

**North Yorkshire County Council
Selby District Council**

**Local Impact Report
The Eggborough CCGT (Generating Station)**

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North Yorkshire County Council Selby District Council

Local Impact Report The Egborough CCGT (Generating Station)

1. Terms of reference

Introduction

- 1.1 This report comprises the Local Impact Report (LIR) of North Yorkshire County Council (NYCC) and Selby District Council (SDC) (the Authorities).
- 1.2 The Local Authorities have had regard to the purpose of LIRs as set out in s.60 Planning Act 2008 (PA2008) (as amended), DCLG's *Guidance for the examination of applications for development consent*, and the Planning Inspectorate's *Advice Note 1: Local Impact Reports*, in preparing this LIR.

Scope

- 1.3 This LIR only relates to the impact of the proposed development as it affects the administrative areas of NYCC and SDC.
- 1.4 The LIR relies upon the Applicant's description of the development as set out in volume 1, Chapter 3 of the Environmental Statement (ES). This LIR sets out the relevant planning history to be taken into consideration.

Purpose and structure of the LIR

- 1.5 The primary purpose of the LIR is to identify any potential local impacts of the proposed development and identify the relevant national and local planning policies in so far as they are relevant to the proposed development, and the extent to which the proposed development accords with the policies identified.
- 1.6 Topic-based headings set out how the Authorities consider the proposed development accords with relevant planning policy and any potential local impacts of the development.
- 1.7 Key issues identified by the Authorities are set out within the topic headings in supporting commentary in respect of the extent to which the Applicant has sought to address issues raised by both NYCC and SDC, with reference to

relevant Application documents (including the articles and requirements of the Draft Development Consent Order (DCO)).

- 1.8 Whilst a number of points within the LIR are repeated from the Authorities' s.56 PA2008 consultation response, the significance of the LIR in the PA2008 is such that they are confirmed here for the purposed of clarity for the benefit for the Examining Authority (ExA).

2. Description of the Area

- 2.1 It is proposed that the CCGT Generating Station and pipeline will be constructed and operate entirely within the administrative areas of SDC within NYCC.
- 2.2 Construction of the CCGT Generating Station itself will take place on the current coal fired power station site (the Site) primarily on the area formerly used as the coal stocks yard. The Site is approximately 80 hectares (ha) in size and is centred on grid reference SE 57893 24292. The area comprises the existing power station and associated infrastructure, including eight natural draught cooling towers, the turbine hall and boiler house buildings, emissions stack, coal stockyard and coal handling equipment and conveyors, flue gas desulphurisation (FGD) plant and associated conveyors, and numerous other buildings, tanks and structures.
- 2.3 The Site is bounded to the west by the National Grid sub-station, Eggborough Sports and Leisure Complex (which includes the following associated facilities: golf course, bowling green, cricket ground and model steam railway), and the A19; to the north and east by Wand Lane, with agricultural land and the River Aire beyond; and to the south by agricultural land and the Saint Gobain Glass Factory.
- 2.4 The Site is surrounded by grade 3 agricultural land to the east, south and west and by grade 2 agricultural land to the north. It is situated in Flood Zone 1 and the gas connection passes through flood zones 1, 2 and 3. The Site is not within the green belt.
- 2.5 The Site also includes the cooling water infrastructure associated with the abstraction of water from the River Aire (near Chapel Haddlesey) and discharge back to the River Aire (at a meander at Eggborough Ings) and a PFA pipe bridge over the Knottingley and Goole Canal at Whitely Bridge.
- 2.6 The majority of Site is built upon concrete hard standing.
- 2.7 There are no. 3 public rights of way which are located close to the Site and which will have to be temporarily stopped up by the construction of the CCGT Generating Station and gas pipeline.

- 2.8 The wider geographical area includes a number of other power stations including Drax Power Station to the north east and Ferrybridge Power Station to the west.

3. Relevant National and Local Planning Policy

- 3.1 All national and local planning policy considered relevant to the consideration of this Application are listed below.

National Policy Statements

- 3.2 As an Application for a DCO for an energy infrastructure project, the proposal is to be considered in accordance with relevant National Policy Statements (NPS); in particular;

- EN-1 Overarching National Policy Statement for Energy
- EN-1 is generally supportive of new infrastructure to meet national need. It sets out generic assessment principles and impacts for consideration in determining any energy project. The assessment principles include good design, assessment of alternatives and climate change adaptation. Impacts relate to topics such as biodiversity, flood risk, landscape and views.
- EN-2 National Policy Statement for Fossil Fuel Electricity Generating Infrastructure.
- EN-4 National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines

- 3.3 These National Policy Statements (NPS), taken together with the Overarching National Policy Statement for Energy (EN-1), provide the primary basis for decisions on applications for nationally significant fossil fuel electricity generating stations.

National Planning Policy Framework

- 3.4 On the 27th March 2012 the Government published the National Planning Policy Framework (NPPF). The NPPF replaced the suite of Planning Policy Statements (PPSs) and Planning Policy Guidance Notes (PPGs) and now, along with the Guidance in the National Planning Practice Guidance (NPPG) provides the national planning policy framework.

- 3.5 The NPPF introduced, in paragraph 14, a presumption in favour of sustainable development. Paragraph 14 of the NPPF states that "at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking".

Development Plan

- 3.7 For the purposes of section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area in which the proposed development is situated is the Selby District Core Strategy Local Plan (adopted 22nd October 2013) and those policies in the Selby District Local Plan (adopted on 8 February 2005) which were saved by the direction of the Secretary of State and which have not been superseded by the Core Strategy.
- 3.8 It also comprises the saved policies in the North Yorkshire Minerals Local Plan (1997) and Waste Local Plan (2006).
- 3.9 The relevant Core Strategy Local Plan Policies are:
- SP1: Presumption in Favour of Sustainable Development;
 - SP2C: Spatial Development Strategy;
 - SP13: Scale and Distribution of Economic Growth SP15B: Sustainable Development and Climate Change SP17C: Low Carbon and Renewable Energy
 - SP18: Protecting and Enhancing the Environment Selby District Core Strategy SP18 refers to ensuring developments minimise the use of non-renewable resources and the amount of waste material
 - SP19: Design Quality

Selby District Local Plan

- 3.10 The relevant Selby District Local Plan Policies are considered to be;
- Policy ENV 1: Control of Development
 - Policy ENV 2: Environmental Pollution and Contaminated Land
 - Policy ENV 22: Protection of Listed Buildings
 - Policy ENV 25: Control of Development in Conservation Areas
 - Policy ENV 27: Scheduled Monuments and Important Archaeological Sites
 - Policy ENV 28: Other Archaeological Remains
 - Policy EMP 10 Additional Industrial Development at Drax and Eggborough Power Stations
 - Policy T1: Development in Relation to the Highway Network
 - Policy T2: Access to Roads
 - Policy T8: Public Rights of Way

North Yorkshire Waste Local Plan

- 3.11 The relevant policy of the North Yorkshire Waste Local Plan is considered to be Policy 5/1 of the North Yorkshire Waste Local Plan (2006) which states that proposals for major development should include a statement identifying the waste implications of the development and measures taken to minimise

and manage the waste generated and that permission would not be granted where this has not been adequately addressed.

The following are also relevant material considerations:

Other relevant local policy

3.12

- Landscape, Visual and Green Infrastructure Policies
- Natural England NE176, Green Infrastructure Guidance, 2009
- The Leeds City Region: Green Infrastructure Strategy, August 2010
- Selby District Council: Countryside and Green Space Strategy, 2013

European Landscape Convention

3.13 The European Landscape Convention applies equally to all landscapes, including urban and degraded landscapes (Article 2) and promotes cooperation in protection, management and planning (Article 3), with specific measures outlined in Article 6. Because it recognises the importance of 'everyday' landscapes to those who experience them, it is very relevant to the consideration of local landscape impacts.

Other Relevant Policies/Guidance

3.14

- I. North Yorkshire and York: Local Nature Partnership Strategy, 2014
- II. Selby Local Biodiversity Action Plan August 2004
- III. Selby Area Internal Drainage Board: Biodiversity Action Plan, 2009
- IV. The Wildlife Trusts Yorkshire and the Humber: A Living Landscape, 2009
- V. Defra: National Pollinator Strategy and related Buglife: B-Lines Initiative 2011
- VI. Environment Agency: Humber District River Basin Management Plan, 2009
- VII. Natural England: Yorkshire and the Humber Green Infrastructure Mapping Project 2010
- VIII. Natural England: National Character Area 39 Humberhead Levels, 2012
- IX. Environment Agency: Humber District River Basin Management Plan, 2009

Relevant Planning History

3.15 It is agreed that the Planning Statement accurately summarises the planning history relating to the Site and that the following is of most relevance:

3.16 The original consent (ref. EL.64/2/139) for coal-fired power station granted on 18 October 1961 pursuant to section 2 of 'The Electric Lighting Act 1909' (as amended by section 57 and Part I of the fourth schedule of the Electricity Act 1947 and Part II of the Electricity Act 1957).

- 3.17 Planning permission (ref. CO/1992/0761) granted on 20 April 1993 for the erection of an air separation plant, including plant, equipment, service buildings, storage tanks and parking areas on a parcel of land in the north-east corner of the existing coal-fired power station site (now occupied by Air Liquide).
- 3.18 Hazardous substances consent (ref. CO/1992/0070) granted on 7 September 1993 for the storage of 1,150 tonnes of liquid oxygen (in connection with the above permission).
- 3.19 Consent (ref. GDBC/001/003) granted on 10 December 2001 under section 36 of the Electricity Act 1989 to extend the existing coal-fired power station by the addition of flue gas desulphurisation plant.
- 3.20 Outline planning permission (ref. 2012/0295/OUT) granted on 22 June 2012 for construction and operation of new biomass handling and storage facilities together with ancillary development to enable the expanded use of co-firing with biomass.

