The Planning Inspectorate
Yr Arolygiaeth Gynllunio

SCOPING OPINION

Proposed Drax Repower Project

October 2017
The Planning Inspectorate

[This page has been intentionally left blank]

CONTENTS

LIST OF TABLES

1. INTRODUCTION

1.1 Background

1.1.1 On 13 September 2017, the Planning Inspectorate (the Inspectorate) on behalf of the Secretary of State (SoS) received a scoping request from Drax Power Ltd (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Drax Repower Project (the Proposed Development).

1.1.2 In accordance with Regulation 10 of the EIA Regulations, an Applicant may ask the SoS to state in writing its opinion "as to the scope, and level of detail, of the information to be provided in the environmental statement'.

1.1.3 This document is the Scoping Opinion (the Opinion) provided by the Inspectorate on behalf of the SoS in respect of the Proposed Development. It is made on the basis of the information provided in the Applicant's report entitled 'Drax Repower Project – Environmental Impact Assessment Scoping Report' (the Scoping Report). This Opinion can only reflect the proposals as currently described by the Applicant. The Scoping Opinion should be read in conjunction with the Applicant's Scoping Report.

1.1.4 When submitting the request for a Scoping Opinion, the Applicant also notified the SoS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the Proposed Development is determined to be EIA development.

1.1.5 Regulation 10(9) of the EIA Regulations requires that before adopting a scoping opinion the Inspectorate must take into account:

a) any information provided about the proposed development;

b) the specific characteristics of the development;

c) the likely significant effects of the development on the environment; and

d) in the case of a subsequent application, the environmental statement submitted with the original application.

1.1.6 This Opinion has taken into account the requirements of the EIA Regulations as well as current best practice towards preparation of an ES.

1.1.7 The Inspectorate has consulted on the Applicant's Scoping Report and the responses received from the consultation bodies have been taken into account in adopting this Opinion (see Appendix 2).

1.1.8 The matters addressed by the Applicant have been carefully considered and use has been made of professional judgement and experience in order to adopt this Opinion. It should be noted that when it comes to consider the ES, the Inspectorate will take account of relevant legislation and guidelines. The Inspectorate will not be precluded from requiring additional information if it is considered necessary in connection with the ES submitted with the application for a Development Consent Order (DCO).

1.1.9 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (eg on submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or associated development or development that does not require development consent.

1.1.10 Regulation 10(3) of the EIA Regulations states that a request for a scoping opinion must include:

a) a plan sufficient to identify the land;

b) a description of the proposed development, including its location and technical capacity;

c) an explanation of the likely significant effects of the development on the environment; and

d) such other information or representations as the person making the request may wish to provide or make.

1.1.11 The Inspectorate considers that this has been provided in the Applicant's Scoping Report. The Inspectorate is satisfied that the topic areas identified in the Scoping Report encompass the matters identified in the EIA Regulations.

1.1.12 In accordance with Regulation 14(3)(a) where a scoping opinion has been issued in accordance with Regulation 10, an ES accompanying an application for an order granting development consent should be based on "the most recent scoping opinion adopted (so far as the proposed development remains materially the same as the proposed development which was subject to that opinion)".

1.1.13 The Inspectorate notes the potential need to carry out an assessment under The Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitats Regulations). This document must be co-ordinated with the EIA, to avoid duplication of information between assessments.

1.2 The Planning Inspectorate's Consultation

1.2.1 In accordance with Regulation 10(6) of the EIA Regulations the Inspectorate has consulted the consultation bodies before adopting a scoping opinion. A list of the consultation bodies formally consulted by the Inspectorate is provided at Appendix 1. The consultation bodies have been notified under Regulation 11(1)(a) of the duty imposed on them by Regulation 11(3) of the EIA Regulations to make information available to the Applicant relevant to the preparation of the ES. The Applicant should note that whilst the list can inform their consultation, it should not be relied upon for that purpose.

1.2.2 The list of respondents who replied within the statutory timeframe and whose comments have been taken into account in the preparation of this Opinion is provided, along with copies of their comments, at Appendix 2, to which the Applicant should refer in undertaking the EIA.

1.2.3 The ES submitted by the Applicant should demonstrate consideration of the points raised by the consultation bodies. It is recommended that a table is provided in the ES summarising the scoping responses from the consultation bodies and how they are, or are not, addressed in the ES.

1.2.4 Any consultation responses received after the statutory deadline for receipt of comments will not be taken into account within this Opinion. Late responses will be forwarded to the Applicant and will be made available on the Inspectorate's website. The Applicant should also give due consideration to those comments in carrying out the EIA.

1.3 Article 50 of the Treaty on European Union

1.3.1 On 23 June 2016, the United Kingdom (UK) held a referendum and voted to leave the European Union (EU). On 29 March 2017 the Prime Minister triggered Article 50 of the Treaty on European Union, which commenced a two year period of negotiations regarding the UK's exit from the EU. There is no immediate change to legislation or policy affecting national infrastructure. Relevant EU Directives have been transposed into UK law and those are unchanged until amended by Parliament.

2. THE PROPOSED DEVELOPMENT

2.1 Introduction

2.1.1 The following is a summary of the information on the Proposed Development and its site and surroundings prepared by the Applicant and included in their Scoping Report. The information has not been verified and it has been assumed that the information provided reflects the existing knowledge of the Proposed Development and the potential receptors/resources.

2.2 Description of the Proposed Development

2.2.1 The Applicant's description of the Proposed Development, its location and technical capacity is provided in Scoping Report sections 1.1 and chapter 5.

2.2.2 The Proposed Development comprises the conversion of up to two coal fired units of the existing Drax Power station to combined cycle gas turbine (CCGT) units capable of generating up to 3,600MW. The power station would require a new gas pipeline of approximately 3km which would either form part of the Proposed Development or for which consent would be sought through the Town and Country Planning Act. A battery storage facility with capacity of up to 200MW would also be constructed and an upgrade to the existing National Grid 400kV substation on the power station site may be required (however the latter of these works may be undertaken separately through permitted development rights). A range of associated development would also form part of the Proposed Development.

2.2.3 The proposed application site is located on and adjacent to the existing Drax Power Station near Selby, North Yorkshire. Approximately 60ha of the application site is located on land within the ownership of the Applicant; this comprises the curtilage of the existing Drax Power Station and the jetty. There are currently two route corridors under consideration for the proposed gas supply pipeline, covering approximately 162ha of agricultural land to the east of the Drax Power Station. A site location plan is provided at Figure 1 of the Scoping Report and existing land use is detailed within Table 4.1 of the Scoping Report.

2.2.4 The Scoping Report highlights that the site boundary depicted on the plan sufficient to identify the land (i.e. the boundary presented for scoping) does not denote the final application boundary for which development consent will be sought. However, it is currently considered to be the maximum extent of all potential permanent and temporary works required.

2.3 The Planning Inspectorate's comments

Description of the Proposed Development

2.3.1 The Scoping Report states that it is not yet determined whether the works to the National Grid substation and the gas supply pipeline would comprise part of the authorised development within the DCO. It is expected that this will be determined by the time the application is made. However, the Scoping Report has at this stage presented these elements as forming part of the Proposed Development and therefore they have been considered as part of this Scoping Opinion. Iif the works do not form part of the DCO, the Inspectorate would expect to see consideration of these works within the cumulative effects assessment.

