



## Meeting note

<b>File reference</b>	EN010048
<b>Status</b>	Final
<b>Author</b>	Patrycja Pikniczka
<b>Date</b>	7 August 2013
<b>Meeting with</b>	Drax – Capture Power Limited
<b>Venue</b>	Room 3/03, The Planning Inspectorate, Temple Quay House, Temple Quay, Bristol, BS1 6PN
<b>Attendees</b>	<b>The Planning Inspectorate</b>  Tom Carpen (Infrastructure Planning Lead) Oliver Blower (Case Manager) Patrycja Pikniczka (Case Officer) Emma Fitzpatrick (Assistant Case Officer) Hannah Pratt (EIA Advisor) Noreen Sutton (Legal)  <b>Applicant</b> Geoff Bullock (Dalton Warner Davis) Chris Limbert (Drax – Capture Power Limited) Jim Doyle (Drax – Capture Power Limited) Nick McDonald (Pinsent Masons) Rosanne McGuigan (ERM)
<b>Meeting objectives</b>	To discuss progress of the White Rose application.
<b>Circulation</b>	All attendees

### Summary of key points discussed and advice given:

The Planning Inspectorate outlined its openness policy and advised that any advice given would be recorded and placed on the Planning Inspectorate's website under s.51 of the Planning Act 2008. Further to this, it was made clear that any advice given did not constitute legal advice upon which the applicant (or others) can rely.

### General update on the project

The applicant provided an update on the progress of the White Rose application, the presentation given by the applicant during the meeting can be accessed from [here](#).

The applicant explained that the proposed Development Consent Order will include an electricity grid connection. The carbon capture and storage (CCS) pipeline will be a

separate NSIP brought forward by a different applicant (National Grid). The applicant confirmed that a grid connection has yet to be agreed. The grid connection is likely to be a 132KV line approximately 1.5 km long.

## **Funding**

The applicant confirmed that the White Rose project has progressed to the final round of the funding competition run by the Department for Energy and Climate Change (DECC), together with one other project brought forward by a different developer. The applicant confirmed that there are ongoing negotiations with DECC in terms of the FEED Funding. The applicant explained that FEED Funding is mainly for the permitting, consenting, designing and engineering of the scheme and that the operational target date is expected to be 2020. (The operational target date is subject to further funding from DECC being made available for the construction of the project.)

## **Non-statutory consultation undertaken by the applicant to date**

The applicant explained that a number of events were carried out in local areas and that positive feedback has been received about the proposal to date. The applicant confirmed that different methods have been used to collect responses to consultation.

The applicant advised that non-statutory consultation began in July 2013. The applicant intends to publish its Statement of Community Consultation (SOCC) in Q4 2013; carry out its consultation on Preliminary Environmental Information (PEI) in Q4 2013/Q1 2014; engage with statutory consultees in Q4 2013 and carry on its formal consultation in Q1 2014 prior to submission of the application.

## **Response to Scoping Opinion and how issues have been taken into account**

The applicant noted that the Scoping Report was submitted to the Planning Inspectorate in December 2012, and that comments were received in January 2013. The applicant explained that there are ongoing discussions with key stakeholders such as Natural England, Environment Agency, Health and Safety Executive and relevant local planning authorities.

## **Approach to Preliminary Environmental Information (PEI)/ EIA Preparation**

The applicant explained that they have been in discussion with key stakeholders in order to determine what the PEI will include. Their PEI will comprise a series of targeted notes which will be delivered in a phased approach to key stakeholders, and a document setting out the preliminary environmental information (with a Non-Technical Summary) will be provided at the section 42 consultation stage.

The Planning Inspectorate stressed the importance of PEI being available to local communities in addition to statutory consultees and advised the applicant to use non-technical language in their PEI.

## **Consents to be included within draft Development Consent Order (DCO) and those not to be included**

The Planning Inspectorate advised the applicant to consider early on the need for other non-DCO consents and explained to the applicant that the Consents Service Unit (CSU) has been established to assist applicants in relation to specific non-DCO

consents. The service could help minimise the risk to the smooth running of an examination / development consent created by the need for and timing of additional consents.

The applicant explained that there are ongoing discussions with other consenting bodies, and that the applicant may vary the existing Environmental Permit rather than seeking a new one.

### **Future engagement with the Inspectorate (including engagement with the Consents Services Unit)**

The Planning Inspectorate advised that it would welcome regular updates and where appropriate further meetings, and in particular encouraged the applicant to contact it if it had any queries under section 51 of the Planning Act.