4. Assessment of Impacts

- 4.1 The following sections identify the relevant national policy and local planning policies within the development plan (and other relevant local policy) and how the Application accords with them.
- 4.2 The following sections also consider the adequacy of assessment for each identified subject area and any potential impacts.
- 4.3 The baseline against which each subject area has been assessed is discussed, setting out the Authorities' views in respect of the adequacy of the assessments carried out, the base line data against which assessments have been based, and any mitigation proposed.
- 4.4 The extent to which the Applicant has addressed identified impacts and assessed them adequately, complying with local planning policy has also been considered.
- 4.5 The headings used in the LIR broadly reflect those used in Part 5 of EN-1 (overarching NPS for Energy).

5. Principle of Development

Relevant local planning policies

- 5.1 The relevant Core Strategy and Local Plan Policies are:

SP1: Presumption in Favour of Sustainable Development;
SP2C: Spatial Development Strategy;
SP13: Scale and Distribution of Economic Growth;
SP15: Sustainable Development and Climate Change;
SP16: Improving Resource Efficiency;
SP17C: Low Carbon and Renewable Energy;
SP18: Protecting and Enhancing the Environment;
Chapter 6 of the Core Strategy
EMP10: Additional Industrial Development at Drax and Eggborough power stations.

Commentary

- 5.2 The Site is located in an area of open countryside as designated in the Selby District Local Plan. Policy SP2C states that development in the countryside will be limited to (amongst other criteria) well designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and where it will enhance or maintain the vitality of rural communities in accordance with Policy SP13.
- 5.3 Policy SP13 states that in rural areas, sustainable development which brings sustainable economic growth through local employment opportunities or expansion of business and enterprise will be supported.
- 5.4 Policies SP15 and SP16 supports sustainable development and climate change and Policy SP17 C supports development for new sources of renewable energy and low-carbon energy generation.
- Selby District Core Strategy SP18 refers to ensuring developments minimise the use of non-renewable resources and the amount of waste material.
- 5.5 In addition, Policy SP1 of the Core Strategy states that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.
- 5.6 Paragraph 6.32 of the Core Strategy refers to the importance of the energy sector in the area and is supportive of the development of the sector.
- 5.7 Local Plan policy EMP10 recognises and supports energy-related development at the Site.

Adequacy of Application / DCO

- 5.8 Having had regard to the above policy context, this supports development linked to economic development and low carbon energy development which clearly the development is. SDC and NYCC agree that the principle of the

proposed development in this location is supported by policies contained within the Development Plan.

6. Air Quality and Emissions

Relevant local planning policy

- 6.1 Policy ENV2 of the Local Plan and Policies SP18 and SP19 of the Core Strategy include provisions to ensure that new development protects air quality from pollution.

Commentary

- 6.2 Chapter 8 of the Environmental Statement (ES) considers the likely impact on local air quality of the proposed development during its construction, operation and decommissioning. The Authorities were consulted on the proposed methodology for the assessment and baseline monitoring but do not have the appropriate software to concur the results of air quality modelling. The Environment Agency should be consulted as to the accuracy of the air quality modelling results. The Local Planning Authority does, however, agree with the approach taken by the Applicant to the methodology and assessment used in the Environmental Impact Assessment.

BAT Assessment

- 6.3 It is noted from Paragraph 8.3.28 of the ES that a formal BAT assessment will be conducted once the final generation technology has been confirmed and plant efficiency and NO_x ELV requirements are known. It is understood that two scenarios have been assessed. As the assessment of air quality subject to the proposed development has demonstrated that the air quality strategy objectives will not be exceeded it would be ensured that any subsequent BAT assessment ensures the same outcome. However, as the BAT assessment is a requirement of the Environmental Permitting regime, and not the planning process, the local planning authority would welcome a suitably worded requirement to be included in the DCO to ensure air quality strategy objectives are not exceeded as a result of the proposed development.

Construction and Environmental Management Plan

- 6.4 It is noted that the Applicant will produce a Construction and Environmental Management Plan (CEMP) for combined effects of the construction and demolition traffic.
- 6.5 It is envisaged that the effects on air quality due to the construction phase of the development, which may be run in parallel to the demolition of the

existing power station, will be controlled via the CEMP. The CEMP is required by Requirement 18 of the draft DCO.

- 6.6 Whilst a draft CEMP is currently not available, a Framework Construction Environmental Management plan has been submitted as part of the submission. The CEMP will be submitted to the Local Planning Authority for approval, prior to the commencement of development and will control emissions to air during the construction phase of the development. This approach is agreed as best practice.

Selective Catalytic Reduction

- 6.7 The Applicant has given further consideration to the potential effects of the Selective Catalytic Reduction (SCR) in paragraphs 8.6.32 to 8.6.39 of the ES. The Authorities have expressed concern at the identified effects on some of the ecological receptors which could be significant. It is acknowledged that the use of SCR can lead to the emission of Ammonia which increases the nitrogen deposition to land. However, it is appreciated that application of BAT will be considered in detail during the Environmental Permitting process and that a formal BAT assessment will be conducted once the final generation technology has been confirmed during the Environmental Permitting stage.
- 6.8 It is acknowledged that the BAT assessment will only be required and considered as part of the Environmental Permitting regime and will not be considered as part of the planning process. A DCO requirement in order to control the effects of SCR on ecological receptors would be welcomed by the Local Planning Authority.
- 6.9 Appendix 8A has been reviewed and the predicted impacts of the emissions given in tables 8A.10 – 8A.17 have been noted. Table 8A.12 indicates that although the impact from this development may be described as “imperceptible” the levels at many sites for nutrient nitrogen vastly exceed the critical load. Tables 8A.13, 8A.15, 8A.16 and 8A.17 shows a similar situation for acid deposition, ammonia, SCR impacts on nutrient nitrogen and SCR impacts on acid deposition. Concern is expressed at these levels and increases in levels.
- 6.10 The identified air quality impact on ecological receptors has been reviewed by the Authorities’ Principal Ecologist. Key points arising out of that review in respect of identified impacts on ecological receptors if SCR was to be used are as follows;
- a) Ecological receptors assessed are only statutory sites (SSSI, SAC, SPA etc.) and not local designations or habitats and species outside of designation.
 - b) Paragraphs 8.6.35 to 8.6.38 are key in terms of a potential significant effect. These all come under the assessment of SCR. They say:

- I. 8.6.35 The potential impact of the process contribution to ammonia concentration in the atmosphere on ecological receptors has been assessed against the Critical Level defined for each habitat type. The maximum impact was determined at E8 (Thorne Moor SAC) with an ammonia PC of 2% of the Critical Level of 1µg/m³ (defined for lichens and bryophytes) and a PEC of 125% of the Critical Level. A PC of 2% is marginally above the threshold for insignificance; this is considered a low impact magnitude. However, as the current background level is so high (above the Critical Level for the degraded raised bog habitat), this would be termed a potentially major adverse (significant) effect. The maximum impact at E7 (Skipwith Common SAC) is very low impact magnitude but with an existing baseline above the Critical Level, the potential overall effect is considered moderate adverse (significant).
- II. For all other ecological receptors the PC of ammonia is 1% or less of the defined Critical Levels and therefore considered to be of negligible adverse (not significant) effect.
- III. 8.6.36 The potential impacts of nutrient nitrogen deposition and acid deposition at statutory ecological receptors from the combined PC of ammonia and NO_x from the potential use of SCR has also been assessed. The results of the assessment are tabulated in Appendix 8A (ES Volume III). The difference in nitrogen deposition rates of ammonia and nitrogen oxides results in an increase in nutrient nitrogen and acid deposition associated with the ammonia slip from use of SCR, despite the lower NO_x emissions, over those deposition rates from NO_x without the use of SCR.
- IV. 8.6.37 The nutrient nitrogen impacts at E2 (Eskamhorn Meadows SSSI), E6 (Humber Estuary SAC) and E8 (Thorne Moor SAC) increase from 'imperceptible' to 'low' as a result of the emission of ammonia even with the lower NO_x, and therefore change the predicted potential effects from imperceptible to minor adverse (not significant) for E2; and to major adverse (significant) for E6 and E8 as the latter two sites are described with N-deposition above the lower (and upper) nutrient nitrogen Critical Load range for the most sensitive species.
- V. 8.6.38 Similarly, the acid deposition PCs at E6, E7 and E8 increase from <1% of the minimum Critical Load (MinCLMaxN), described as negligible adverse (not significant) effect, to 1-2% of the minimum Critical Load, which in combination with the existing high baseline levels gives predicted potential effects of moderate adverse (significant) for E7 and major adverse (significant) for E6 and E8. The potential effects at identified ecological receptors are therefore considered to be worsened with the potential use of SCR, even with the corresponding reduction in NO_x emission.

- 6.11 It is acknowledged that the Applicant does not consider itself in a position to determine whether or not Selective Catalytic Reduction technology will be used.
- 6.12 However, on the basis that there could be potentially significantly effects upon Natura 2000 sites, the Authorities question whether the potential for such impacts should be picked up within the Habitat Regulations Assessment.
- 6.13 The Authorities' Principal Ecologist's view is that, on the basis that SCR has not been addressed in the Habitat Regulations Assessment signposting document, this may benefit from referral to Natural England for their specialist assessment, which is outside of the professional remit of the Authorities.
- 6.14 It is the view of the Authorities, in the absence of the necessary expertise, that this is the furthest extent to which they can comment on the use of SCR. The Authorities understand from further discussions with the Applicant that it is seeking guidance from the Environment Agency on the use of SCR.
- 6.15 In respect to oxides of nitrogen it is noted that the stack height has been driven by the predicted impacts but also that the required emission limit may be reduced when the revised Bref guidance in respect of the use of Selective Catalytic Reduction is issued in 2017.