2.3.2 The description of the Proposed Development within the Scoping Report is relatively high level (at this stage) which does affect the level of detail possible in the Inspectorate's comments. The Inspectorate expects that at the point of application, the description of the Proposed Development will be sufficiently developed to include further details regarding the design, size and locations of the different elements of the Proposed Development. Where flexibility is sought the ES should clearly set out the maximum parameters that would apply. This should include the footprint and heights of both temporary and permanent structures and land-use requirements for all phases and elements of the development. Figures identifying the locations of individual elements and diagrams depicting the electricity generation process should be included as this will aid the understanding.

2.3.3 The Scoping Report states that there would be up to four Heat Recovery Steam Generators, each with a main stack up to 70m in height. A bypass stacks would also be required. The ES should identify not only the height and number of stacks, but also their diameters and locations.

2.3.4 The Scoping Report identifies temporary construction-related structures, e.g. a mobile crane (which would be utilised alongside an existing jetty) and a temporary pedestrian bridge. The ES should identify the likely dimensions associated with these structures and the duration of their use. Any works required to facilitate the use of the jetty (e.g. to the existing roads or vegetation) should also be described.

2.3.5 The Scoping Report does not indicate whether the pipeline would be constructed using open cut trench technology or alternative methods. The installation technique has the potential to meaningfully influence the potential effects from the construction of the pipeline. This information must be provided within the ES, alongside details of the necessary working width and any related construction compounds.

2.3.6 The ES should provide full details of the requisite demolition works; it should also be clear within the ES exactly which of the existing

facilities would be demolished and which would remain. The Inspectorate considers that figures would be useful to visually depict this.

2.3.7 Figure 1 of the Scoping Report indicates that some of the areas within the application site would only be required for the construction phase. It would be useful for the ES to clearly delineate the land that would be required temporarily during construction, and the land that would be required for the operational phase.

2.3.8 Section 5.4.1 of the Scoping Report states that the Proposed Development is expected to operate for 25 years, with the potential for extension dependent on an investment decision to be made at the time. At the end of its operating life, the generating unit, battery storage facility and gas pipeline would be shut down and decommissioned. The ES should provide further details on the decommissioning process, for example whether it would be demolished in full or whether certain elements may remain in-situ (e.g. the gas pipeline).

2.3.9 Where relevant, the Applicant should describe any production process, including energy demand and energy used and the nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used. The likely significant effects associated with any particular technologies or substances proposed to be used should be described and assessed.

2.3.10 The Applicant's attention is drawn to the comments of the Marine Management Organisation (MMO). Should any of the activities identified in section 4 of their response be required as part of the Proposed Development, the Applicant should ensure that these are described within the ES and assessed accordingly.

2.3.11 The Scoping Report does not identify the need for dredging. However, the Inspectorate has had regard to the comments of the MMO and considers that if dredging is required, this should be described and any impacts assessed accordingly within the ES.

Alternatives

2.3.12 The EIA Regulations require that the Applicant provide '*A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects*'.

2.3.13 Section 2.5 of the Scoping Report explains that given the nature of the Proposed Development, alternative sites (other than pipeline route options) are not considered a viable or suitable alternative and will not be appraised within the ES. Whilst this approach is noted, the Inspectorate recommends that this is explained within the ES.

Flexibility

2.3.14 The Applicant's attention is drawn to the Inspectorate's Advice Note nine 'Using the 'Rochdale Envelope'[1], which provides additional details on the recommended approach.

2.3.15 The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be finalised and provide the reasons. At the time of application, any Proposed Development parameters should not be so wide-ranging as to represent effectively different Proposed Development. The development parameters will need to be clearly defined in the draft DCO (dDCO) and therefore in the accompanying ES. It is a matter for the Applicant, in preparing an ES, to consider whether it is possible to robustly assess a range of impacts resulting from a large number of undecided parameters. The description of the Proposed Development in the ES must not be so wide that it is insufficiently certain to comply with the requirements of Regulation 14 of the EIA Regulations.

2.3.16 It should be noted that if the Proposed Development changes substantially during the EIA process and prior to submission of the application the Applicant may wish to consider requesting a new scoping opinion.

[1] Advice Note 9: Using the Rochdale Envelope. 2012. Available at: https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

3. EIA APPROACH AND TOPIC AREAS

3.1 Introduction

3.1.1 This section contains the Inspectorate's specific comments on the scope, and level of detail of information to be provided in the Applicant's ES. General advice on the presentation of an ES is provided in the Inspectorate's Advice Note seven 'Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping'[2] and associated appendices.

3.1.2 Matters are not scoped out unless specifically addressed and justified by the Applicant, and confirmed as being scoped out by the Inspectorate. The ES should be based on the Scoping Opinion in so far as the Proposed Development remains materially the same as the Proposed Development described in the Applicant's Scoping Report. The Inspectorate has set out in this Opinion where it has/has not agreed to scope out certain topics or matters on the basis of the information available at this time. The Inspectorate is content that this should not prevent the Applicant from subsequently agreeing with the relevant consultees to scope such topics/matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the topics/matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.

3.1.3 Where relevant, the ES should provide reference to how the delivery of measures proposed to prevent/minimise adverse effects is secured through DCO requirements (or other suitably robust methods) and whether relevant consultees agree on the adequacy of the measures proposed.

3.2 Relevant National Policy Statements (NPSs)

3.2.1 Sector-specific NPSs are produced by the relevant Government Departments and set out national policy for NSIPs. They provide the framework within which the Examining Authority (ExA) will make their recommendations to the SoS and include the Government's objectives for the development of NSIPs. The NPSs may include environmental requirements for NSIPs, which Applicant's should address within their ES.

[2] Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping. https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

3.2.2 The designated NPSs relevant to the Proposed Development are:

- Overarching National Policy Statement For Energy (NPS EN-1);
- National Policy Statement for Fossil Fuel Generating Infrastructure (NPS EN-2);
- National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (NPS EN-4); and
- National Policy Statement for Electricity Networks Infrastructure (NPS EN-5).

3.3 Scope of assessment

General

3.3.1 The Inspectorate recommends that in order to assist the decision-making process, the Applicant uses tables:

- To demonstrate how the assessment has taken account of this Opinion.
- To identify and collate the residual effects after mitigation for each of the specialist topics, including matters relevant to interrelationships and cumulative effects.
- To set out the proposed mitigation and/or monitoring measures including cross-reference to the means of securing such measures (eg a dDCO requirement).
- To describe any remedial measures that are identified as being necessary following monitoring.
- To identify where details in the Habitats Regulations Assessment (HRA) report (where relevant), such as descriptions of European sites and their locations, together with any mitigation or compensation measures, are to be found in the ES.

3.3.2 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

3.3.3 It is understood from section 5.2.1 of the Scoping Report that the Applicant intends for the DCO to allow for the conversion of both units 5 and 6; however, post consent the Applicant may decide to convert only unit 5 or 6. The Applicant must ensure it assesses a worst case scenario that the DCO would authorise. The assessment should take into account the construction programme for both units rather than just the one presented within the Scoping Report.

3.3.4 Section 2.3 of the Scoping Report states that the ES will report on the likely significant effects for construction and operation; the ES should also consider decommissioning.

3.3.5 The Scoping Report does not contain paragraph numbers. The Inspectorate requests that the ES is produced with paragraph numbers as this will assist with the identification of specific wording during the Examination, Reporting and Decision stages.

