

Draft Joint Written Representation – Selby District Council & North Yorkshire County Council

Eggborough CCGT – Application for Development Consent

The following written representation is made on behalf of Selby District Council (SDC) and North Yorkshire County Council (NYCC) jointly (the Authorities).

The Proposed Development is entirely situated within the administrative boundaries of SDC and NYCC. The Authorities have previously submitted responses to the Applicant's consultation jointly and submitted a joint relevant representation to the Planning Inspectorate on the 9 August 2017.

The Authorities have also submitted a joint Local Impact Report, as directed, on 1 November 2017.

The Authorities have also jointly imputed into a Statement of Common Ground with the Applicant.

The Authorities are supportive of the project in principle, subject to the ongoing work highlighted below. Since submitting its relevant representation the Authorities have continued their discussions with the Applicant and sought solutions to issues previously identified.

The following sections represent the current position from each Authority in respect of the main service delivery areas.

North Yorkshire Highways Authority

North Yorkshire County Council, in its capacity as the relevant local highway authority (LHA) consider the Construction Worker Travel Plan and the Construction Traffic Management Plan, which will be secured by requirement of the Development Consent Order (DCO) to be appropriate and adequate to enable the identified and agreed impacts on the local highway network to be minimised.

Some impact on the local highway network will, however, be unavoidable. In these cases the traffic management plans will be put in place to mitigate the identified and acknowledged impact, for example, occurring at a particular time of the day.

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.

Some highways improvements will be required at identified points along the proposed pipeline route, and nearby Burn village will be affected the most due to the construction of the AGI. Where improvement works are required, these have been identified in Schedule 3 of the Development Consent Order and will be secured through DCO requirement.

Minerals and Waste Planning

There will be a need to consider the level of waste generation from the Proposed Development and ensure that it is handled properly. However, it is considered that the Application has approached this appropriately and there is sufficient mechanism in the draft DCO to ensure this takes place.

In terms of on-site management of construction wastes, the County Council, in its capacity as Waste Planning Authority, must be consulted prior to approval by the relevant planning authority on the construction site waste management plan received from the Applicant. This has been appropriately addressed in the draft DCO.

Archaeology and Cultural Heritage

Existing Power Station

The heritage value of the existing power station will need to be assessed both as a community asset and as a landscape feature, prior to its demolition.

Whilst it is agreed that the Existing Power Station is a heritage asset, Historic England (HE) are not of the view that there is sufficient justification to warrant its listing.

It is acknowledged that guidance published by HE should be followed and the Existing Power Station recorded in accordance with that guidance prior to its demolition.

The Authorities acknowledge the assessment of the power station by Historic England as being insufficient listing. The Applicant, in accordance with the guidance produced by HE relating to recording later C20th power stations, will appropriately record the existing power station prior to its demolition.

Impacts of other heritage assets

The principal impact of the proposal on archaeological heritage assets will be the construction of the gas pipeline, and in particular, the effect on the Hall Garths medieval moated site. It is agreed that the core of the Hall Garths site will be avoided, but peripheral features may be affected.

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).

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.

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.

Ecology

The Authorities consider the surveys and assessments undertaken as part of the environmental impact assessment to have been carried out appropriately and to industry standards.

The Indicative Landscape and Biodiversity Strategy (ILBS) is agreed in principle as is the mechanism of delivery by DCO requirement. The joint nature of the ILBS is welcomed and it provides a good basis for the provision of mitigation and enhancement.

The Authorities do not agree with the biodiversity net gain scoring contained in the ILBS and therefore feel that the small net gain identified will not be achieved by the strategy. In particular it is considered that the score given to the replanted woodland and the lagoon is too high. Primarily due to their manufactured purpose.

The ILBS is focused on the land of the proposed CCGT power station. Work is required to identify opportunities off site to better link the habitats with the surrounding area. The applicant has highlighted restrictions to land use which is understood but the Authorities believe that opportunities have been overlooked.

