment of the Project contained within the ES had not taken account of biomass HGV movements. A technical note (Document Ref. 6.3.7(i) – Environmental Statement – Traffic Sensitivity Test) was therefore produced to explain the rationale for transporting biomass to the Project site by road and assess the maximum anticipated number of biomass HGVs in order to identify whether this would result in any change to the assessment conclusions of the ES for operational impacts relating to traffic, air quality and noise. The note confirms that the inclusion of the biomass deliveries in the assessments does not alter the conclusions of the ES in terms of traffic impacts and the capacity of the highway network to accommodate movements, air quality or noise and disturbance.

16.10 It is agreed that operational HGV movements can be adequately accommodated on the highway network and that these would be small in proportion to the movements generated by the construction phase, impacts will be less and the effects on the local road network would not be significant.

16.11 It is agreed that the following requirements are suitable to secure an appropriate level of mitigation:

- No. 19 ‘Construction traffic routing and travel plan’.
- No. 23 ‘Operational traffic routing and travel plan’.

AIR QUALITY

16.12 This section considers details relating to the impact in terms of air quality associated with the Project. The assessment of effects is set out in ES Volume 1, Chapter 6-8 (Document Ref. 6.2) and Volume 2, Chapter A 'Emissions to Atmosphere Technical Report' (Document 6.3.1).

16.13 There is the potential for air quality effects as a result of direct emissions to air from operation of the Project. Furthermore, potential impacts on air quality could result from increased traffic during construction, operation and decommissioning. Impacts on air quality could lead to secondary effects on both sensitive human and ecological receptors. There is also the potential for air quality effects as a result of project start-up and shut down and emissions during some foreseeable non-routine operations.

16.14 Dispersion modelling was undertaken to assess the effects from the operational Project (oxy-mode and air-mode) on sensitive human receptors. It is agreed, in terms of methodology, that the effects on human receptors are assessed using the maximum ground level concentration predicted at any point on the grid predicted by atmospheric dispersion modelling and can be taken as a worst case approach. In addition, it is agreed that the results of the modelling are based upon the worst case results for any of the five years of meteorological input data used. Dispersion modelling was also undertaken to assess the effects from the operational Project (oxy-mode and air-mode) on sensitive ecological receptors.

16.15 In terms of mitigation measures, it is agreed that the plant will operate using Best Available Techniques ('BAT'); therefore, plant specific mitigation measures have been incorporated into the data used to model emissions from the Project and predict impacts on air quality. Flue gas from the boiler will enter the electro-static precipitator where fly ash will be removed, then pass through wet flue gas desulphurisation where acidic gases such as sulphur oxides and hydrogen chloride will be captured and removed. The plant will also include selective catalytic reduction to further reduce emissions. In addition, air-mode operation would be in compliance with relevant regulations, which limits the duration for such operation.

16.16 It is agreed that during construction there will be no significant effects on air quality due to dust or traffic emissions. During the normal oxy-mode of operations it is predicted there will be minor adverse effects on air quality for two substances (arsenic and chromium VI), but it is agreed that no substances will cause levels above those designed to protect human health to be exceeded. It is agreed that there will be no significant effects on ecological receptors due to acid or nitrogen deposition. During air-mode it is predicted there could be minor adverse effects on air quality for three substances (sulphur dioxide, arsenic and chromium VI), but it is agreed that no substances will cause levels above those designed to protect human health to be exceeded.

16.17 In the worst case, critical loads of acid and nitrogen deposition could be exceeded at some protected nature conservation sites, although it is agreed that these quality impacts are not predicted to lead to significant ecological effects. It is also agreed that in reality air mode is not likely to lead to significant effects on air quality or protected sites because although the Project will start-up and shut-down in air-mode, and may also temporarily operate in air-mode when the air separation unit, gas processing unit or the CO_2 pipeline are off-line, these events are expected to be relatively infrequent and short term in nature.