3.3.6 Figure 2 of the Scoping Report is, in effect, three separate figures in one. It is recommended that all figures within the ES are provided individually and to a sufficient scale.

Baseline Scenario

3.3.7 The ES should include a description of the baseline scenario with and without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

Forecasting methods or evidence

3.3.8 The ES should contain the timescales upon which the surveys which underpin the technical assessments have been based. For clarity, this information should be provided either in the introductory chapters of the ES (with confirmation that these timescales apply to all chapters), or in each technical chapter.

3.3.9 The Inspectorate notes the significance criteria described in Section 2.3 of the Scoping Report. The Inspectorate expects the ES to include a chapter setting out the overarching methodology for the EIA, which clearly states which effects are 'significant' and 'non-significant' for the purposes of the EIA. Any deviation from the overarching methodology should be clearly set out and justified in the relevant technical chapters of the ES.

3.3.10 The ES should include details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved. It is therefore welcomed that the Applicant proposes that the ES will identify any limitations to the assessment resulting from the timing of surveys or the age or availability of data. The Applicant is advised to discuss such limitations and the appropriateness of baseline data with relevant consultees.

Residues and emissions

3.3.11 The EIA Regulations require an estimate, by type and quantity, of expected residues and emissions. Specific reference should be made

to water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases, where relevant. This information should be provided in a clear and consistent fashion and may be integrated into the topic based assessments.

3.3.12 No mention has been made in the Scoping Report to the potential for insect infestation and emissions of odour, dust, steam, smoke and artificial light to have a detrimental impact on amenity, as part of the ES. The Applicant's attention is drawn to NPS EN-1 which states that these matters should be assessed. Should the Applicant consider any of these matters to not be relevant to the Proposed Development, this should be explained within the ES.

Mitigation

3.3.13 Any mitigation relied upon for the purposes of the assessment should be explained in detail within the ES. The likely efficacy of the mitigation proposed should be explained with reference to residual effects. The ES should also address how any mitigation proposed is secured ideally with reference to specific DCO requirements or other legally binding agreements.

3.3.14 The Inspectorate welcomes the production of a Construction Environmental Management Plan (CEMP) for the Proposed Development. The Scoping Report states that it "*has been assumed as an inherent part of the project in the assessment of environmental effects"*. The ES should still identify the proposed mitigation and a draft version of the CEMP should be provided with the application documents. The Applicant should ensure that adherence to the CEMP is adequately secured via a suitable condition within the DCO.

Vulnerability of the development to risks of major accidents and/or disasters

3.3.15 The ES should include a description of the potential vulnerability of the Proposed Development to risks of major accidents and/or disasters, including the vulnerability to climate change, which are relevant to the Proposed Development. Relevant information available and obtained through risk assessments pursuant to European Union legislation such as Directive 2012/18/EU of the European Parliament and of the Council or Council Directive 2009/71/Euratom or relevant assessments carried out pursuant to national legislation may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

Transboundary effects

3.3.16 Schedule 4 part 5 of the EIA Regulations requires a description of the likely significant transboundary effects to be provided in an ES. The Inspectorate notes that the Applicant has not indicated in the Scoping Report whether the Proposed Development is likely to have significant impacts on another European Economic Area (EEA) State.

3.3.17 Regulation 32 of the EIA Regulations inter alia requires the Inspectorate to publicise a DCO application on behalf of the SoS if it is of the view that the proposal is likely to have significant effects on the environment of another EEA state, and where relevant, to consult with the EEA state affected.

3.3.18 The Inspectorate considers that where Regulation 32 applies, this is likely to have implications for the examination of a DCO application. The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary impacts and if so, what these are and which EEA States would be affected.

A reference list

3.3.19 A reference list detailing the sources used for the descriptions and assessments must be included in the ES.

3.4 Topic based scoping tables

Table 1: Climate

	Climate (See Scoping Report section 6.1.1) The Applicant proposes to quantify the change in carbon dioxide emissions within Chapter 8 – Air Quality; however states that in line with NPS EN-1 the ES, the ES will not assess carbon emissions against carbon budgets, nor will it attempt to quantify the effect of the Proposed Development on climate change. The effects of the project on natural resources, vulnerability of the project to climate change and potential environmental effects of major accidents or natural disasters will be discussed in ES Chapter 3 – Description of the Proposed Scheme.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	6.1.1	Effects on climate change	The EIA Regulations require (where relevant) a description of the likely significant effects from the impact of the project on climate and vulnerability of the project to climate change. There is a potential contradiction in the Scoping Report which states at section 6.1.1 that the ES will not quantify the effect of the Proposed Development on climate change, but then states in the first table in section 7.2.3 that 'climate impact of CO_2' will be considered during operation of the proposed development. For the avoidance of doubt and having had regard to the nature of the proposed development the Inspectorate does not agree that the impact of the project on climate during operation can be scoped out.
2	6.1.1	Carbon emissions against carbon budgets	Notwithstanding the comments made above, the EIA Regulations do not specifically require an assessment of carbon emissions against carbon budgets. On that basis the Inspectorate agrees that, this approach to the assessment can be scoped out of the ES.
3	6.1.1	Major accidents or disasters	The Scoping Report states that vulnerability of the Proposed

			Development to major accidents or disasters will be discussed in ES Chapter 3. It is not clear from this statement if the Applicant proposes to scope in or out the potential effects of such matters. The Inspectorate considers that the description of the development should address the risk of major accidents and/or disasters relevant to the development concerned. If risks are identified that have the potential to result in a likely significant environmental effect, these should be assessed within the ES along with the likely measures that will be employed to prevent and control such matters.
	Section	**Other points**	**The Inspectorate's comments**
4	6.1.1	Emissions	The Scoping Report states that there will be a change in emissions of carbon dioxide (CO_2) resulting from the conversion of coal fired units to gas power, but lower overall emissions intensity in terms of CO_2 emitted per unit of power generated. The terminology used within the Scoping Report is vague. For example, it is unclear what the 'change' would be and whether 'emissions intensity' refers to the release rate, release volume or another matter. This should be clearly explained within the ES.

Table 2: Health

	Health (See Scoping Report section 6.1.2) The Scoping Report confirms that potential human health determinants will be assessed as part of individual technical topics, using applied limits / thresholds determined within legislation, guidance and standards, driven by an understanding of the effects on human receptors. A separate Health chapter will not be provided within the ES.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	6.1.2	The topic in its entirety	The Inspectorate has had regard to the information provided in the Scoping Report and is content that effects to human health will be appropriately addressed by following the proposed approach.

Table 3: Agricultural Land

	Agricultural Land (See Scoping Report section 6.1.3) The Scoping Report acknowledges the temporary loss or severance of best and most versatile (BMV) agricultural land from construction of the gas pipeline. The Applicant proposes to scope out the topic in its entirety.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	6.1.3	Impacts on BMV land	The Scoping Report states that following construction of the pipeline, agricultural land would be reinstated to the existing ALC Grade; that a Soil Management Plan (SMP) would be implemented in order to maintain the integrity of the soil and there would not be significant loss of BMV agricultural land or other significant impact on the viability of farm practices. The Inspectorate does not agree that this topic can be scoped out. The Scoping Report does not provide a sufficiently detailed understanding of the area of BMV land to be temporarily affected or the detail of the proposed mitigation measures to be implemented.
2	6.1.3	Related socio-economic effects	The Inspectorate notes and welcomes that if potentially significant effects are identified during the design process, that consideration of related socio-economic effects will be discussed in Chapter 15 of the ES (Socio-economics).
	Section	**Other points**	**The Inspectorate's comments**
3	6.1.3	Field drainage	The Scoping Report proposes to assess the potential effects of construction on field drains in the Water resource, quality and hydrology chapter. This is noted and welcomed. The ES should also explain how field drains would be restored and an assessment of the potential effects on agriculture should be provided.