Operational Impacts

- 6.16 Emissions to air from the operation of the site are not predicated to impact significantly of the air quality of those living in the vicinity of the proposed development.
- 6.17 The draft DCO currently does not require the modelled emissions to be achieved, and in many areas the predicated emissions will not be finalised until the Bref Guidance 2017 has been issued by the Environment Agency and a further BAT assessment has been submitted to the Environment Agency.
- 6.18 Consequently a requirement in the DCO would be welcomed to provide some control in respect of emissions to air during operation.
- 6.19 As also detailed above a requirement would be welcomed to control the identified impact on ecological and human receptors, as a result of the use of SCR, when the final plant design is finalised and the emission levels known.

Decommissioning

- 6.20 The ES does not currently consider decommissioning in relation to Emissions. As this stage this may take place many years into the future when the area

around the site may have changed considerably. It is, therefore, recommended that effect on air quality from this operation is controlled via Requirement 35 of the draft DCO and that an additional subsection is added to paragraph 4 of this requirement to include the consideration of air quality during decommissioning.

Key Local Issues

- 6.21 The possible use of Selective Catalytic Reduction to reduce Nox emissions is a concern due to the effects on ecological receptors and needs to be examined further when the generation technology has been finalised. It should be noted that SDC do not have the technology to confirm the air quality modelling results and that the Environment Agency should therefore be consulted.

Adequacy of Application/DCO

- 6.22 As referred to above SDC can't comment on the adequacy of the modelling presented in the Environmental Statement chapter but do agree with the methodology and approach of the environmental assessment.
- 6.23 Further assessment and guidance from the Environment Agency is required in relation to the use of SCR in particular. It is expected that this further work will impact on the overall approach and therefore amendments to DCO requirements may be required in due course.

7. Landscape, Biodiversity and Green Infrastructure

Relevant planning policies

Landscape and visual effects

- 7.1 The national policy position in respect of landscape and visual effects is set out in National Policy Statements EN-1 (section 5.9), EN-2 (section 2.6), EN-4 (sections 2.14 and 2.21) and EN-5 (section 2.8).
- 7.2 The starting point is EN-1 which is the overarching NPS for energy, dealing with generic effects. Paragraph 5.9.1 provides that the landscape and visual effects of every project will vary on a case by case basis according to the type of development, its location and the landscape setting of the proposed development.
- 7.3 Paragraph 5.9.8 (landscape impact) provides that the *“landscape effects depend on the existing character of the local landscape, its current quality, how highly it is valued and its capacity to accommodate change. All of these factors need to be considered in judging the impact of a project on the*

landscape. Visually all nationally significant energy infrastructure projects will have an effects on the landscape.”

- 7.4 Paragraph 5.9.8 also provides that regard must be had to setting of the proposed development.
- 7.5 The Authorities consider that the above factors have been considered by the Applicant and that the Application accords with relevant national policy.
- 7.6 The Authorities agree that the local planning policies in the Selby District Local Plan (SDC, 2005) and in the Selby District Core Strategy Local Plan (SDC, 2013) which are listed and described in Paragraphs 16.2.14- 16.2.20 of the ES and listed above are relevant to the proposed development.
- 7.7 EN-1 makes it clear (paragraph 5.9.22) that landscape and visual impacts can be minimised by careful consideration of colour, materials and design of buildings and infrastructure. The Authorities have commented on this aspect in the draft DCO and consider that the visual impact has been considered effectively in the design.
- 7.8 The Authorities consider that the character of the area, standard of design, and effect on features important to local character (ENV1 part 1, 4 and 5) have been taken into account in the proposals.
- 7.9 It is agreed that adverse effects on Locally Important Landscape Areas (LILAs) (ENV15) within the study area during construction would be negligible. The residual effects of the development on LILAs are likely to be beneficial in comparison with the effects of the existing coal-fired power station on the Site.
- 7.10 It is considered that the on-site proposals will meet the local policy requirements for landscape works to be an integral element of the design (ENV 21 part A), including retention of existing trees and hedgerows.
- 7.11 The requirement for planting of native, locally occurring species does not necessarily apply to the Site of the CCGT Generating Station, where the original 1960s Brenda Colvin design made use of a wider range of robust, fast growing species chosen for screening and amenity value.
- 7.12 The Arboricultural Study produced by the Applicant, provides a good basis for on-going woodland management needed to sustain the objectives of the original landscape design.
- 7.13 The proposed Indicative Landscape and Biodiversity Strategy (ILBS) will set out how the existing landscape can be sustained or adapted.
- 7.14 A Requirement for the implementation of the proposed ILBS through the requirement for the provision, implementation, management, and

maintenance of landscape works is included in the draft DCO to achieve this (DCO Requirements 6 and 7).

- 7.15 SDC Core Strategy Policy SP18 covers a range of environmental requirements including the safeguarding and enhancement where possible of the landscape character of the area. The existing Eggborough power station site as a whole, not just the CCGT Generating Station site, has its own character which contrasts with surrounding landscapes. Whilst the existing power station dominates all of the surrounding landscape, the proposed CCGT Generating Station sits within existing landscape mounding and plantations safeguarded and managed through this Application which will help to absorb it into the landscape.
- 7.16 The proposed pipeline route runs through an open landscape of field and hedge boundaries which will be reinstated through the Application although it will take time for the landscape to recover maturity.
- 7.17 NPS EN-1 paragraph 1.7.2 recognises that the impacts on landscape/visual amenity will sometimes be difficult to mitigate but paragraph 5.9.17 requires the project to be designed so as to minimise harm to the landscape. Paragraph 4.13 advises that when weighing adverse impacts against benefits of a proposed development, measures to avoid, reduce or compensate for any adverse impacts should be taken into account.
- 7.18 It is the Authorities' view that the site development plans have been designed so as to minimise harm to the landscape. The development however does require the removal of some existing woodland and the proposal does not mitigate for this elsewhere in terms of seeking to improve the green infrastructure of the surrounding landscape for example. The Authorities have highlighted opportunities to the Applicant where they consider opportunities for increased provision of Green Infrastructure biodiversity mitigation can be provided which will also increase biodiversity net gain.

Biodiversity

- 7.19 The national policy position in respect of biodiversity is set out in NPS EN-1, within which it states that:

“the applicant should include appropriate mitigation measures as an integral part of the proposed development. In particular, the applicant should demonstrate that:

- *during construction, they will seek to ensure that activities will be confined to the minimum areas required for the works;*
- *during construction and operation best practice will be followed to ensure that risk of disturbance or damage to species or habitats is minimised, including as a consequence of transport access arrangements;*

- *habitats will, where practicable, be restored after construction works have finished; and*
- *opportunities will be taken to enhance existing habitats and, where practicable, to create new habitats of value within the site landscaping proposals. (5.3.18)*

“Development proposals provide many opportunities for building in beneficial biodiversity or geological features as part of good design. When considering proposals the IPC should maximise such opportunities in and around developments, using requirements or planning obligations where appropriate.” (5.3.15)

- 7.20 NYCC and SDC agree that the local planning policies in the Selby District Local Plan (SDC, 2005) and in the Selby District Core Strategy Local Plan (SDC, 2013) which are listed and described in Paragraph 10.2.5 of the ES are relevant to the site.

Green infrastructure

- 7.21 NPS EN-1 section 5.10 provides that ‘Green infrastructure’ is a cross-cutting generic issue’ and this does not fit well into the standard Environmental Impact Assessment (EIA) format. The EIA Directive does, however, require assessment of the interaction between effects.
- 7.22 Green infrastructure enhancement is referenced in Selby District Core Strategy Policy SP15 Parts B (d and e). The proposals generally only maintain the status quo rather than creating new areas to help offset climatic change effects and increase resilience.
- 7.23 SP19 part 4 also requires *“increasing connectivity to Selby District’s green infrastructure, including improving the network of linked open spaces and green corridors and promoting opportunities to increase its multi-functionality.”* Policies within the following regional and national strategies and reports echo SDC’s green infrastructure policies including actively seeking improvements to local ecological networks; the Leeds City Region Green Infrastructure Strategy 2010, the Local Nature Partnership Strategy, the Yorkshire Wildlife Trust Living Landscape strategy, Making Space for Nature and the Aire and Calder Catchment Partnership Actionable Plan. The Applicant has not demonstrated that the spirit of these strategic policies has been considered in terms of seeking to improve local green infrastructure through the proposals.

Commentary

Landscape

- 7.24 The proposed CCGT Generating Station will replace an existing coal-fired power station which now forms part of the landscape character of the area, although some local residents will remember the previous rural landscape. The Authorities consider that the residual effects are likely to be beneficial for local landscape character compared to the status quo, particularly to the north and west of the site.
- 7.25 From the local perspective it is the future loss of the monumental coal-fired power station, which does not form part of the current Application, which will result in the most significant change to landscape character as it has a wide visual influence. In comparison, the proposed CCGT Generating Station building will be less distinctive in its design, and although also large scale and industrial in nature, it will be considerably smaller than the existing power station.
- 7.26 The ES focuses on the effects of the proposed Generating Station but the construction and the demolition of the existing power station will overlap or be consecutive, with consequently increased cumulative landscape and visual impacts.
- 7.27 Hensall village is the settlement with the most open views towards the development site and therefore off-site mitigation or compensation proposed is in relation to viewpoint 15 in the LVIA.

Biodiversity

- 7.28 The ecological surveys and assessments used to inform the ES are considered to have been undertaken using appropriate methods, in line with current guidance and best practice.
- 7.29 The conclusion of the ES in respect of biodiversity, is that there would be no significant effects resulting from the proposed development including upon statutory and non-statutory designated sites, irreplaceable habitats (such as ancient woodlands) and protected species. The Authorities are in agreement with this conclusion in relation to significant effects.
- 7.30 As noted in more detail in the air quality section [section 6] the Authorities are concerned with the potential effects upon Natura 2000 sites relating to the use of Selective Catalytic Reduction technology. This is not currently considered in the Habitat Regulations Assessment signposting document and the Authorities would suggest the Applicant and/or the Examining Authority seeks confirmation from Natural England on this matter.