NOISE AND VIBRATION

16.18 This section considers details relating to the impact in terms of noise and vibration associated with the Project. The assessment of effects is set out in ES Volume 1, Chapter 6-8 (Document Ref. 6.2) and Volume 2, Chapter B 'Noise and Vibration Technical Report' (Document Ref. 6.3.2). The assessment considers construction and operational noise.

16.19 It is agreed that the methodology follows the usual guidance for the assessment of industrial noise, this being British Standard BS4142. It is agreed that other benchmark criteria are provided in British Standard BS8233, which provides guidelines for avoiding disturbance at night which vary between 40 and 45 dB LAeq. These noise targets, which apply outside a building, are based on preserving good standards for sleep within the building. The standard assumes that buildings are not fitted with noise

insulation, so it is agreed that higher external noise levels could be acceptable to residents if noise insulation were provided which resulted in suitable internal noise levels

16.20 The design of the Project includes mitigation on all the key noise generating plant items. The types of mitigation that will be applied, generally include the following:

- placing loudest noise sources indoors;
- procuring low noise equipment (transformers, cooling tower fans etc.);
- adding silencers on air intakes/outlets and upstream/downstream of main boiler fans;
- using acoustic screens or enclosures on major outdoor items such as pumps and motors; and
- acoustically insulating valves and pipes.

16.21 It is agreed that these acoustic mitigation measures will reduce the overall noise levels at receptors and, at the same time, will reduce the risk of any audible tone.

16.22 It is agreed, in terms of residual effects that predicted noise levels from construction activities will be within accepted criteria and there will be no significant effects even at the nearest property during the noisiest activity. It is agreed that no significant noise effects are predicted from construction traffic and no significant effects from vibration. During operation, significant noise effects are predicted at two properties owned and on land owned by Drax Power Limited. It is agreed the Applicant will explore further mitigation measures, including the option of noise abatement at the receptors.

SOCIO-ECONOMICS

16.23 This section considers details relating to the impact in terms of socio-economics associated with the Project. The assessment of effects is set out in ES Volume 1, Chapter 6-8 (Document Ref. 6.1) and Volume 2, Chapter F 'Socio-Economic Characteristics' (Document Ref. 6.3.8).

16.24 During the years of construction, it is agreed that the Project will generate approximately 500 full time equivalent jobs equating to a major positive benefit.

16.25 It is agreed that the main potential effects during operation are related to employment, especially locally. Also relevant is the potential economic benefits to the local, regional and national economies. It is also agreed that wider socio-economic benefits are possible by virtue of the nature of the Project, which is more than a straightforward power generation proposal. Other effects assessed included pressure on housing at a local level.

16.26 The mitigation measures proposed by CPL are primarily aimed at maximising local long-term opportunities for employment and for the provision of goods and services. By virtue of the long-established presence of the Drax Power Station in the local economy, it is agreed that the Project is well placed to deliver such benefits.

16.27 It is expected that the Project will employ approximately 60 full time equivalent staff when fully operational. Exact shift patterns and employment numbers have yet to be determined but it is expected these will be spread over three operational shifts with the majority on day shift.

16.28 It is agreed that economic benefits to a local/regional economy accrue not just from the direct employment of a project but also indirectly from a multiplier effect. Overall, the net employment gain is estimated to be approximately 120 full time equivalent jobs. Therefore, it is agreed that the Project is predicted to have a long-term positive effect on the local economy.

16.29 If some of the operational workforce moves to the area it would lead to an increased demand for housing in the local area. However, this is not expected to be a major issue given the employee numbers predicted for the Project as outlined above, especially given the proximity of local urban areas such as York and Leeds, and the ease of access to the site as outlined above.

16.30 It is agreed that wider regional economic effects, although not quantified, may include inward investment in the form of research and development locating to the area influence to take advantage of expertise and experience in CCS and to further develop the technology for use in any future projects of a similar or related nature as part of the Government's CCS Roadmap. Furthermore, it is

agreed that the Project will facilitate the construction of the CO_2 transmission pipeline which will be of future benefit to other industrial users or stimulate new CCS projects.