The Authorities have encouraged discussion between the Applicant and the Environment Agency, which is a significant land owner on the north side of the River Aire. It is hoped discussion with partners (including the Yorkshire Wildlife Trust) will bring opportunities for further biodiversity enhancement measures which at this point have been overlooked.

Landscape

The Authorities are satisfied that the environmental impact assessment includes adequate landscape and visual impact assessment.

In the Environmental Statement the Applicant has picked up most concerns raised by the Authorities in relation to Landscape and Visual Amenity. However, the potential to mitigate against the loss of mature planting along the pipeline route has been missed. Further work is required in the ILBS in relation to replacing these hedgerow which will take time to mature.

The maintenance and enhancement of the existing vegetation and hedgerows (subject to finalisation of the ILBS) is encouraged. Maintenance of the Brenda Colvin landscape is also

welcomed. In some cases the ILBS needs to go further in relation to the types of planting to be used in order to maximise screening. The Authorities will continue to work with the applicant to ensure the desired result.

Construction impacts are likely to be compounded by overlapping or consecutive impacts arising from demolition of the existing power station and at this point the start date for demolition works is still unknown. The only offsite mitigation offered is in relation to a residential viewpoint.

Whilst the iconic 1960s power station is a landmark, the proposed power station would be less dominant, allowing some of the former rural character of the surroundings to be restored.

Noise and Vibration

There continue to be some concerns over the night time noise levels. The Applicant had originally carried out assessment which upon discussing these concerns with the Applicant, they were able to refine. This was welcomed.

Following concerns being raised by the Environmental Health Officer of SDC in respect of the proposed noise levels contained in the ES, and a meeting taking place with the Applicant, the Authorities received a technical note from the Applicant which included the results of further noise assessment, which showed +3db noise level at night.

The Authorities had requested a +0db as the required noise level. In discussion with the Applicant the Authorities were able to accept that +3db was in fact a best worst case scenario and drafted amended proposed wording for DCO Requirement 24 in order to reflect the revised assessment results and the difference between day and night time noise levels.

The Authorities are aware that the Applicant is unable to agree to the revised wording at this time and the Authorities will continue discussions with the Applicant and their environmental consultants.

Air Quality

The Authorities agree that air quality during the construction phase can be controlled via an agreed CEMP and that a travel plan will be produced to cover the construction/demolition phase.

The possible use of Selective Catalytic Reduction to reduce Nox emissions is a concern due to the effects on ecological receptors and this needs to be examined further when the generation technology has been finalised. Discussions with the Applicant on this topic have led to the further discussion being needed with the Environment Agency and the Authorities look forward to their guidance.

It should be noted that SDC do not have the technology to confirm the air quality modelling results and that the EA should be consulted.

Land Contamination

The Authorities are satisfied that the risks of land contamination have been adequately identified within the application documents. Pursuant to the DCO, a scheme is to be submitted to control land and groundwater contamination likely to cause significant harm in consultation with the Environment Agency and approved by the Local Planning Authority. The submitted scheme is to include site investigation and remedial measures to be taken to render the land fit for its intended purpose. This is secured by DCO requirement.

Socio Economic

The construction phase of the proposed development is likely to create an opportunity to train and employ local people to work and train on site. Whilst reference is made to the construction industry being flexible enough to meet the needs of this development the Authorities welcome the provision included within the draft DCO to provide a local skills and development plan.

Public Rights of Way

There are 3 public rights of way which will need to be temporarily closed due to the proposed construction.

Following discussion with the applicant it is understood that the closures will not be required for more than 6 months. As such there is no statutory requirement to provide alternative routes. The impact on the network is considered to be minimal and the process for closure and advertisement of such closure has been agreed with the applicant in advance.

Whilst the Authorities are supportive of the proposal, further work is required to ensure the details of the proposed development come forward in a way which is acceptable to all parties. The Authorities are confident that this will happen.