Table 4: Lighting

	Lighting (See Scoping Report section 6.1.4) Any permanent new lighting would be located within the boundary of the existing Drax Power Station and would be designed in line with best practice guidance including BS EN12464-2:2014. Permanent operational lighting of the gas pipeline would not be required. The Applicant proposes to scope out from the ES the topic in its entirety.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	6.1.4	Operational lighting	The Inspectorate understands that any operational lighting would be designed in line with best practice and would be within the curtilage of Drax Power Station. The Scoping Report rules out any operational lighting for the gas supply pipeline and the Inspectorate assumes that this includes the related above ground structures. The Inspectorate therefore agrees that operational effects from lighting are unlikely to be significant and this can be scoped out of the assessment.
2	6.1.4	Construction phase lighting at the power station	The Inspectorate agrees that temporary construction phase lighting within the curtilage of Drax Power Station is unlikely to result in significant effects and can be scoped out.
3	6.1.4	Construction phase lighting for the pipeline	The gas pipeline is sited in a largely unlit agricultural setting. Although the Scoping Report states that lighting would be controlled through a CEMP, no further details on specific measures have been provided at this stage and there is no indication of how long pipeline construction would take. As such, the Inspectorate does not consider there is sufficient information at this stage to rule out the presence of ecological receptors which could be affected. Therefore, the Inspectorate considers that the effects from construction lighting should be considered in the assessment. This should be cross-referenced with other

			assessments (for example, the biodiversity assessment in terms of impacts on bats) as relevant. Similarly, consideration should be given to lighting at the jetty.

Table 5: Traffic and Transportation

	Traffic and Transportation (See Scoping Report section 7.1) The Scoping Report identifies the potential for traffic associated with demolition and construction of the Proposed Development to impact on sensitive receptors in terms of nuisance, disruption, fear and intimidation, delay, severance and road safety. The potential for traffic associated with construction of the pipeline to cause nuisance and disruption to users of Public Rights of Way (PRoW) is also noted. The Applicant proposes to undertake a desk study to identify the existing local and strategic road network and PRoW in the vicinity of the site. A Transport Assessment (TA) will then be prepared. The assessment would follow industry standard guidance including the Design Manual for Roads and Bridges (DMRB)[3] and the Institute of Environmental Management and Assessment (IEMA) Guidelines for the Environmental Assessment of Road Traffic (1993).		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.1.2	Impacts from traffic during operation	The Scoping Report states at section 7.1.2 that there would be no additional trips to facilitate operation and maintenance. However, section 7.1.5 goes on to state that it is an 'assumption' that additional staff/deliveries/trips would be negligible during operation. The Inspectorate does not consider that the Scoping Report includes sufficient certainty regarding the absence of an increase in operational traffic movements, although this does seem likely. The ES should confirm and justify that there is no discernible increase to operational traffic movements. If this can be demonstrated, the Inspectorate agrees that this can be scoped out.
2	7.1.2	Impacts from the use of the existing jetty and waterways to transport abnormal	The Scoping Report does not justify why this is not considered to be significant. It is not clear from the Scoping Report how frequently the jetty would be utilised for transporting abnormal loads/plant equipment, its operational hours, or the

[3] DMRB Volume 11, Section 3, Parts 8 and 9 (1993)

		loads/plant equipment	route that would be used to transport goods to the power station site. The Inspectorate does not agree that this can be scoped out. Furthermore, as the use of the jetty is to be relied upon for the construction phase, the Inspectorate considers the potential effects of its use should be assessed within the ES.
	Section	**Other points**	**The Inspectorate's comments**
3	7.1.1	Sensitive receptors	The Applicant should discuss and agree with the relevant local authorities what are the sensitive receptors for the purpose of the assessment.
4	7.1.2	Abnormal loads	The ES should explain the frequency of transporting abnormal loads/plant equipment from the jetty to the application site and the types of vehicles required.
5	7.1.4	Study area	The Scoping Report notes that a 'suitably defined Study Area' would be identified for the assessment, but does not indicate what this would be. The ES should clearly identify the study area used in the assessment. This should be discussed and agreed with Highways England and North Yorkshire County Council.
6	7.1.4	Transport assessment	The ES should describe the predicted distribution of traffic movements across the study area during the construction phase. The Applicant is advised to discuss the input parameters for the construction phase transport assessment with Highways England and North Yorkshire County Council.
7	n/a	Management Plans	The Inspectorate recommends that a construction traffic management plan is prepared to manage traffic during demolition and construction. A draft of this document should be provided with the DCO application. It should be clear how the implementation of such a plan would be secured in the DCO. The Inspectorate notes the comments from Highways England (see Appendix 2 of this Opinion) regarding the detail that

			should be provided in such a plan and agrees that the following information should be included: • hours of operation of the site; • the timing of deliveries; • routing of HGV and abnormal road traffic to/from the site; and • measures that will manage down the sites trip generation during the peak hours.
8	n/a	Impacts on navigation	The Inspectorate advises that potential impacts on navigation of the River Ouse should be assessed. This should be discussed with the Environment Agency (EA) and the Canal and River Trust. (See also Table 12: Water Resource, Quality and Hydrology)

Table 6: Air Quality

	Air Quality (See Scoping Report Section 7.2) The Scoping Report identifies that the Proposed Development would result in dust and traffic emissions during demolition and construction, and emissions to air (including carbon dioxide) during operation. These have the potential to affect human and ecological receptors. The Inspectorate is generally satisfied with the methodology proposed, which is based on industry standard guidance (including the DMRB[4], Institute of Air Quality Management (IAQM)[5] and Environmental Protection UK[6] (EPUK)) and includes the assessment of effects on both human and ecological receptors. Air dispersion modelling would be undertaken using the ADMS 5.2 model. The height and number of stacks has yet to be confirmed.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.2.2	Emissions to air associated with operation of the gas pipeline	The Inspectorate agrees that the operation of the gas pipeline is not likely to result in any significant effects in terms of emissions to air and that this matter can be scoped out of consideration in the ES.
2	7.2.2	Emissions to air resulting from operational traffic	The Scoping Report explains that this would be scoped out on the 'assumption' that the Proposed Development would not result in additional vehicle trips to and from the site. The Applicant is therefore referred to the Inspectorate's comments above in relation to operational traffic impacts (row 1 in Table 5: Traffic and transportation), and advised to use this data to justify in the ES why emissions to air during operational traffic would not be significant. If the ES can confirm that no additional operational traffic movements would be required, the Inspectorate agrees that this can be

[4] DMRB Volume 11, Section 3, Part 1

[5] IAQM: Guidance on the Assessment of Dust from Demolition and Construction (2016)