Net gain

- 7.31 The ES did identify a number of local (non-significant) impacts that require mitigation and or compensation measures to be secured. It is the view of the Authorities that, in addition to the proposed mitigation identified, there is also the need (in line with national and local policy) to further build in enhancements for biodiversity in order to secure net gain. Biodiversity net gain is defined as development that leaves biodiversity in a better state than before, in comparison to a no net loss approach which seeks to leave biodiversity in a no better or worse state following development.
- 7.32 The Authorities are of the opinion that whilst some mitigation and enhancement measures for local impacts have been detailed within the ES and the ILBS, net gain has not yet been fully provided and there is still a need to secure further mitigation, compensation and enhancement measures.

Local Issues

Landscape

- 7.33 The ES has addressed most of the specific areas of potential concern highlighted by the Authorities in the Section 42 consultation response to the draft Landscape and Visual Amenity chapter.
- 7.34 However, the Authorities are of the view that further consideration of potential enhancement of landscape planting off site to mitigate for loss of mature landscape as a result of the gas pipeline works could be considered further.

Biodiversity

- 7.35 It is the view of the Authorities that local impacts on the following have, in part, been addressed within the ES and ILBS, but require further consideration by the Applicant:
- 7.36 *Woodland* – approx. 2ha of semi mature plantation woodland will be clear felled to facilitate construction of the CCGT Generating Station. To compensate for the loss, new landscape planting will be incorporated into the design and the ILBS will seek to manage retained woodland, however these features are isolated in the landscape and opportunities to connect habitats within the development into the wider countryside would be welcomed. Improvements to the screening woodland is welcomed, however the Authorities do not agree with the biodiversity offsetting calculations that the condition of the woodland can be elevated to ‘good’, partly due to the requirement to retain dense canopy for screening purposes.
- 7.37 *Bats* – the impact upon foraging and commuting bats due to loss of the lagoon habitat and increased lighting on site, whilst unlikely to have a

significant effect on the favourable conservation status of the species, will be a negative local effect. It would therefore be beneficial to secure additional tree and hedge planting (on and off site) in order to compensate for that loss. Enhancement of habitats for bats should also be included separately to compensation requirements – this could seek to connect habitats on site with those in the wider countryside.

- 7.38 *Badgers* – It is acknowledged and welcomed that protection of badger issues will be addressed as part of the scheme. The Authorities support the need for pre-commencement surveys which are to be secured by the DCO. The ES identifies that badgers’ use of habitats outside of the zone of influence is currently uncertain and therefore the need for gates in any perimeter fencing is unknown. There is therefore an identified need (which is of local importance) to ensure badgers are not isolated from their territory and the connectivity of habitats on and off site. Requirement 17 of the DCO provides for pre-commencement survey work and is considered sufficient for this purpose.
- 7.39 *Ings and Tethering Drain* – The Authorities consider that temporary habitat disturbance will result from two crossing points using a cut and fill technique. Improving this wetland corridor during restoration would provide excellent opportunities for enhancement.

Green infrastructure

- 7.40 Enhancement of green infrastructure through off-site landscape works would be welcomed in order to mitigate for future climatic change effects and soften the overall visual impact of the proposal as seen from the surrounding landscape. It is considered that further biodiversity and amenity enhancement would accord more closely with Selby District’s and other regional green infrastructure strategic policies (as referred to above).

Adequacy of Application/DCO

On-site mitigation during Construction and Operation

- 7.41 For the CCGT Generation Station Site itself, the Authorities are satisfied with the approach to protection and enhancement of existing vegetation, and proposed replacement or additional on-site mitigation, subject to agreement of details required under DCO Requirement 6 and a final ILBS.
- 7.42 For the construction stage of the proposed development, the proposed retention of existing mounding and planting is considered to be particularly helpful. An early start to protection of existing soils and vegetation, its management, and implementation of new advance planting where feasible i.e. at the commencement of development, is recommended.

- 7.43 The ILBS supports this approach with the provision of updated surveys by landscape architects and clerk of works. While generally the ILBS is acceptable in principle, there are a number of minor issues that require further work in order to be satisfactorily addressed;
- 7.44 The proposals for reinstatement and enhancement of hedgerows and trees (paragraphs 4.20 - 4.23 5.9-5.10 of the ES) are generally acceptable with indicative maintenance conditions and requirements for replacement for plant losses the execution is geared towards a forestry approach. The planning techniques for trees along the corridor should indicate prepared planting pits not notch planting and with both tree and hedge planting having two years' watering and weeding maintenance a basic requirement to allow establishment. An on- going maintenance regime including checking or /re-staking of trees, pruning of hedges and removal of rabbit guards when appropriate should be indicated.
- 7.45 Paragraphs 5.1, 5.9/5.10 of the ES covers the enhancement and retention of the existing woodland for screening purposes. This should add that achieving a suitable woodland age structure including selective felling and replanting within the timber compartments will be looked at to ensure that the woodland retains its ability to screen effectively in the future and avoid plant disease through over-crowding. The proportion of replacement species should favour evergreen species rather than deciduous to retain the screening abilities and include *ilex aquifolium* (holly) as well as scots pine and yew. Again, planting pits not notch planting are appropriate.
- 7.46 Opportunities to further enhance green infrastructure and mitigate against plant losses have been identified by the Authorities and communicated to the Applicant. . Liaison with neighbouring land owners is suggested. See summary below.

Operation

- 7.47 The on-going tree management of the existing Brenda Colvin landscape is welcomed.

Decommissioning/restoration

- 7.48 The only mitigation measures that are offered in respect of decommissioning and restoration are to residential properties in relation to Viewpoint 3. This would be through planting (if delivered, which is not certain) with increased benefit over time as the planting grows.

Biodiversity

- 7.49 On site proposals for species rich grassland, woodland management, new woodland and scrub planting are detailed within the ILBS. The Authorities

welcome the inclusion of new habitat creation and improvement of existing habitats on site for biodiversity. However, the Authorities do not fully agree with the scores assigned in the ILBS for some elements of the biodiversity offsetting calculations.

- 7.50 This is considered to be important. It is felt that the current net change in biodiversity units of +3.22 units partially justifies why off site enhancements have not been provided.
- 7.51 In addition to the comments above relating to woodland management on the screen mounds, there are also concerns relating to the provision of a surface water attenuation pond included as an enhancement (net gain) for biodiversity. It is the view of the Authorities that whilst there may be some benefits for biodiversity resulting from inclusion of this feature, it is primarily a drainage feature and the drainage needs will in future take precedence. It is considered that the future condition and distinctiveness scores are therefore too high.
- 7.52 The Authorities do not therefore agree with the value attributed to this feature within the biodiversity offsetting calculations contained in the ILBS.
- 7.53 It is also not clear how the target habitats will be monitored and over what period the habitats will be managed to achieved the desired condition. Whilst it is acknowledged that basic management provisions are included within the ILBS, there is no discussion about what the target condition of each habitat is, how these habitats will be monitored, and how management might be tailored to achieve the desired condition.
- 7.54 Further detail is also required in respect of any other management provisions which might be available should the desired condition not be achieved. This is considered to be vitally important on the basis that the biodiversity offsetting calculations set out in the ILBS are applied on the basis of the habitats being achievable in the long term.
- 7.55 The Authorities are concerned that the habitats being enhanced and managed on site are not sufficiently connected with semi natural habitats in the surrounding landscape in order to benefit target species, such as foraging bats.
- 7.56 Initial discussions undertaken between NYCC's Heritage Services and other partners (namely the Environment Agency and the Yorkshire Wildlife Trust) have indicated that there are numerous identifiable and practical opportunities available in the vicinity of the proposed development for the provision of offsite enhancement for biodiversity. The availability of such identified opportunities have been highlighted to the Applicant. Further investigation of such opportunities, by the Applicant, would be welcomed,

which would greatly assist the provision of connectivity of habitats and further offset the identified local impacts discussed above.

Summary

- 7.57 The Authorities support the principle of the ILBS. It is considered to provide a comprehensive framework on which the provision of mitigation and enhancement is to be based. The joint nature of the strategy is also welcomed.
- 7.58 However it is the view of the Authorities that improvements could be made in addressing identified impacts for landscape and biodiversity- as set out above.
- 7.59 The ILBS focuses on the area of the proposed CCGT Generating Station due to constraints and restrictions to undertaking further biodiversity and landscape enhancements along the pipeline corridor.
- 7.60 Whilst some of these restrictions are understood and acknowledged by the Authorities, it is felt that positive off-site opportunities have been overlooked and further work is required in order to fully address identified local impacts.
- 7.61 The Authorities are aware that there is land, which is owned by the Environment Agency in the vicinity of the proposed development which is already being considered for habitat creation potential through the Aire and Calder River Catchment Partnership. This would be a welcome opportunity for the Applicant to secure some additional mitigation for reasons outlined above.
- 7.62 As outlined above, the Authorities recommend and would encourage discussions to take place with key partners; namely the Environment Agency and Yorkshire Wildlife Trust in respect of further investigating identified off-site opportunities for further biodiversity mitigation.

8. Cultural Heritage

Relevant Local Planning Policies

- 8.1 Relevant policies with respect to the historic environment include Policies ENV1, ENV22, ENV25, ENV27 and ENV28 of the Local Plan and Policy SP18 of the core strategy.

Commentary

- 8.2 An archaeological desk based assessment has been prepared by the Applicant that considers the impact on heritage assets including impacts on setting.

This was followed by a geophysical survey of the majority of the pipeline route (although some areas were unavailable for logistical reasons). Both assessments, produced as part of the ES have been conducted to the relevant professional standards and are considered to be adequate and up to date.