The applicant offered to organise a visit for the Planning Inspectorate to see the proposed site. The Planning Inspectorate agreed that a site visit would be welcome alongside a meeting with the relevant local authorities, and requested that this be held prior to the start of formal consultation.

### **Submission and review of draft application documents**

The Planning Inspectorate confirmed that it is able to review the draft Habitats Regulations Assessment Report and matrices, draft Development Consent Order, Explanatory Memorandum, Consultation Report and key Plans.

The applicant was advised to build in two to three months for this, based on experience of other applications, but that the Planning Inspectorate would look to agree a meeting a few weeks after receipt of draft documents.

The Planning Inspectorate advised the applicant to ensure that electronic application documents are consistent with the hard copy. The applicant was advised to take a proactive approach, and to focus on technical matters when carrying out its consultation. Non-technical language should be used when explaining technical terms within the application documents, so that it is easy to understand for everyone. The Planning Inspectorate advised the applicant to ensure clarity when describing the project itself, boundary, location, different technologies and alternatives.

The applicant confirmed that the anticipated submission date for the DCO application is currently Q2/Q3 2014. However the date will depend on the nature of the feedback received in response to the consultation.

### **Technical / planning issues**

The Planning Inspectorate asked whether there is expected to be any Compulsory Acquisition (CA). The applicant confirmed that the land for the proposed power station is owned by Drax, however there are other landowners on or in the vicinity of the area for one potential route of the proposed grid connection.

The applicant explained that the generating station is expected to run primarily using oxy-fuel combustion technology, but that it could also run in air mode. The applicant explained that the carbon capture technology can only work when the generating station is running in oxy mode, however before the plant can be switched to the oxy-fuel mode it has to start-up in air mode.

The Planning Inspectorate advised that, without prejudice to any examination or decision by the Secretary of State, this could be raised during the consultation or examination. It advised the applicant to be clear about which modes will be used and when, when describing the proposed technology, especially when carrying out the pre-application consultation with key stakeholders and local communities. The applicant was advised to capture operating scenarios in its DCO and the ES, including the worst case scenarios in the ES.

The Planning Inspectorate asked whether the applicant has considered alternatives. The applicant confirmed that biomass could be used in conjunction or as an alternative to coal, however that option is still being considered. The Planning Inspectorate advised the applicant to be clear about options when preparing the application.

The Planning Inspectorate asked the applicant to identify other projects in the area in discussion with the relevant local planning authorities, and advised the applicant to ensure it considers the cumulative effects of other projects in-combination effects should Habitats Regulations apply. The applicant confirmed that there are ongoing discussions and exchange of information with National Grid with regards to the onshore pipeline and offshore elements of the carbon capture project.

PINS advised that sufficient information should be provided in any Habitats Regulations Assessment report to enable the Secretary of State to undertake an appropriate assessment, should one be required. The Planning Inspectorate referred the applicant to Advice Note 10 and advised the applicant to submit the draft matrices referred to within the advice note with their DCO application. The Planning Inspectorate explained that the Secretariat and Examining Authority update the matrices throughout the examination to produce a document called the Report on the Implications for European Sites (RIES). The RIES is a factual document which summarises the relevant information that has been submitted by the applicant, statutory nature conservation bodies and other relevant parties, and signposts readers to the location of this information. Normally a minimum of 21 days will be allowed within the examination timetable to enable parties to review the RIES and to respond to this consultation. The RIES and any responses will be submitted to DECC with the recommendation report. The Planning Inspectorate confirmed that DECC is the competent authority under the Habitats Regulations and makes the final decision as to the impacts of a project on European Sites.

The Planning Inspectorate advised the applicant to ensure that mitigation measures detailed in the ES are included in the DCO. It would be helpful if the applicant provided a table detailing measures in the ES and the corresponding measure in the DCO. The applicant was advised that both documents should be consistent.

The Planning Inspectorate advised that Advice Note 3 '*EIA Consultation and Notification*' and Advice Note 7 '*Environmental Impact Assessment, Screening, Scoping and Preliminary Environmental Information*', have recently been updated on the Planning Portal. Advice Note 10 '*Habitat Regulations Assessment relevant to nationally significant infrastructure projects*' is currently being revised and will be available on the Planning Portal shortly.

The Planning Inspectorate advised the applicant to work on Statements of Common Grounds where possible; the applicant confirmed that there are ongoing discussions with stakeholders.

**Specific decisions / follow up required?**

The applicant to follow up the potential for a site visit with PINS and local planning authorities, prior to the start of consultation.

The applicant asked the Inspectorate to have few meetings before the formal submission of the application; the Inspectorate agreed.