[6] EPUK: Land Use Planning and Development Control: Planning for Air Quality (2017)

			scoped out.
3	7.2.3	Dust during operation	Section 7.2.3 of the Scoping Report notes that nuisance from dust will only be assessed during construction. No reference is made to the operational phase. However, having regard to the nature of the Proposed Development and activities of the operational phase, the Inspectorate does not consider there would be any likely significant effects and agrees that effects from dust during operation do not need to be assessed within the ES.
	Section	**Other points**	**The Inspectorate's comments**
4	n/a	Study areas	The study area/s utilised in the assessment should be agreed with the local authority, the EA and Natural England (NE) and clearly defined in the ES. The ES should avoid the use of imprecise terms such as 'in the vicinity of' (section 7.2.3).
5	7.2.1	Sensitive receptors	The ES should justify the choice of human and ecological receptors selected and it is recommended that these are agreed with the local authority and NE respectively. The receptors should be identified on a plan accompanying the ES.
6	7.2.3	Air Quality Management Area (AQMA)	Section 4.6 of the Scoping Report identifies an AQMA 6km northwest of the Proposed Development; however, no consideration is given to the designation within section 7.2. The ES should address this omission. If there is the potential for a significant effect on the AQMA and its action plan, this should be assessed within the ES.
7	7.2.4	Air dispersion modelling	The relationship between the stack height and dispersion on the discharge of emissions need to be clearly explained in the ES, alongside a justification of the modelled parameters. The ES should clearly explain how the 'worst case' scenario has been assessed.

8	7.2.4	Baseline data	The Scoping Report states that the available local and background air quality data is considered appropriate for use in the assessment and that no site specific monitoring is proposed. The Applicant is encouraged to discuss the adequacy of the available baseline data with relevant consultees to ensure it is robust and representative of the baseline conditions. In the event that it is not considered to be robust, the Applicant is recommended to discuss and agree a proportionate approach to establishing the baseline with these consultees.
9	7.2.4	Deposition levels	The Scoping Report explains that impacts from nitrogen and acid deposition at ecological receptors will be assessed using background deposition levels taken from the Air Pollution Information System (APIS) website. The Inspectorate is content with this approach.
10	7.2.1 and 7.2.4	Impacts on ecological sites resulting from nitrogen and acid deposition	The Inspectorate notes the potential for changes in emissions to air from operation of the Proposed Development to impact on ecological sites. The Applicant is advised to also assess the effects of the Proposed Development cumulatively with other relevant plans and projects. The Inspectorate refers the Applicant to its Advice Note seventeen (AN17) on Cumulative Effects Assessment, which provides advice in this regard. The Applicant is advised to discuss and agree the approach to the ES assessment and the HRA with NE.
11	n/a	Mitigation	The Applicant has not referred to mitigation within section 7.2 of the Scoping Report. The ES should set out the proposed measures to minimise emissions from demolition, construction and operational activities. If measures are to be delivered through a management plan, a draft of this should be provided with the DCO

			application.
12	n/a	Air quality monitoring	The Applicant should set out in the ES any proposals for long term air quality monitoring of emissions from the Proposed Development. If monitoring would be undertaken as a condition of an environmental permit, this should be explained.

Table 7: Noise and Vibration

	Noise and Vibration (See Scoping Report section 7.3) The Scoping Report identifies the potential for effects on existing residential dwellings and non-residential dwellings including schools, hospitals and places of worship during demolition, construction and operation. The baseline noise environment will be established utilising previous reports and a baseline noise survey, in accordance with BS 5228[7], BS 4142[8], and BS 7445[9]. A prediction of the impact during construction / demolition will be undertaken following the methodology of BS 5228[10] and noise impacts during operation will be predicted using CadnaA noise propagation modelling software. The significance of the predicted operational impact will be assessed against the semantics of BS 4142.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.3.2	Operational ground borne vibration from power generating equipment and associated infrastructure	The Scoping Report does not provide details of the manufacturers specifications for rotating and reciprocating plant which would be utilised so that ground borne vibration would not be perceptible at sensitive receptor locations. Nevertheless, given that the plant would be located within the curtilage of an existing power station and given the nature of the development, the Inspectorate agrees that this can be scoped out of the ES.
2	7.3.2	Noise and vibration during operation of the gas pipeline	Taking into account the nature and characteristics of the Proposed Development, the Inspectorate agrees that noise and vibration during operation of the gas pipeline itself is unlikely to be significant. However, no information has been provided as to the location of the above ground installation structures and

[7] BS 5228 'Noise and vibration control on construction and open sites'

[8] BS 4142:2014 'Methods for rating and assessing industrial and commercial sound'

[9] BS 7445 'Description and Measurement of Environmental Noise'

[10] BS 5228:2009+A1:2014 Code of practice on noise and vibration control on construction and open sites: Part 1 Noise and Part 2 Vibration

			their proximity to any sensitive receptors. As such, the Inspectorate does not agree impacts from these elements can be scoped out.
	Section	**Other points**	**The Inspectorate's comments**
3	7.3.1	Sensitive receptors	The noise and vibration chapter has only identified human sensitive noise receptors. The Inspectorate expects that the assessment should appropriately cross refer to the assessment of biodiversity within the ES. The Applicant's attention is also drawn to the comments of MMO and the need to provide further detail of the works required in order to scope out the River Ouse and the River Derwent from the assessment.
4	7.3.3	Study area	Section 7.3.3 of the Scoping Report refers to the study area, but does not indicate what this would be. The ES should clearly identify the study area used in the assessment, which should be relevant to the extent of the likely effects. This should be discussed and agreed with relevant consultees.
5	7.3.4	Assessment	The ES should assess any potential likely significant noise effects resulting from the operation of the jetty and crane.
6	7.3.4	Assessment methodology	In referring to standards applicable to the assessment, the Scoping Report identifies in part the dates of the relevant standards. The Applicant should ensure that the most up to date version of the standards are utilised.
7	7.3.5	Limitations and assumptions	The Applicant is advised to discuss and agree with the local authority the approach to be applied for noise measurements during unsuitable weather conditions.

Table 8: Historic Environment

	Historic Environment (See Scoping Report section 7.4) The Scoping Report identifies potential impacts on the settings of Scheduled Monuments, Listed Buildings and non-designated heritage assets, as well as the potential for loss or disturbance of unknown archaeological resource. An initial desk-based assessment is proposed, covering the proposed development site and the immediate area within a 300m. The assessment would follow guidance from the DMRB[11] and Historic England guidance on the setting of heritage assets[12] as well as the principles of the NPPF[13].		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.4.2	Potential effects on archaeological resource within the curtilage of Drax Power Station during demolition and construction	The Inspectorate agrees that in those areas of the site where existing built development is/has been located, buried archaeological remains are unlikely to be present. However, the Inspectorate also notes from section 4.8 of the Scoping Report that there is *'…the potential for remains of both the Romano British and Medieval Periods to be present within the Site and the wider area'.* Therefore, the potential effects on archaeological resource outside the curtilage of the power station should be assessed for the construction phase. The overall extent and approach to the archaeological surveys should be discussed and agreed with the local authority's archaeological advisors. The approach should be fully justified in the ES.
2	7.4.2	Effects on the setting of designated heritage assets	The Inspectorate agrees that the operation of the buried gas pipeline is not likely to result in significant effects on the settings of heritage assets and

[11] DMRB Volume 11, Section 3, Part 2 (2007)

[12] Historic England - The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning Note 3 (2015)