16.31 In terms of national effects, it is agreed that the Project will assist the UK in establishing itself in the international CCS market with the potential to capture between 2% and 10% of the market. There are other significant economic benefits associated with CCS. The Gross Value Added is estimated by the Carbon Capture and Storage Association to be in the order of £2 to £4 billion per year by 2030 with a cumulative value of £15 to £35 billion depending on whether installed capacity is 10 GWe or 20 GWe. The UK market has the potential to capture a high proportion of engineering services, project management, procurement and commissioning activities and would benefit from crossover with the oil and gas industry.

16.32 Future CCS is important for both the energy and industrial sectors in the UK (the regional benefits are discussed above). Aside from power generation, it is agreed that a successful demonstration of CCS at a commercial scale will allow other high CO_2 emitting industries such as cement, steel and chemicals to explore the possibility of incorporating CCS into their own processes. Many of these industries have few options for using renewable energy as many of the emissions are generated from process as well as the fuels used.

16.33 Overall, it is agreed that the Project is anticipated to be the first step in a 'new' industry that could have a positive effect on the local, regional and national economy in the long term if the full benefits are realised. Dialogue is on-going regarding employment, skills and training.

LANDSCAPE AND VISUAL AMENITY

16.34 This section considers details relating to the impact in terms of landscape and visual amenity associated with the Project. The assessment of effects is set out in ES Volume 1, Chapter 6-8 (Document Ref. 6.2) and Volume 2, Chapter H 'LVIA Technical Report' (Document Ref. 6.3.12).

16.35 There will be potential long-term landscape and visual effects from plant and activities associated with the Project. The effects considered are as follows:

- the physical presence of new structures in the landscape immediately north of the existing Drax Power Station;
- the permanent loss of agricultural land within the footprint of the Operational Area;
- the visibility of the conveyors, including the movement of coal and biomass to the west of Drax Power Station from the existing coal yard to the Project site;
- the presence and movement of vehicles within and around the operational area; and
- potential visibility of plumes from the chimney stack and cooling towers.

16.36 It is agreed that due to the height of certain elements of the Project, visual screening with vegetation will in some cases not be possible and is unlikely to mitigate potential landscape and visual effects to any great extent but will screen some of the lower level smaller structures and infrastructure.

16.37 The proposed mitigation nonetheless includes the provision of an appropriate on-site landscaping scheme and on-going management of landscaping, which it is agreed will be adequately secured by the following requirements:

- No.5 'Provision of landscaping'.
- No.6 'Implementation and maintenance of landscaping'.

16.38 It is agreed that because of the industrial setting, the effects on landscape character during operation are expected to be limited.

16.39 Overall, it is agreed that there will be no significant effects on landscape character during construction and operation as a result of the current industrial nature of the landscape at the Project site. There will be effects of minor and moderate significance on a small number of nearby recreational and residential receptors during construction and operation. It is agreed that long-term effects on the visual amenity of nearby residents during operation will be of minor significance only. Dialogue on-going regarding landscape mitigation.

WATER RESOURCES AND FLOOD RISK

16.40 This section considers details relating to the impact in terms of water resources and flood risk associated with the Project. The assessment of effects is set out in ES Volume 1, Chapters 6-8 (Document Ref. 6.2) and Volume 2, Chapter C 'Surface Water and Flood Risk Technical Report' and (Document Ref. 6.3.3) and Chapter C.1 'Flood Risk Assessment' (Document 6.3.4).

16.41 The Project will generate new potential effects on the nearby water environment, namely from the potential for an increase in flood risk, surface water drainage ussies, newly introduced contamination sources and abstraction, which in the absence of mitigation could adversely affect the nearby water environment and ecological habitat.

16.42 It is agreed that the Project will operate on a platform constructed to bring it to a level that is above the flood risk level for the area. However, this will reduce the storage capacity of the flood plain and the Project will change (increase) the rate and volumes of surface water run-off from the pre-Project levels. It is agreed that together these factors could increase the risk of flooding elsewhere. However, notwithstanding the potential adverse effects, it is agreed that through the site raising, flood risk will be appropriately managed and that flood risk effects to neighbours as a result of the Project and associated loss of floodplain storage are not considered significant. No other risks from other flood sources have been identified in the study area.