- 8.3 The desk-based assessment sets out the known archaeological and built heritage of the power station and its environs. This is an adequate baseline from which to begin the assessment of both direct and indirect impacts on heritage assets.
- 8.4 Development within the curtilage of the existing coal-fired power station is unlikely to have a significant impact on archaeological remains. The existing power station was built on the site of Sherwood Hall, however it is not anticipated that significant archaeological remains will have survived.
- 8.5 The most significant archaeological site, in close proximity to the proposed development, is Hall Garths medieval manor. This is on the north side of the River Derwent and consists of the archaeological remains of a high status residence surrounded by a moat. The site was partly excavated in the 1960s and was found to be well preserved and of high significance.
- 8.6 The geophysical survey has identified a number of anomalies that may be of archaeological interest, including a number in the vicinity of Hall Garths, medieval manor.

Key Local Issues

- 8.7 Pre-Application discussions with the Applicant identified an undesignated, but significant, medieval, moated, manorial site at Hall Garths. The route of the proposed gas pipeline was subsequently designed to avoid the main complex of medieval remains at Hall Garths including the moat and its interior. There may, however, be a minor impact on peripheral features during construction.
- 8.8 These features are likely to represent field boundaries and drainage ditches and are of local interest. This local impact would be considered to be acceptable providing that appropriate mitigation to record or protect these features is provided by the Applicant and agreed in writing with the Local Planning Authority in consultation with NYCC's Archaeologist.
- 8.9 Detailed mitigation (as referred to in paragraph 13.7.4 of the ES) will comprise either retention of the archaeological remains by design (upon final design being confirmed), or a programme of archaeological investigation and recording which will be secured by DCO Requirement.

- 8.10 The proposed development will lead to the loss, of the current coal-fired power station which is recognised as a heritage asset in its own right. The Authorities acknowledge the conclusion of Historic England’s initial assessment that the original power station does not justify listing. Historic England has recently produced guidance on the recording of redundant power stations and recommend that these are followed in this case. It is understood that this is the intention of the Applicant.

Adequacy of Application/DCO

- 8.11 The Application has demonstrated that the medieval moated site at Hall Garths will be avoided, although peripheral features might be present and any impact here will require additional mitigation.
- 8.12 The Applicant proposes to undertake a staged programme of archaeological investigation followed by mitigation which will either involve the retention of archaeological remains by design or a programme of archaeological investigation and recording that could be secured by a DCO requirement.
- 8.13 These requirements would be agreed with the Local Planning Authority, in consultation with NYCC’s archaeologist, in the form of a written scheme of investigation for each phase of archaeological work, which will be secured by the DCO.
- 8.14 Either option would be acceptable to the Authorities but it is more likely that archaeological investigation would be the preferred option, unless very significant remains were identified in the initial investigation stage.
- 8.15 The Applicant has discussed the history and function of the existing power station as a heritage asset within the ES. The latest version of the ES seen by NYCC gave some consideration as to the significance of the existing coal-fired power station but there was no conclusion as to its overall value. The ES did not consider the impact of its loss, including its value as a landscape feature or propose any mitigation such as historic building recording in line with the advice issued by Historic England. NYCC would wish to see a commitment to recording the existing power station in line with the Historic England guidelines. It is acknowledged, however, that it is the Applicant’s intention to record the existing coal-fired power station, in line with HE guidance, prior to its demolition.
- 8.16 There are a number of anomalies identified on the geophysical survey that may be of archaeological interest, however their exact significance is not known. NYCC have recommended that targeted archaeological trial trenching takes place to further assess the significance including features in the Hall Garths area. It is usual to require this information prior to a planning

decision being made; this is in line with the advice given in the NPPF (para. 128).

- 8.17 In discussions with the Applicant the Authorities have been made aware that trial trenching is not possible due to access along the pipeline route. Whilst the advice given in line with the NPPF remains, the Authorities have sought to find a suitable alternative with the Applicant.
- 8.18 It has been established that the archaeological risk can be managed by DCO requirement. The requirement will require a programme of archaeological evaluation which will inform a mitigation strategy comprising either preservation in situ or archaeological investigation and reporting.
- 8.18 The relevant DCO Requirement (Requirement 16) will require a programme of archaeological evaluation which will inform a mitigation strategy comprising either preservation in situ or archaeological investigation and reporting.
- 8.19 It is the Authorities' view, that whilst Requirement 16 is sufficient to ensure further investigation is carried out as approved by the Authorities, further wording is needed to ensure that any required mitigation identified as a result of those assessments is implemented by the Applicant, as approved by the relevant planning authority, in consultation with North Yorkshire County Council.

9. Highways and Transportation

- 9.1 The proposed development from the point of view of Local Highway Authority (LHA) accords with the NPPF and relevant local plan policies; recognising that the proposed development is sustainable by proposing to use the existing highway infrastructure to route vehicles to and from the proposed development sites. The effect of the proposed development is not considered to be severe in terms of traffic generation. The site also accords with the Local Transport Plan on the basis that the proposed development will help sustain economic growth and improve road safety through measures to be put in place in order to accommodate the proposed development.

Highway access to the Site

- 9.2 The existing coal-fired power station is accessed from the A19 county road at three locations and runs along the western boundary of the Site. The A19 links to Junction 34 on the M62 motorway to the south with a grade separated junction and to the north with a four arm roundabout junction to

the A63 trunk road. The relevant section of the A19 is single carriageway and is therefore subject to a national speed limit of 60 mph for all vehicles.

- 9.3 The three access points to the existing power station are the main office or public entrance on A19, Tranmore Lane entrance which provides access to the coal yard, and Hensall Gate entrance on Wand Lane to the north of the site. All three accesses have been designed to the established and recognised Design Manual for Roads and Bridges standard.
- 9.4 Wand Lane is a single carriageway rural road, which allows two vehicles to pass, and runs along the northern boundary of the existing power station site. The road is subject to a 60 mph restricted speed limit.

Constructing the Eggborough CCGT Generating Station

- 9.5 It is understood that all construction vehicles will enter the Site from the Tranmore Lane access point, and travel back and forth along the A19 to Junction 34 on the M62 motorway in order to bring materials to site and remove spoil from the site.
- 9.6 It is estimated that 80 two way vehicle movements will be generated at peak times as a result of construction of the CCGT Generating Station. This route avoids the village of Eggborough. The LHA is satisfied with this highway corridor being used for the construction phase of the proposed development in terms of highway safety and capacity, as demonstrated by the Applicant's transport assessment.
- 9.7 It is also proposed that all construction workers will enter the Site from the Hensall Gate entrance. The LHA is satisfied that the existing junction is of a suitable layout to accommodate this.
- 9.8 It is estimated at the peak of construction 1200 workers will be on Site. The development will be managed by implementing a Construction Traffic Management Plan and a Construction Travel Plan to help reduce vehicle movements and identified impact on the local road network as much as possible. The Applicant has prepared a framework Construction Plan & Travel Plan which will be enhanced and further detail added once a contractor is appointed. Both the Construction Traffic Management Plan and Travel Plan are to be secured through the DCO, which will require submission to and approval by the Local Planning Authority, in consultation with the LHA prior to commencement of development.
- 9.9 Both the Construction Traffic Management Plan and Construction Travel plan will be secured through the DCO. The LHA is in agreement with the approach taken by the Applicant in relation to the Construction Traffic Management and Construction Travel Plan; which when are considered should be

acceptable for the purposes of managing and monitoring traffic on the local network as a result of the proposed development.

- 9.10 The Applicant has informed the LHA that large loads delivered by HGVs may require the roundabout on A19/ A645 junction to be partly dismantled to allow the large load to be transported to the Site. It is proposed that traffic management measures will be introduced on the local network in order to manage this operation which has been included in the Construction Traffic Management Plan.
- 9.11 It is the view of the LHA that public transport is unlikely to be affected by the proposed development on the basis that the only scheduled bus route is on the A19 which is not to be closed at any time during the running of the normal bus service. It is also the view of the LHA that the proposed development will not affect local rail services.
- 9.12 The highway improvement works identified in Schedules 3, 4 and 6 of the draft DCO have been agreed with the LHA. It is the view of the LHA that the identified works will improve road safety on the network if the proposed development is consented.

Existing Coal-fired power station

- 9.13 It is understood from discussions with the Applicant, that the existing coal-fired power station will be removed in the near future. The exact timing of the closure of the coal-fired station and its decommissioning and demolition are under review. However, it is expected the coal-fired station will have ceased generating electricity by 2022 or earlier.
- 9.14 There is expected to be some overlap in the timing of the demolition of the existing coal-fired power station and the construction and operation of the CCGT Generating Station.
- 9.15 The decommissioning and demolition of the existing coal-fired power station is being progressed with the local planning authority independently of the Eggborough CCGT Project and does not form part of the Application. It is therefore understood by the LHA that decommissioning of the coal fired power station will follow on from the construction of the new power station and at that time the LHA will again be consulted.

Gas Pipeline and associated Works

- 9.16 It is understood that the proposed gas pipeline is to connect the CCGT Generating Station to the existing gas pipe line near Gateforth. The route generally crosses open fields and arable land.