[13] Department of Communities and Local Government - National Planning Policy Framework (2012)

		during operation of the gas pipeline	that this can be scoped out of the ES. However, any impacts on setting from above ground structures associated with the gas pipeline should be identified and assessed where relevant.
3	7.4.3	Loss or disturbance to known and unknown archaeological assets during operation of the pipeline	Section 7.4.3 of the Scoping Report notes that effects will only be assessed during construction. No reference is made to the operational phase. However, given the nature of the project and the operational phase, the Inspectorate does not consider there would be likely significant effects and agrees that operational effects to archaeological assets do not need to be assessed within the ES.
	Section	**Other points**	**The Inspectorate's comments**
4	7.4.4	Study area	Section 7.4.4 of the Scoping Report states that the desk based assessment would consider the application site and the immediate area within a 300m study area; however, it is noted that some of the sensitive receptors identified in section 7.4.1 are outside of this radius (according to section 4.8). The Applicant is advised to give due consideration to the Scheduled Monuments and listed buildings in proximity to the application site. The Applicant should consider using the Zone of Visual Influence (ZVI) developed for the Landscape and Visual Assessment (LVIA) to identify the potential extent of impacts on the settings of heritage assets. The Applicant's attention is also drawn to the comments of Historic England in this regard. The study area should be agreed with Historic England and the local authority and should be clearly identified and fully justified within the ES. The Inspectorate assumes that the proposed approach to the study area would apply in respect to the pipeline development as well as the proposed power station site.
5	7.4.4	Archaeological investigations	The Scoping Report explains that a site visit will be undertaken for the purposes

			of identifying any previously unrecorded archaeological assets. It is unclear whether this would comprise solely a site walkover of other methods to identify unknown archaeology (for example, geophysical survey, trial trenching). The Inspectorate advises the Applicant to discuss and agree appropriate methods with the relevant consultees and directs the Applicant to the comments of North Yorkshire County Council and Selby District Council in this regard. It should be clear in the ES how the results of the desk-based assessment have informed the overall approach to the assessment and in identifying the need for any further investigation.
6	7.4.4	Valuation of assets	The ES should set out in clear terms how value is assigned for each type of heritage assets considered and confirm whether professional judgement and/or relevant guidance has been used. In determining value of heritage assets the Applicant should seek agreement with the local authority's heritage team and Historic England.
7	n/a	Written scheme of investigation (WSI)	The Scoping Report has not identified whether the Applicant intends to undertake further archaeological investigations post-consent (in line with any WSI). If the Applicant does intend to do so, this should be secured by a suitably worded dDCO requirement and a draft version of any WSI should be appended to the ES and agreed with relevant statutory consultees.

Table 9: Biodiversity

	Biodiversity (See Scoping Report section 7.5) The Scoping Report identifies the potential for adverse impacts on designated sites, habitats and protected species during the demolition, construction and operational phases of the Proposed Development. The Applicant has identified ecological receptors for consideration in the assessment using various study areas, as listed in section 7.5.1 of the Scoping Report. A Preliminary Ecological Appraisal (supported by a desk study and extended Phase 1 habitat survey) is being undertaken, which will be followed by a full ecological impact assessment in accordance with guidance from the Chartered Institute for Ecology and Environmental Management (CIEEM)[14]. Targeted protected species surveys will be undertaken, which may include for bats (foraging, commuting and roosting), badgers, otter, water vole, breeding birds and amphibians.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.5.2	Loss or disturbance of common and widespread habitats of negligible nature conservation importance	The Scoping Report does not explain which habitats this would encompass or how this would be determined. In the absence of this information, the Inspectorate cannot agree to scope this matter out. If there are impacts to these features which could result in significant effects these should be assessed within the ES.
2	7.5.2	Temporary disturbance of common and widespread species of negligible nature conservation importance	The Scoping Report does not explain which species this would encompass or how this would be determined. In the absence of this information, the Inspectorate cannot agree to scope this matter out. If there are impacts to these features which could result in significant effects these should be assessed within the ES.
3	7.5.2	Construction phase air quality	Section 7.5.2 of the Scoping Report states that construction-phase works are unlikely to generate significant air quality

[14] CIEEM Guidelines for Preliminary Ecological Appraisal (2008); CIEEM Guidelines for Ecological Impact Assessment in the UK and Ireland (2016)

		impacts on designated sites	impacts in excess of 2km from the application site and that that there are no statutory designated sites within 2km of the site. However, Table 4.4 identifies the River Derwent Special Area of Conservation (SAC) and Eskamhorn Meadows Site of Special Scientific Interest (SSSI) as being within 2km of the site. The Inspectorate therefore considers that construction phase air quality impacts on designated sites should be assessed in the ES. In particular, the Applicant should consider the potential for cumulative impacts with other plans or projects.
4	7.5.3	Operational effects for pipeline works	Section 7.5.3 of the Scoping Report notes that effects will be assessed for pipeline works during demolition and construction. No reference is made to the operational phase. However, given the nature of the project and the characteristics during the operational phase, the Inspectorate does not consider there would be likely significant effects and agrees that this does not need to be assessed within the ES.
	Section	**Other points**	**The Inspectorate's comments**
5	7.5.1	Designated sites	With regard to statutory and non-statutory designated wildlife sites, the Applicant is advised to discuss and agree which sites should be assessed with relevant stakeholders including NE, the local authority and the EA.
6	7.5.4	HRA	The Applicant proposes to carry out a HRA, considering the likely significant effects on European sites within 10km of the application site. The Applicant is advised to discuss and agree the scope of the HRA assessment with NE, to ensure that all relevant European sites and potential impacts on those sites are appropriately addressed in the assessment.
7	7.5.4	Guidance	The Inspectorate notes that the CIEEM guidelines for Preliminary Ecological Appraisal referenced in this section were

			revised in 2012. The Applicant should ensure that the most relevant and up-to date versions of all guidance are used to inform the assessment and referenced in the ES. The ES/appendices should also include details of the guidance and methodologies followed for the protected species surveys.
8	7.5.5	Survey work	The Inspectorate notes from section 7.5.5 of the Scoping Report the potential for ecological data deficiencies to remain at the time of submission of the DCO application, which the Applicant proposes to address through measures such as design amendments and precautionary mitigation. The Applicant is advised to discuss and agree the approach with NE and the local authority. The Applicant is reminded of the need to ensure that the ES provides an accurate assessment of the likely significant effects of the Proposed Development. The Applicant should make every effort to ensure that the necessary surveys are completed prior to submission.
9	n/a	Grass snakes	The Applicant's attention is drawn to the comments of North Yorkshire County Council and Selby District Council regarding the need to assess impacts to grass snakes within the ES.
10	n/a	Marine ecology	The Scoping Report has not identified the need for any marine-based surveys. The Applicant's attention is drawn to the comments of the MMO and the need to consider marine-based surveys. The Inspectorate recommends that consultation is undertaken with the MMO to agree the need for any such surveys and any subsequent assessment that is required.
11	n/a	Mitigation	The Applicant's attention is drawn to paragraph 5.3.18 of NPS EN-1 and the need to demonstrate that appropriate mitigation measures have been adopted for the Proposed Development. Any proposed mitigation measures should be

			clearly described within the ES.
12	n/a	Protected species licenses	The ES should confirm whether any EPS licenses and/or mitigation licenses for other protected species would be required. If so, to provide the ExA with assurance that the necessary license(s) are likely to be obtained, the Applicant should seek to obtain letters of no impediment (LoNI) from NE. These should be appended to the ES. The Applicant is referred to the Inspectorate's Advice Note eleven, Annex C in this regard.