16.43 Contamination risks to surface waters from spills and leaks will be avoided and/or minimised through good operational management practice. It is also agreed that the various other mitigation measures inherent in the design of the Project will prevent significant effects on water quality and secondary effects on ecology and other surface water users.

16.44 It is agreed that the following requirements are sufficient to secure the proposed mitigation:

- No.12 'Surface and foul water drainage'.
- No.13 'Flood risk mitigation'.
- No.14 'Contaminated land and groundwater'.
- 'No.18 Construction environmental management plan'.

16.45 Overall, it is agreed that there will be no significant effects on surface water resources or on ecological populations and human users that rely on them. Process effluent discharges will be treated and within the current consent conditions for the Drax Power Station. It is also agreed that there will be no significant flood risk to the operational Project as it will be built on a raised platform, the height of which has been determined by flood risk assessment studies and it will be served with suitable emergency access and egress. The presence of the raised platform will not significantly increase the risk or severity of flooding on neighbouring land.

SOILS, HYDROGEOLOGY AND LAND QUALITY

16.46 This section considers details relating to the soils, hydrogeology and land quality associated with the Project. The assessment of effects is set out in ES Volume 1, Chapter 6-8 (Document Ref. 6.2).

16.47 There will be storage and handling of chemicals and wastes and the potential to contaminate soils and groundwater, with the potential for secondary effects on people and ecological receptors. Accidental spills could also affect soils and groundwater and also have the potential for onward transmission to other receptors. Furthermore, the presence of buildings and areas of hardstanding will reduce the infiltration of rainwater to the ground. Groundwater abstraction could put pressure on resources.

16.48 It is agreed that impacts and the risk of impacts will be avoided and/or minimised through good operational management practice. With these provisions in place, it is agreed effects on soils and water resources and secondary effects on ecological receptors and people are considered to be not significant.

16.49 It is agreed that the shallow groundwater in made ground and superficial deposits will see minimal impacts on recharge and the deeper sandstone aquifer is a confined aquifer and is a not fed by infiltration. There will be no significant effects on groundwater resources or their users. Potential impacts on soils and groundwater are amenable to tried and tested mitigation measures (e.g. for

waste management, storage of fuels and chemicals) and no significant effects are predicted to these resources. These mitigation measures will also serve to protect surface water resources from accidental harm.

ECOLOGY

16.50 The assessment of effects is set out in ES Volume 1, Chapter 6-8 (Document Ref. 6.2) and Volume 2, Chapter I 'Ecology Technical Report' (Document Ref. 6.3.13).

16.51 The scope of the assessment is agreed in terms of the effects considered, as follows:

- direct effects (physical habitat loss) and secondary effects (due to changes in air quality and nitrogen and acid deposition, and disturbance including light and noise) on statutory designated sites, non-statutory designated sites and Natural Environment and Rural Communities ('NERC') Act 2006 priority habitats;
- direct effects (physical habitat loss) and disturbance from light and noise on species present (smooth newts, foraging and nesting bats, snakes, badgers, breeding birds and invertebrates) in the vicinity of the Project;
- increased traffic levels during operation (and subsequent emissions, dust and exhaust fumes) leading to adverse effects upon statutory designated sites, non-statutory designated sites and NERC priority habitats; and
- secondary effects due to changes in water quality or physical flows at sites with hydrological connectivity to discharges or to potential sources of spills and leaks.

16.52 It is agreed that a number of mitigation measures have been embedded into the design of the Project to ensure that effects on ecology can be avoided, minimised, reduced or compensated for as outlined below:

- Best Available Techniques including efficient well maintained, quiet machinery with in-built noise attenuation will be used to minimise disturbance from noise. Perimeter attenuation fencing and tree screens will be also used where necessary to minimise disturbance due to noise and activity.
- The power plant design includes pollution abatement technology such as sulphur removal.
- Suitable habitat for breeding birds (hedges and woodland strips and buffers around field margins) will be retained to preserve nesting and foraging resource.
- Enhancement areas for birds will be designed in conjunction with enhancement areas for badgers and other species as part of the Biodiversity Management Plan for the Project.