- 9.17 It is proposed that a construction corridor is to be created allowing the contractor good access to the construction area for the proposed gas pipeline.
- 9.18 Locally, Burn village will be affected by the construction of the pipeline as West Lane (which runs through Burn Village) is to be used as one of the main points of access to the construction area for the proposed gas pipeline works.
- 9.19 An Above Ground installation (AGI) also will form part of the proposed development, to be built along West Lane approximately 800m from the village. Other access points will be Burn Lodge Farm, Brick Kiln Lane and Fox Lane. It is a requirement of the LHA that the identified access points are improved in order to provide a suitably safe point of entry. These locations have been identified in Schedule 4 of the draft DCO. It is understood that the proposed gas pipeline will cross roads at four points; Wand Lane, Millfield Road, A19 north of Burn Lodge and West Lane.
- 9.20 Millfield Road within the village of Chapel Haddlesey is a narrow county road linking to Temple Hurst and Carlton and other individual properties. Any HGV using this road will impact on the village of Chapel Haddlesey and Eggborough Power Limited must limit and control vehicle numbers along Millfield Road. This has been included in the Construction Traffic Management Plan. Final traffic numbers are to be approved by the local planning authority in consultation with the LHA prior to commencement of development of the gas pipeline works.
- 9.21 It is noted that Fox Lane has not been included in the routing plan within the Construction Traffic Management Plan. Fox Lane must not be used by any construction vehicles as a route between the A19 and Millfield Road. The impact on the road would be unacceptable. Monitoring of this restriction is proposed to be included in the Construction Traffic Management Plan, to be agreed with the LHA prior to the commencement of Development.
- 9.22 Construction vehicle access near the A19 on Fox Lane has been agreed and included in Schedule 4 of the draft DCO.
- 9.23 Trenchless methods of construction are proposed to go under the A19 to minimise disruption on the highway, however some disruption may be unavoidable when preparing for the works. This is acknowledged by the LHA.
- 9.24 All other identified locations are proposed to be constructed by open trench methods of construction and will require temporary road closures in advance of the works included in the relevant DCO Schedules.
- 9.25 As part of the proposed Construction Workers Travel Plan, it is understood that workers will be transferred to their given work area by bus in order to reduce vehicle impact on local roads. It is likely that any disruption to the

local highway network will be therefore be restricted to off- peak delays on minor roads. This should not, therefore, result in unacceptable levels of network disruption, providing that the works are managed in accordance with the above plans, and the Applicant has provided the LHA with adequate notice of such works in accordance with the relevant Articles of the DCO.

- 9.26 It is recognised that construction materials are likely to be brought to site during the initial construction period for the gas pipeline work. It is anticipated that in total 50 HGVs trips to the AGI site are required to bring this material to site. This is considered to be acceptable to the LHA.

Adequacy of Application/DCO

- 9.27 The LHA has considered the content of the Application and discussed the identified local highway impacts with the Applicant.
- 9.28 The LHA is satisfied that the impact of the proposed development can be managed on the surrounding network and accords with relevant national and local planning policies in respect of sustainable development.
- 9.29 The LHA also consider that the proposed development accords with the Local Transport Plan in terms of road safety and managing the traffic impact of the development on the network.
- 9.30 The CTMP & CWTP framework documents required by the draft DCO are agreed in principle. The LHA is satisfied with the proposed draft DCO requirements which will ensure that final traffic management and travel plans will be approved in consultation with the LHA prior to the commencement of the development. The highway improvement works identified in the draft DCO have also been agreed with the LHA

10. Noise and Vibration

Relevant Local Planning Policies

- 10.1 Policies with respect to impacts on residential amenity including noise and vibration include Policies SP13D, SP15, SP17, SP19 of the Core Strategy and Policies ENV1 and ENV2 of the Local Plan.

Commentary

- 10.2 The effects of some construction activities remain a cause for concern and further assessment is needed to ensure that agreed limits are met. These concerns have been raised with the Applicant.

- 10.3 The Authorities previously expressed concern regarding the proposed requirement in the draft DCO relating operational noise; specifically in terms of the level in subparagraph 2 of Requirement 24 (Construction hours).
- 10.4 The draft requirement currently allows an increase in rating level of +5 dB above background for construction activities.
- 10.5 This is not agreed by the Authorities, who proposed further wording for this requirement. This is discussed further below:

Construction and Demolition:

- 10.6 The draft DCO contains a Requirement (Requirement 18) for the agreement of a Construction Environmental Management Plan (CEMP) and requires that the plan must be in accordance with Appendix 5A (Framework Construction Environmental Management Plan) submitted with the Application. Appendix 5A refers in a number of places to noise and vibration but the requirement does not specifically mention these issues. The local planning authority would request, for the sake of clarity, that an additional sub-paragraph is added to section (2) to specify the inclusion of noise and vibration.
- 10.7 Paragraph 5A.21 of Appendix 5A states that in addition to the CEMP a suite of complementary environmental plans and procedures for the construction phase will be developed and these include a scheme for the control of construction noise and piling risk assessment which is required by Requirement 23. The Applicant has not entered into any dialogue with the local planning authority in respect to the format this plan will take. Notes that subparagraph 2(c) and (d) indicate that there may be circumstances where the agreed maximum noise levels for construction are exceeded and that agreement with the scheme may allow for the work to continue. Further dialogue with the Applicant in this regard would be welcomed.
- 10.8 Requirement 23 of the Draft DCO requires that noise levels during construction will comply with the maximum permitted levels of noise determined for any location in line with the ABC Assessment Method for different working times as set out in BS522-1:2009 + A1:2014. Currently some works, as shown in Table 9.29 of the ES, are predicted to have levels above these agreed levels. These are the residential receptor at the Eggborough Sports and Leisure Complex (NSR4) during demolition of the existing power station/piling and foundations, and construction of the proposed borehole water, cooling water, surface water, drainage pipeline and gas connection. Also for properties on Millfield Road, Chapel Haddlesey (NSR5) during the cooling water abstraction structure breaking out; which will adversely impact upon local residents. Further dialogue with the Applicant in this regard would be welcomed in order to address the issues highlighted.

- 10.9 The proposed works relating to the cofferdam during the construction period of the proposed development, as identified in Paragraph 9.6.6 of the ES, which will include piling should be included in the Scheme for the Control of Construction Noise and Vibration and Piling Risk Assessment as required by Requirement 23.
- 10.10 It is noted from the ES that the closest noise sensitive receptor (NSR) to the cooling water abstraction is 70m. Concern is expressed at the possible noise levels that may result from the construction of the cofferdam and the breakout of concrete at the end of the construction period. This has been raised with the Applicant, but is yet to be addressed. This is further referred to in Paragraph 9.6.16 of the ES where it is noted that the major adverse (significant) effects are predicted to occur during breaking out of concrete at the existing cooling water abstraction structure although this would be short term. It is anticipated that this will be considered further in the Scheme for the Control of Construction Noise and Vibration and Piling Risk Assessment as required by Requirement 23.
- 10.11 The ES has considered the practicality of mitigating noise during the breakout of concrete at the existing cooling water abstraction structure. It is suggested that if break out is required, detailed consideration will then be given to mitigation methods required. Those mitigation measures are not specified and it is unclear what action could be taken. Further detail is required from the Applicant in respect of what mitigation may be provided in that situation, and details of the predicted levels with the further mitigation in place. Any proposed impacts and any residual effects cannot be assessed until this information is provided.
- 10.12 This was requested in the response to the ES Chapter from beginning of August 2017 but no response has yet been received.
- 10.13 If, upon further information being provided by the Applicant, further abatement mitigation is not considered to be practicable, on the basis that breakout of concrete at the existing cooling water abstraction structure is a short term activity, it is understood that the Applicant would be restricted via the Requirement 23 scheme to working hours, notification to residents and possible temporary relocation offers to residents affected in any event.
- 10.14 It is noted that the timeframe for the demolition of the current power station has been reviewed with the earliest demolition now not due to commence until 2018. In addition, following the preparation of the PEI Report, the predictions have been reviewed by the Applicant, and soft ground attenuation has been taken into account. This has given rise to a reduction of the predicted noise levels at NSR1, NSR5 and NSR6, which is welcomed.

- 10.15 In regard to previous comments, the reduced levels indicate that the noise limit levels at NSR1 will now not be exceeded, but the construction and demolition phase on the power station site will lead to an exceedance at NSR4.
- 10.16 Predictions on noise levels due to multiple noise sources, which may or may not be operating at any time, are complex calculations added by computer modelling which SDC do not have the software to confirm.
- 10.17 In the case of the predicted levels, they are shown as an average over a 12 hour day time period from 7am to 7pm. This indicates that there are times when the noise level experienced by the receptor will be higher than the predicted levels, and times when they will be reduced.
- 10.18 Due to the level of difficulty in predicting the noise levels, it is viewed as essential that monitoring during the construction/demolition phase is effective in determining issues with responsive feedback mechanisms in place to ensure action to reduce levels can be achieved when it is required.
- 10.19 It is noted that the impact on NSR4 is significant and that the majority of the impact will be as a result of the demolition of the existing power station but does not offer further mitigation. Whilst it is acknowledged that the Application relates to the construction of a new power station, the demolition of the existing power station must be considered a cumulative impact of the proposed development.
- 10.20 It is the view of the local planning authority that this must be considered further in the scheme in order to control construction noise and piling risk assessment which is required by Requirement 23 as the demolition of the existing station is not subject to control by the local planning authority as part of this Application.
- 10.21 It is anticipated that the scheme, if consented, will consider both demolition and construction and streamline the works to keep impact on NSR's to a minimum by demonstrating, through the provision of a timeline how this will be achieved.
- 10.22 Consideration has been given to the proposed Requirement 23 of the Draft DCO. It is noted that requested amendments to the wording of this requirement, by officers, have not been made. These include the change of wording to include vibration and the inclusion of an additional sub-paragraph to include the method by which the maximum permitted level of vibration are to be determined. Confirmation from the Applicant would be welcomed in respect.