Table 10: Landscape and Visual

	Landscape and Visual (See Scoping Report section 7.6) The Scoping Report identifies potential impacts resulting from changes to landscape character and changes to existing visual amenity. Identified sensitive receptors include landscape character areas and types, local residents, users of footpaths and roads, as well as visitors to affected landscape and heritage resources/attractions. The receptors and likely effects would be verified during site visits and a ZVI would be defined. The study area for the assessment of impacts on landscape character and visual amenity has not yet been defined. It is explained that the study area and the selection of representative viewpoints will be informed by baseline data (including a Zone of Theoretical Visibility) and consultation with relevant bodies. The assessment would follow the Guidelines for Landscape and Visual Impact Assessment (GLVIA)[15] and An Approach to Landscape Character Assessment[16].		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.6.2	Changes to landscape character and visual amenity associated with operation of the gas pipeline	The Inspectorate agrees that the operation of the gas pipeline itself is unlikely to result in any significant effects on landscape character and visual amenity. However, the Scoping Report acknowledges the potential for loss of hedgerows during construction; the effects of which the Inspectorate considers would likely last into the operational phase. The Inspectorate agrees that operational effects of the gas pipeline can be scoped out of the ES on the basis that any loss of hedgerows that is caused by the construction of the pipeline is appropriately assessed having regard to the longevity of impacts. The Inspectorate welcomes that the likely significant effects on landscape character and visual amenity resulting from

[15] The Landscape Institute and the Institute of Environmental Management and Assessment, 3rd Edition (2013)

[16] Natural England (2014)

			operation of the above-ground pipeline structures (ie. the pig trap facility, minimum offtake connection and the pressure reduction and metering station) would be assessed.
2	7.6.2	Effects on designated landscapes and the setting of cultural heritage assets – this would instead be considered in the Cultural Heritage chapter of the ES.	The Inspectorate accepts this approach. The Applicant is advised to include clear cross referencing between the two chapters.
	Section	**Other points**	**The Inspectorate's comments**
3	7.6.1	Receptors	In addition to the sensitive receptors outlined in section 7.6.1 of the Scoping Report, the Applicant is advised to consider the potential visual impacts on users of leisure facilities, such as the Drax Golf Club and recreational users of the River Ouse. The Applicant's attention is drawn to the comments of North Yorkshire County Council and Selby District Council regarding sensitive receptors to be considered within the assessment.
4	7.6.4	Sensitivity of receptors	The Applicant should agree the sensitivity of the landscape and visual receptors with the relevant local planning authority.
5	7.6.4	Landscape character and visual amenity	The Inspectorate advises that any potential damage to existing mature farmland pattern should be assessed.
6	7.6.5	Photographs	The Applicant proposes that photography used to inform the assessment will be taken during the summer, with the need for winter photography to be determined using professional judgement. To allow for identification of a worst-case scenario, the Inspectorate considers that photographs should be taken from the

			selected viewpoints during winter unless otherwise agreed with the relevant consultees.
7	7.6.5	Photo-montages	The Scoping Report explains that the need for photomontages will be determined through discussions with the relevant local planning authorities. The Inspectorate considers that photomontages would be a useful aid to the assessment. The locations of the photomontages should be agreed with the relevant local planning authority.
8	n/a	Ash lagoons	Section 5.3.8 of the Scoping Report proposes to relocate the existing ash lagoons (currently located within the curtilage of Drax Power Station. However it is unclear where these would be located to. This should be explained within the ES, along with details of any changes to topography from these works. The resultant potential landscape and visual effects should be assessed.
9	n/a	Temporary structures	The ES should consider the potential landscape and visual effects resulting from any temporary construction-related structures (such as the mobile crane and the pedestrian bridge).
10	n/a	Reinstatement of pipeline route	The ES should include proposals for the reinstatement of the pipeline route to as close to the original state as possible.

Table 11: Ground Conditions and Contamination

	Ground Conditions and Contamination (See Scoping Report section 7.7) The Scoping Report identifies the potential for impacts during both construction and operation with effects on agricultural land, workers at the power station, principal aquifers, Secondary A aquifers, the River Ouse and buildings, services and foundations. The baseline would be established by a Phase 1 Preliminary Risk Assessment (PRA), including a desk-based review of historical mapping and ground investigation or monitoring data. This will be completed in accordance with DMRB[17]. A conceptual site model will be developed to identify contaminant linkages.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.7.1	Statutory designated sites	On the basis that there are no geological SSSIs and no known Regionally Important Geological Sites within the study area (see also comments below regarding the study area), the Inspectorate agrees that these do not need to be assessed within the ES. However, for completeness, it is recommended that the ES provides confirmation of their absence.
2	7.7.2	Adverse effects on the health of construction workers associated with exposure to any contaminative substances in the ground (e.g. from historical land uses)	Section 4.10 of the Scoping Report notes the potential for contamination within the application site and section 7.7.4 states that a PRA would be undertaken to establish baseline conditions. The Inspectorate notes the proposal that construction will be undertaken in accordance with all relevant legislation, guidance and best practice. However, there is no information regarding the levels of potential contaminants or any necessary remediation in relation to the site. Accordingly, the Inspectorate does not agree that this can be scoped out.
3	7.7.2	Sediment loading	The Inspectorate agrees that a detailed

[17] DMRB Volume 11 Section 2 Part 5: Assessment and Management of Environmental Effects (2008) and DMRB Volume 11 Section 3 Part 11: Geology and Soils (1993).

		of nearby surface water, resulting from soil erosion associated with ground works	assessment can be scoped out on the basis that a CEMP will be in place to manage erosion and transport of soils potentially affected by contamination. However, it is recommended that this approach is detailed within the ES and has regard to relevant best practice and guidance in relation to construction. The Inspectorate will expect to see a draft CEMP provided with the application which controls these matters.
4	7.7.2	Adverse effects to any sensitive receptor following the introduction of contaminative substances during construction (e.g. due to inappropriate storage of fuel)	The Inspectorate agrees that a detailed assessment can be scoped out on the basis that a CEMP will be in place to control storage and use of potentially contaminative substances. However, it is recommended that this approach is detailed within the ES. The Inspectorate will expect to see a draft CEMP provided with the application which controls these matters.
5	7.7.2	Adverse effects to the built environment from the potential presence of aggressive chemical agents in the ground, which may be destructive to concrete	It is noted that suitable construction materials will be selected for use at the detailed design stage. However, the Inspectorate does not agree that this can be scoped out because the Scoping Report states that ground investigation is required to will evaluate potential risks from aggressive chemical agents. As such, there is no assurance that there will not be any significant effects arising.
6	7.7.2	Physical damage to soil (e.g. sealing and compaction), with potential secondary impacts to surface water run-off	The Inspectorate agrees that a detailed assessment can be scoped out on the basis that demolition and construction works will be carried out in accordance with Defra's Construction Code of Practice and that a Materials Management Plan (forming part of the CEMP) will be in place to prevent physical damage to soil. However, it is recommended that this approach is detailed within the ES. The Inspectorate will expect to see a