16.53 It is agreed that requirement 16 'Biodiversity management plan' would provide an appropriate mechanism to secure the on-site (within the Project site) biodiversity mitigation identified within the ES in addition to the on-going management of on-site habitat. It is agreed that the requirement should be amended to refer to a 'Biodiversity mitigation and management plan'.

16.54 It is agreed that the Project would result in some loss of existing on-site habitat, notably wetland habitat. The existing waterbodies within the Project site consist primarily of a pond that is currently heavily encroached by reed and in a process of succession to willow carr; the heavily engineered and managed Carr Dyke; and an area of open water of variable extent resulting from and subject to use by heavy machinery. It is agreed that these water bodies make some contribution to biodiversity.

16.55 It is agreed that the Project would provide for on-site mitigation. Notably, that with appropriate design, the flood attenuation pond that forms part of the Project, could make a contribution to mitigating biodiversity impacts from the loss of wetland habitats, although it would not fully off-set the loss of habitats at the Project site.

16.56 It has been agreed with the Yorkshire Wildlife Trust ('YWT') that the application of biodiversity off-setting calculations would not be appropriate to the Project as such calculations often do not reflect the characteristics of the site in question or the constraints on on-site provision. The Applicant has

though provided the YWT (and the Environment Agency) with a detailed breakdown of the habitat gains and losses that would result from the Project.

16.57 The principle of providing further habitat mitigation off-site has been agreed with the YWT. It is also agreed that the priority for such mitigation would be the improvement and or provision of wetland habitat. This is set out in the SoCG with the YWT (Document Ref.8.5).

16.58 The Applicant, YWT and the Environment Agency have agreed to work together to identify options for further mitigation with the objective of reaching agreement on a preferred option and an appropriate mechanism to secure this before the close of the DCO Examination. Dialogue is on-going with the YWT regarding biodiversity mitigation.

CULTURAL HERITAGE

16.59 The assessment of effects of the Project is set out in ES Volume 1, Chapter 6-8 (Document Ref. 6.2) and Volume 2, Chapter G 'Archaeology Technical Report' (Document Ref. 6.3.9) and Chapter H 'LVIA Technical Report' (Document Ref. 6.3.12).

16.60 During the construction phase of the Project there would be the potential for direct physical damage to known and unknown archaeology within the Project site, mainly from groundworks (top and sub-soil stripping, excavations, trenching and piling). While it is agreed that there would be no direct physical impact upon the Drax Augustinian Priory Scheduled Monument ('SM') that is located adjacent to the Project site, there is the potential for changes to its setting.

16.61 It is agreed that potential impacts on archaeology would be mitigated by a staged programme of archaeological work, in accordance with a written scheme of investigation ('WSI') that has been agreed with NYCC's Archaeological Adviser. The WSI would be secured by requirement 15 'Archaeology' of the draft DCO.. The archaeological mitigation works would be based on the results of preliminary archaeological works carried out on the Project site. The mitigation works would focus on areas which are considered to be of moderate to high archaeological potential.

16.62 It is agreed that the effects resulting from the visibility of the Project in views that contribute to the setting of heritage assets, notably the Drax Augustinian Priory SM, cannot be fully mitigated due to its size and scale, which should in turn be viewed within the context of the much larger mass formed by the existing Drax Power Station site. Notwithstanding this, owing to the context in which the Project site is set, it is agreed that residual effects to all heritage assets (SMs and Grade I and II listed buildings) are not expected to be significant. This is with the exception of the Drax Augustinian Priory SM, where moderate effects are expected while the construction laydown areas are active. However, following the reinstatement of these areas to their former condition, it is agreed that the effects would be of minor significance.