Operational Noise:

- 10.23 It is noted that the requirement to control operational noise has been reinstated in the draft DCO (Requirement 24). However, this requirement, contains a level in sub-paragraph 2 which is not agreed by the Local planning authority. The local planning authority requests that the level is reduced to zero.
- 10.24 This issue was raised in comments submitted by the local planning authority in respect of the ES.
- 10.25 Further work is needed to be carried out by the Applicant in respect of this issue, before the wording of this requirement can be agreed.
- 10.26 The Environment Statement assessment indicates that operational noise during the night time period will give an excess of rating level over background level for both options at NSR1, 2 and 3 when assessed according to BS4142:2014. The BS significance indicates that an increase of 10dB is likely to be an indication of a significant adverse effect. A difference of around 5dB is likely to be an indication of an adverse impact and where the rating level does not exceed the background sound level is an indication of a low impact.
- 10.27 The impact at NSR1 and NSR2 is therefore between a low and adverse impact, and at NSR3 between adverse and significant adverse impact. It should be further noted that this assessment is based on the assumption that tonality, impulsivity and intermittency will be designed out at the detailed design stage (see paragraph 9.6.35).
- 10.28 It was previously requested that additional mitigation was considered by the Applicant to seek to reduce this identified impact.
- 10.29 An increase of 5dBA above background is not agreed by the local planning authority.
- 10.30 The original data consulted on and submitted, indicated during the night time an increase of 7/8 dBA, which would be an indication of adverse impact and significant adverse impact., depending on the context.
- 10.31 Following a meeting between the Applicant and the relevant planning authority on 27.9.17 to discuss the Applicant's approach to its noise assessments, the Applicant's noise consultant produced a technical note (dated 11.10.17) in order to detail the additional work carried out.
- 10.32
- 10.38 The Applicant has shared, with the Authorities, the outcome of further refinements to its noise modelling, which indicates that following further

refinements to the noise model, a reduction in the predicted rating level is **expected** and all predicted rating levels excesses over the background are less than +5 dBA, indicating that the impact would be less than an adverse impact. The technical note also indicates that during the detailed design stage of the CCGT plant measures to further reduce this rating level will be considered in order to try to achieve the requested rating level of 0dB above background. This is proposed to be secured by DCO requirement.

10.39 It is, therefore, suggested that Requirement 24 should be amended to the following:

24.—(1) No part of the authorised development must be brought into commercial use until a scheme for management and monitoring of noise during operation of the authorised development has been submitted to and approved by the relevant planning authority.

(2) Noise (in terms of the BS4142:2014 rating level) from the operation of the authorised development must be no greater than +3 dB different to the defined representative background sound level adjacent to the nearest residential properties at such location as agreed with the relevant planning authority during the night time period (23:00 to 07:00), subject to subparagraph (4) below and no greater than +0 dB to the defined representative background sound level adjacent to the nearest residential properties at such location as agreed with the relevant planning authority during the day time period (07:00 to 23:00).

(3) The scheme must be implemented as approved unless otherwise agreed with the relevant planning authority.

(4) During the detailed design stage of the development consideration shall be given to the reduction of the noise (in terms of the BS4142:2014 rating level) level during the night time period of 23:00 to 07:00 to no greater than +0dB. Measures to reduce the predicted rating level shall be implemented as part of the agreed scheme required by subparagraph (1) above.

The proposed amended wording is being considered by the Applicant. We have been advised by the Applicant that they do not feel they can agree to this wording at this time. We will continue discussions and attempt to find common ground.

10.40 Concern is expressed that, in the event that any further assessment will not take place until after the proposed development has been consented (if it is), and it transpires that that then requirement of Requirement 24 cannot be achieved, any required enforcement mechanisms to effectively control those levels, would not be available to the local planning authority in the usual way.

- 10.41 It is, therefore, recommended that the assessment referred to is presented as soon as possible and that it is accompanied by noise mapping to show those areas of greatest noise generation within the proposed development and the effect of the proposed and additional mitigation.
- 10.42 Further discussion is required with the Applicant in respect of the proposed amendment to requirement 24.
- 10.43 It is envisaged that monitoring will initially involve long term monitoring at a number of sites to ensure that limits required by Requirement 24 are being met.
- 10.44 Further monitoring would, however, be required when changes to the site are made and if complaints are received.
- 10.45 However if monitoring does indicate that the noise levels provided for in this requirement are not being met, the resulting actions are not stipulated in the requirement.
- 10.46 This issue was raised in the consultation response with the Applicant in respect of the draft DCO in March 2017. Consideration should be given to amendment to Requirement 24 to address this omission.

Decommissioning:

- 10.47 The ES chapter does not consider decommissioning. As this stage this may take place many years into the future when the area around the site may have changed considerably. It is, therefore, recommended that the noise and vibration effects of this operation are controlled via Requirement 35 and that an additional subsection is added to paragraph 4 to include the consideration of noise and vibration during this phase.

Key Local Issues

- 10.48 There are concerns regarding night time noise levels during the operational phase which indicate an adverse effect and alterations to Requirement 24 are requested. Agreement has not yet been reached on the acceptable limit. Some predicted construction noise levels also exceed relevant limits although the Applicant has indicated that the limits will be achieved.

Adequacy of Application/DCO

- 10.49 The Environmental Statement chapter and Appendices have determined the possible areas for concern but also indicate that as the project develops further reduction in noise levels during the construction and operational phases may be achieved. Further work is required to agree noise limits and

to ensure that the relevant limits are achieved before consent is given to this Application.

- 10.50 Consideration has been given to the baseline monitoring carried out to support the ES chapter. The monitoring locations and timeframes involved are considered acceptable.

11. Socio-Economic

Relevant Local Planning Policies

- 11.1 Local planning policies relevant to the identified local socio economic impact of the proposed development are considered to be;
- a) Local Plan Policies SP1: Presumption in favour of sustainable development; and
 - b) SP13: Scale and Distribution of Economic Growth.
- 11.2 It is considered that the proposed development accords with SP13 in the development of existing employment sites in the rural community. The proposed development is expected to create sustainable employment opportunities and may contribute to the wider economic growth of the area (as detailed further below).

Key Local Issues

- 11.3 The Environmental Statement, which accompanies the Application, identifies the following local employment impacts as a result of the proposed development as follows:
- 11.3.1 Creation of 1170 temporary construction jobs;
 - 11.3.2 Net loss of 101 operational jobs from the existing levels found in the existing coal-fired power station (which is equivalent to 0.06% of the total employment in the “York Travel to Work Area” (YTTWA).
- 11.4 The predicated net loss of 101 operational jobs represents a slightly larger proportion of the workforce of Selby District, however, at 0.23% remains low in terms of overall impact.
- 11.5 The Applicant should however be mindful of the opportunities available to redeploy existing staff and provide training opportunities for those staff which are to be made redundant.
- 11.6 It is assumed by the Authorities that the 100 jobs remaining will be populated by existing staff, and that additional recruitment will not be required. The ES

does not state whether or not there will be any overlap in terms of the overall staffing requirements and the commissioning of the proposed development. It is assumed, however, that staff will continue to be employed on a continuous basis. Clarification of this point would be welcomed by the Authorities.

- 11.7 Overall, it is considered that the operational elements of the proposed development will have minimal local and negligible wider impact in the employment markets. Current levels of unemployment both locally and nationally mean those individuals seeking new employment opportunities should have every chance of success.
- 11.8 It is, however, acknowledged that average earnings in Selby District by workplace are £500 per week, compared to £540 nationally. It may, therefore mean that some employees may need to travel further afield to find employment of comparable remuneration.
- 11.9 The creation of new construction jobs will have a meaningful impact on the local economy overall and it is likely that this will create a temporary upsurge in activity and productivity which may also result in a requirement for more local school places and may put pressure on local housing needs.
- 11.10 In terms of productivity or GVA, it is considered by the Authorities that the impact of the proposed development is likely to be significant, however, the impact of this is more likely to be felt nationally rather than locally. By its nature as a Nationally Significant Infrastructure Project the benefits of the power generation and uplift in GVA will be felt on a wider scale than the development or creation of a local business serving the community for example.
- 11.11 It is the view of the Authorities that the proposed development will maintain the existence of significant energy generating capacity within this locality and that in itself will help to reinforce aspirations to develop a future M62 energy corridor.

Adequacy of the DCO

- 11.12 It is considered that the proposed development accords with the relevant national and local planning policies identified above. It is the view of the Authorities that the relevant chapter of the Environmental Statement correctly assesses the impact of net job losses as relatively minor in the context of the wider Selby economic area.
- 11.13 The Authorities would therefore not expect the draft DCO to address the negligible impact of net job losses. The possibility for local employment, training and skills development is considered in the draft DCO. The inclusion of the Requirement 34 is included following agreement with the Applicant.

- 11.14 Requirement 34 (in which the Authorities have liaised with the Applicant in relation to its drafting) is intended to secure an employment, training and skills plan. This is an established and accepted approach which is agreed with the Authorities. It is not considered by the Authorities that an outline employment, training and skills plan is necessary.

12. Mineral & Waste Planning

Relevant Local Planning Policies

- 12.1 NYWLP Policy 5/1 is relevant to the waste implications of development and measures to minimise & manage waste generated are mentioned, together with Policy 5/8 in Section 17 of the Environmental Statement in the Annex A to Appendix 5A in the framework site waste management plan.
- 12.2 NYWLP 5/8 is relevant if it is proposed that on site activities will take place in terms of temporary recycling facility to address handling the recyclables generated through the demolition of the power station.

Other local policy

- 12.3 NYCC, in partnership with the City of York Council and the North York Moors National Park Authority are producing jointly a Minerals and Waste Joint Plan (hereafter referred to as the Joint Plan) which will contain new minerals and waste policies for the Plan area including land within Selby District. In November-December 2016 consultation took place on a Publication Draft Plan. Consultation on an Addendum schedule of proposed changes is taking place for an 8 week period over summer 2017, ending on 6 September, prior to the submission (for Examination in Public (EiP)) of the Joint Plan which is expected to take place later this year.
- 12.4 Part 2 of the Joint Plan Policy of Policy D11 *Sustainable design, construction and operation of development* relates to any new built development such that development should be designed, constructed and operated in order amongst other matter to: minimise waste generated through construction and incorporate measures to encourage/facilitate the re-use and recovery of any waste generated during construction. At present this policy can only be given limited weight as matters to do with that policy are subject to objections that are currently unresolved pending the consideration of the MWJP at EiP which is expected to take place in spring 2018.

Commentary

- 12.5 The proposed waste minimisation actions referred to in Chapter 17 & Appendix 5A in the framework site waste management plan, together with

the appointment of an environmental coordinator, are welcomed and accord with the principles being sought through the North Yorkshire Waste Local Plan and via Policy D11 of the emerging Joint Plan.