16.63 It is agreed that the introduction of landscaping between the Project site and Drax Augustinian Priory SM (along the south-west side of the SM, between Carr Dyke and the pond to the north-west) would serve to mitigate effects on the setting of the SM. This has been agreed in principle with Historic England. The proposed landscaping is shown upon the Indicative Landscaping and Biodiversity Framework Plan (Document Ref. 4.9). The detail of the landscaping would be secured under requirement 5. 'Provision of landscaping'. It is agreed that no further mitigation is required in respect of effects on the setting of heritage assets.

16.64 It is agreed that the following requirements provide an appropriate means by which to secure the programme of archaeological works and the landscaping to mitigate the effects on the setting of Drax Augustinian Priory SM:

- No.5 'Provision of landscaping' – this refers specifically to the approval of a scheme for shrub and tree planting between the generating station (Work No. 1A) and the SM.
- No.6 'Implementation and maintenance of landscaping'.
- No.15 'Archaeology'.

CUMULATIVE IMPACTS

16.65 This section considers details relating to the impact on transport and access associated with the Project. ES Volume 1, Chapter 9 'Cumulative Effects' (Document Ref. 6.2).

16.66 Cumulative effects were assessed for all environmental and social subjects. The assessment included consultation on other projects and plans to be screened into the assessment. Potential cumulative effects were assessed as an integral part of the assessment for each subject. For example, the traffic and transport assessment (and therefore the assessments of traffic-related air quality and noise impacts) took the Project construction traffic peak and superimposed this onto the future baseline (increased from the present baseline to allow for growth) plus the peak traffic associated with annual outage work at the main Drax Power Station.

16.67 It is agreed that together these inputs provide an accurate assessment of the likely cumulative impacts. It is agreed that the assessment of cumulative effects demonstrates that the mitigation measures for the Project adequately mitigate its contribution to cumulative effects with other projects.

17.0 THE BENEFITS AND ADVERSE EFFECTS OF THE PROJECT

17.1 The Applicant's assessment of the benefits and adverse impacts of the Project set out a Section 6 of the Planning Statement (Document Ref: 5.4) is agreed.

17.2 It is agreed that the Project will deliver a number of very clear benefits that can be summarised as follows:

- EN-1 and EN-2 confirm that there is an urgent need for new electricity generating capacity in the UK, particularly low carbon energy, in view of the closure of conventional thermal generating stations, in order to maintain the security and diversity of energy supplies. The Project would respond to this need in a timely manner, delivering up to 448 MWe gross of low carbon generating capacity by 2021.
- The UK remains heavily reliant on fossil fuel generation and will do so for decades to come. However, in view of legally binding greenhouse gas emissions targets, it will not be possible for new conventional (unabated) fossil fuel generating stations to be built. Therefore, if fossil fuels are to remain part of the energy mix (contributing to energy security and diversity) it will be necessary to bring forward new coal-fired generating stations with CCS, such as that proposed.
- The Project would add resilience to the UK energy system, providing a reliable form of electricity generation that is responsive to rapid changes in demand and supply, providing the 'spare capacity' that is needed to compensate for the intermittent and fluctuating contribution of renewables to electricity supply. The need to ensure that there is sufficient responsive spare capacity is becoming increasingly important with the UK's greater reliance on renewables.
- The Project is part of the UK Government's CCS Commercialisation Programme and would demonstrate CCS at a commercial scale. The deployment of CCS at a commercial scale is a priority for UK energy policy and critical to efforts to tackle climate change over the coming decades.
- In its own right, the Project would make a very positive contribution to mitigating greenhouse gas emissions, as the CCS technology is capable of capturing up to 90% of the CO_2 emissions produced during the combustion process.
- The Project would support the emerging CCS sector within the UK, which has the potential to deliver substantial benefits for the UK economy in terms of exporting CCS expertise and services to other countries.
- The Project would also support the NGCL Yorkshire and Humber CCS Cross-country pipeline project, which is subject to a separate DCO application.
- The Project would have substantial benefits for the regional and local economy, particularly in terms of employment during both the construction and operational phases. The ES estimates

that the equivalent of around 500 FTE jobs would be created during the construction phase with approximately a further 120 FTE jobs during operation. There would be other benefits for the local economy in terms of increased spending and use of services.