- 12.6 The Cumulative and Combined Effects Chapter 20 refers to other developments considered for cumulative impact assessment and this correctly includes the Southmoor Energy Centre, located at, the now former Kellingley Colliery. Table 20.2 refers to the Southmoor Site in the context of the 2012 scoping request for that development (NY/2012/0318/SCO) but acknowledges that planning permission was granted in 2015, however it is noted though that the spot for the Southmoor Site on Figure 20.1 is located too far east. The case reference for that permission (C8/2013/0677/CPO) on the County Council's online planning register is NY/2013/0128/ENV. It should also be noted that two further planning applications for the Southmoor are currently awaiting determination by the County Council:
- I. NY/2017/0028/FUL relates to a change to the proposed access to the Southmoor Energy Centre site, and
 - II. NY/2017/0018/ENV relates to the variation of condition No's. 2, 17, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41 & 61 of Planning Permission Ref. No. C8/2013/0677/CPO which relates to the omission of the domestic coal area, rearrangement of the internal access routes and revised layout of the rail handling facility.

Key Local Issues

- 12.7 Past mineral & waste activity on site & in the vicinity of the site is acknowledged in ES Appendix 12A, which, although there is no evidence of use of information on the online planning register, does appear to have identified the key waste activities. An assumption is made that the former quarried areas on site were infilled, but no assumption has been made of the nature of the infill material and this is appropriately acknowledged in ES Chapter 12.
- 12.8 In Appendix 5A, paragraphs 5A.16 to 5A.18 refer to recycling & disposal of waste and the development of a Site Waste Management Plan, and, as indicated in Table 5A measures are proposed to deal with any unknown contamination found during the works. It is considered that this is important given that there are no detailed records on the County Council's planning files of what was tipped in order to backfill in the former quarries on the site.
- 12.9 The text regarding decommissioning acknowledges the need to consider waste generation as part of that process.

Adequacy of Application/DCO

- 12.10 It is considered that the Application acknowledges the need to consider waste generation and its handling appropriately, but with regard to the on site management of construction wastes the County Council, as Waste Planning Authority, should be consulted prior to approval by the relevant planning authority (SDC) on the construction site waste management plan received from the Applicant.

13. Hydrology and Flood Risk

- 13.1 The NPPF, Section 10 'Meeting the Challenge of Climate Change, Flooding and Coastal Change' sets out the policy context for assessing the proposals with respect to the impacts to/from flooding. There are no relevant Local Plan Policies with respect to this matter.
- 13.2 NYCC, in its capacity as Lead Local Flood Authority has no specific concerns regarding the proposals. NYCC is the Lead Local Flood Authority for the whole county of North Yorkshire. However, the project, does, however fall within the administrative boundary of the Shire Group of IDBs (Selby Area IDB) to whose opinion as local risk management authority NYCC would defer.

14. Public Rights of Way

Relevant Local Policies

- 14.1 Policy T8 of the Selby Local Plan and Policies SP18 and SP19 of the Core Strategy relate to the impact of the proposed development on Public Rights of Way.
- 14.2 It is understood and acknowledged that the following Public Footpaths and Bridleway will need to be temporarily stopped up as a result of the construction of the gas pipeline and cooling water pipeline works:
- 14.2.1 Public Footpath 35.27/1/
 - 14.2.2 Public Footpath 35.21/5/1
 - 14.2.3 Public Bridleway 35.14/4/1
- 14.3 The submitted draft DCO includes powers to allow the Applicant to close the Public Rights of Way identified above without the need to apply to the LHA.
- 14.4 The Authorities understand that the temporary stopping ups will be required for 3 months in connection with the gas pipeline and 4 months in connection with the cooling water pipeline.

- 14.5 Under the usual statutory procedure there is no statutory requirement to provide a diversion or alternative footpath or bridleway where the closure will last no more than 6 months.
- 14.6 Furthermore, there is no statutory process for closures of less than 6 months. On this basis the LHA will not be seeking alternative routes. However, the following approach has been recommended by the LHA to the Applicant as a matter of good practice:
- a) Only the affected section of the PROW will be closed allowing for safe use of the remaining right of way;
 - b) appropriate advance signage is erected at both ends of the public right of way; and
 - c) consideration is given to clear publication of the closures well in advance of each particular closure. The LHA would expect notification to be submitted at least 6 weeks prior to commencement of the closure to allow sufficient time for the closure to be advertised twice.
- 14.7 The Authority considers the impact on the network to be minimal and that such impact can be mitigated by following the above procedure.
- 14.8 The Authority is satisfied that requirement 7 of the draft DCO makes adequate provision for the Authorities requirements in this regard.

15. Enabling Works Application

The Application

- 15.1 The Applicant intends to submit a separate planning Application (“the Application”) to SDC, in its capacity as local planning authority for certain preparatory and early works (known as the ‘Enabling Works’) under the Town and Country Planning Act 1990 (the ‘TCPA 1990’).
- 15.2 The ‘Enabling Works are divided by the Applicant into two groups. Those works which are not considered development or can be carried out under Permitted Development rights; and those which are considered to require planning permission.
- 15.3 Works which are not considered to amount to development or may be undertaken as Permitted Development, pursuant to the Town and Country Planning (Permitted Development) Order 2015 are as follows:
- Clearance of the ground, trees and shrubs in the CCGT laydown area and some other parts of the Application site (invasive trees that are outside of the landscaped areas).
 - Clearance of Hensall Dyke, inspection of pipework integrity.

- Clearance of drainage apron around the perimeter of the CCGT laydown area
- Clearance of scrap in laydown areas.
- Removal of the carpet coal layer and ground remediation.
- Asbestos removal from offices, plant and buildings within CCGT laydown area.
- Removal of asbestos related material on all coal plant equipment and structures (including Galbestos Sheeting).
- Decommissioning and demolition of all coal plant equipment and structures.
- Removal of existing lighting towers.
- Decommissioning and demolition of existing cabins, workshops plant equipment and structures on the CCGT Laydown area. (Including FLT portacabin, Doosan Workshops & Buildings, Gypsum store portacabin, Limestone and Gypsum conveyors, IFF Centre & IRT training Centre, Barlow, Norec and TSG Workshops, No. 9 Gas oil tank, No. 9HFO tank and Heavy stores).
- Decommissioning and demolition of FGD Offices, football changing rooms, redundant weighbridge cabin for strategic stock pile and Lytag pipework and supports on the Site Establishment Area.
- Decommissioning of merry-go-round rail track signalling and track permanent way requirements.
- Decommissioning and demolition of 'Moxey' coal conveying structure, conveyor, track and tension tower (not including foundations).
- Partial removal of the existing rail loop.
- Lagoon draining.

15.4 Those works, which in the view of the Applicant and the local planning authority will require planning permission are as follows:

- Repair/replacement of pipework to Hensall Dyke and any upgrades to the CCGT laydown area perimeter drainage apron (each as required). Installation of attenuation pond and pipework to Hensall dyke.
- Earthworks and ground levelling on coal stock yard.
- Earthworks and ground levelling on CCGT laydown area and site establishment area including application of hardcore layer (if required).
- Erection of new cabins in CCGT site establishment area.
- Provision of utilities for contractors' village (water, power, sewage, drainage, telecoms).
- Relocation of existing waste management centre.
- Lagoon backfilling.

15.5 Although the Enabling Works form part of the Proposed Development and have been included within the DCO Application, it has been agreed between the Applicant and SDC that the works do not (in themselves as an independent package of pre-commencement works) require development consent, as they do not form part of the construction of the gas-fired power station itself (the 'Nationally Significant Infrastructure Project').

- 15.6 It is therefore agreed that the Applicant is able to apply for planning permission for the Enabling Works (those that require permission) under the TCPA 1990, and subject to the determination and approval of that application, to implement any planning permission if granted for the Enabling Works.
- 15.7 At the date of submission of this Local Impact Report, the Applicant submitted a request for an Environmental Impact Assessment ('EIA') Scoping Opinion to SDC on the 18 September 2017 in respect of the Environmental Statement ('ES') that is to be prepared as part of the Application.

Relevant Local Policy

- 15.8 The relevant Core Strategy Policies and Selby District Local Plan policies relevant to the Application are:
- SP1: Presumption in Favour of Sustainable Development;
 - SP2C: Spatial Development Strategy;
 - SP13: Scale and Distribution of Economic Growth
 - SP15B: Sustainable Development and Climate Change
 - SP17C: Low Carbon and Renewable Energy
 - SP18: Protecting and Enhancing the Environment Selby District Core Strategy SP18 refers to ensuring developments minimise the use of non-renewable resources and the amount of waste material
 - SP19: Design Quality
-
- Policy ENV 1: Control of Development
 - Policy ENV 2: Environmental Pollution and Contaminated Land
 - Policy EMP 10 Additional Industrial Development at Drax and Eggborough Power Stations

Adequacy of Application

- 15.9 The application will be determined in the usual way by SDC in its capacity as local planning authority.
- 15.10 Nothing in this Local Impact Report is intended to effect, influence, or pre-determine that process or its outcome.

16. Adequacy of the DCO

- 16.1 The Authorities have reviewed the draft DCO and commented as to its adequacy on a topic by topic basis above.
- 16.2 Schedule 11 sets out the procedure for the discharge of DCO requirements.

The Authorities are satisfied with the procedure and timescales provided for the discharge of requirements.

17. Summary

17.1 The Authorities have reviewed the Application and evaluated the impacts in the context of the Selby Core Strategy, Selby Local Plan and all other relevant local plans and policies referred to above.

17.2 The Authorities consider that the DCO in combination with agreed and recommended ancillary plans and strategies will ensure that the proposed development is acceptable in planning terms and therefore accords with relevant national and local planning policy. Securing the future of the Eggborough Power station and its shift towards renewable energy, job protection and wider economic benefits is a strategic priority for the Authorities and the application is welcomed.