- The Project would take advantage of existing rail infrastructure at the existing Drax Power Station site for the transport of fuel and other bulk materials supporting the use of sustainable modes.
- The Project has been designed to be 'CHP Ready' so that should a viable heat demand be identified in the future the generating station would be able to accommodate the necessary facilities and connections to meet that demand.
- Proposals for landscaping and biodiversity enhancement are included as part of the Project.
- The Project accords with and would assist in delivering the development plan strategy for Selby District, delivering low carbon energy in a location that has been identified as potentially suitable for such activities and generating employment.

17.3 The EIA of the Project has demonstrated that it would result in few significant effects. It is agreed that these limited effects would be outweighed by the substantial benefits of the Project.

18.0 THE SCOPE OF THE DRAFT DCO AND DRAFT REQUIREMENTS

18.1 It is agreed that the scope of the powers being sought through the draft DCO are appropriate, including:

- The amendments that have been made to article 3 to disapply the DCO requirements in relation to Barlow Mound and to ensure that the existing Barlow Mound planning conditions apply to the Project.
- The amendments that have been made to articles 11, 12 and 14 relating to streets, including street works.
- The amendments to Schedule 6 'Streets to be temporarily stopped up'. To be confirmed.

18.2 It is agreed that the requirements included at Schedule 2 of the draft DCO are appropriate and would adequately control the Project's construction and operational effects and secure its detailed design.

18.3 It is agreed that the amendments to Requirement 10 'Highway Accesses' are sufficient to ensure that the new access on to Pear Tree Avenue is only used for emergency purposes.

18.4 It is agreed that Selby DC is the appropriate planning authority for the purposes of the discharge of the requirements.

18.5 The procedures set out at Schedule 11 of the draft DCO relating to the discharge of requirements are agreed.

18.6 Any further amendments agreed to the draft DCO or requirements to be added.

19.0 S.106 DEVELOPMENT CONSENT OBLIGATION

19.1 Subject to on-going dialogue.

20.0 SITE RAISING AND PREPARATION WORKS PLANNING APPLICATION

20.1 It is agreed that the site raising and preparation works within the area of Work No. 1A and parts of Work No. 1B (as shown on the Works Plans – Document Ref. 4.3), can, in themselves as independent works not involving the construction of a generating station, be consented separately under the Town and Country Planning Act 1990 ('TCPA 1990').

20.2 The rationale for applying for these works separately under the TCPA 1990, relating to the time savings that would be realised for the Project if the works could be carried out in advance of a DCO being made by the SoS, is agreed.

20.3 The planning application for the site raising and preparation works was submitted to Selby DC on 10 March 2015. The planning application (Ref. 2015/0249/EIA) has been validated by Selby DC (from 11 March 2015) and the determination date is 1 July 2015.

20.4 Will be updated.

21.0 MATTERS NOT AGREED

21.1 Any matters not agreed to be added.

Signed

Print name and position

On behalf of NYCC

Date . …….

Signed

Print name and position

On behalf of Selby DC

Date . …….

Signed

Print name and position

On behalf of the Capture Power Ltd

Date . …….

APPENDIX 1: HIGHWAY ACCESSES

10.(1) No part of the authorised development may commence until details of the siting, design and layout (including visibility splays and surfacing) of any new or modified permanent or temporary means of access between any part of the Order land and the public highway to be used by vehicular traffic, or any alteration to an existing means of access to a public highway used by vehicular traffic, has, for that part, been submitted to and, after consultation with the local highway authority, approved by the relevant planning authority.

(2) The details submitted pursuant to sub-paragraph (1) must provide for any access point directly on to Pear Tree Avenue to only be used in an emergency and must include details of the barrier or other control system to prevent its use other than in emergencies.

(3) The accesses to the public highway must be constructed in accordance with the approved details unless otherwise agreed with the relevant planning authority in consultation with the local highway authority.

(4) The authorised development may not be brought into commercial use until any permanent accesses to the public highway have been constructed or modified (as relevant).