			draft CEMP provided with the application which controls these matters.
7	7.7.2	Adverse effects to any sensitive receptor associated with the demolition of existing infrastructure, resulting in contaminant release	The Inspectorate notes that a CEMP will include procedures for identifying and mitigating contaminant risk during demolition of the existing infrastructure. However, there is no information regarding the likely presence of potential contaminants and therefore it is not possible to rule out the potential for significant effects. As such, the Inspectorate does not agree that this can be scoped out. The Inspectorate will expect to see a draft CEMP provided with the application which controls these matters.
8	7.7.2	Adverse effects to any sensitive receptor following the introduction of contaminative substances during operation of the power station and pipeline	The Inspectorate agrees that this can be scoped out on the basis that operation will be in accordance with pollution prevention industry guidance and controls in relevant permits issued by the EA.
	Section	**Other points**	**The Inspectorate's comments**
9	7.7.1 and 7.7.4	Study area	Sections 7.7.1 and 7.7.4 of the Scoping Report refer to the study area, but do not indicate what this would be. The ES should clearly identify the study area to be used in the assessment. This should be discussed and agreed with relevant consultees and reflect the full extent of the likely impacts.
10	7.7.4	Baseline	The Scoping Report states that a walkover survey would be undertaken 'if necessary' and that the PRA will identify any requirements for further ground investigation. The Scoping Report does not explain what the walkover survey would comprise, however the Inspectorate notes that the PRA will identify any requirements for further ground investigation. The Applicant is recommended to agree the need and

			methodology of any on site walkover surveys and ground investigations with the relevant consultees.
11	7.7.4	Assessment methodology	This section of the Scoping Report states that the assessment will consider the protection of BMV agricultural land (as a proxy for soil quality). Whilst this is welcomed, it is also noted that Section 6.1.3 of the Scoping Report proposes to scope out potential impacts on BMV. The Applicant's attention is drawn to the Inspectorate's previous comments regarding BMV (see Table 3).
12	7.7.4	Assessment methodology	The Applicant's attention is drawn to the comments of the EA and its recommendations for the PRA, site investigations and risk assessments.

Table 12: Water Resource, Quality and Hydrology

	Water Resource, Quality and Hydrology (See Scoping Report section 7.8) The Scoping Report identifies potential impacts on the water environment, including increases in sedimentation, pollution risk and flood risk. The potential for construction of the gas pipeline to affect the Water Framework Directive (WFD) status of groundwater within a Principal Aquifer is also noted. The study area for the assessment would include all surface water features within 0.5km of the Proposed Development. Features located up to approximately 1km from the Proposed Development where there is hydraulic connectivity will also be considered. It is proposed that the study area will encompass groundwater features within approximately 0.5km of the Proposed Development, and groundwater abstractions up to a minimum of 1km. The assessment will be informed by a desk study and follow the principles of the DMRB[18].		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.8.2	Surface water runoff associated with operation of the pipeline	The Scoping Report (section 4.12) explains that areas of the site are at risk from surface water flooding, predominantly those areas along field boundaries and in local depressions. However, the Applicant explains that as the pipeline will be buried (and ground surface reinstated to current levels), its operation will not change the rate, volume or quality of surface water runoff. The Inspectorate is in agreement that this matter can be scoped out for the operational phase. However, the effects on surface water runoff from above ground structures associated with the gas pipeline should be considered.
2	7.8.2	Changes to fluvial and tidal flood risk during the operation of	The Applicant explains that following construction, the existing ground surface will be reinstated to current levels. The Inspectorate agrees that the potential for significant effects is therefore unlikely

[18] DMRB, Volume 11, Section 3, Part 10 (HD/45/09)

		the pipeline	and that effects from the pipeline itself can therefore be scoped out. However, the Inspectorate considers that the effects on flood risk from above ground structures associated with the gas pipeline should be considered.
	Section	**Other points**	**The Inspectorate's comments**
3	4.11	Consultation	The Inspectorate notes section 4.11 of the Scoping Report, where Selby Area Internal Drainage Board (IDB) is described as the Lead Local Flood Authority (LLFA) for the area. The Inspectorate advises that North Yorkshire County Council is the LLFA for the area covering the application site.
4	5.2.5	Water abstraction and discharge	The Inspectorate notes from section 5.2.5 of the Scoping Report the new CCGT would utilise cooling water from the River Ouse. The existing abstraction/discharge arrangements are proposed as the likely route of delivery. Any changes to this arrangement should be fully described and assessed in the ES. The ES should demonstrate measures that will avoid or minimise adverse impacts of abstraction and discharge of cooling water. Potential inter-related effects should be considered in the relevant topic chapters, such as any effects on ecology, navigation and health.
5	7.7.4	Impacts on navigation	The Applicant's attention is drawn to the consultation response from the Canal and River Trust, which explains that any changes to the abstraction (or any discharge) rates compared to existing rates have the potential to affect navigation on the River Ouse. The Applicant is advised to consult with the Canal and River Trust regarding any changes to the existing abstraction/ discharge situation and any implications for navigation on the River Ouse. Suitable cross reference should be made to the Traffic and Transportation chapter of the ES.
6	4.11;	Impacts on	The Applicant identifies watercourses that

	7.8.1	designated wildlife sites	would be crossed by the pipeline or are located in proximity to the Proposed Development in section 4.11 of the Scoping Report. It is understood that these all drain into the River Ouse, a main river which flows within 0.1km to the north of Route Option 4. Approximately 3.5km downstream of the application site, the River Ouse forms part of the Humber Estuary Ramsar site, SAC, SPA and SSSI. The section of the SSSI closest to the application site is noted to be in 'unfavourable – recovering' condition. The potential effects on these sites from water pollution should be identified and assessed, with any necessary mitigation measures identified and agreed with the relevant consultees. In addition, the Inspectorate agrees with the MMO that consideration should be given to potential for impacts on the River Derwent SAC.
7	7.8.3; Figure 2	WFD	The Scoping Report identifies the potential for construction of the gas pipeline to affect the WFD status of groundwater within a Principal Aquifer. In addition, the Inspectorate notes from Figure 2 of the Scoping Report a number of surface water WFD waterbodies which either cross through or are in the vicinity of the Proposed Development site which should also be considered. The Inspectorate supports the preparation of a separate WFD assessment, which should clearly explain any impacts on WFD waterbodies and how the requirements of the WFD have been met. This should be prepared in consultation with the EA. The Applicant's attention is drawn to the Inspectorate's advice note on the WFD (Advice Note 18) and to the comments of the EA.
8	7.8.4	Study area	The Inspectorate notes the proposed study areas for surface water and groundwater features (0.5km); and for features in hydraulic connectivity and groundwater abstractions (approximately 1km). It is stated that the study areas are considered appropriate based on

			'professional judgement…and current knowledge of the area'. The study areas should be agreed with the EA and the LLFA and justified in the ES.
9	7.8.4	FRA	The Inspectorate welcomes that a Flood Risk Assessment (FRA) will be prepared to support the EIA and stresses the need for early discussions with the EA. The Applicant should agree the scope of the FRA with the EA and ensure that up to date and appropriate climate change allowances[19] are utilised in any modelling. Large parts of the site fall within Flood Zones 2 and 3 on the EA Flood Maps (as illustrated on Figure 2 of the Scoping Report). The FRA should therefore demonstrate that the requirements of the sequential and exception tests are satisfied. The approach and conclusions of the FRA should be agreed with the EA prior to submission of the DCO application, with evidence of such agreement provided (for example in a draft SoCG).
10	7.8.4	Impacts	In accordance with paragraph 5.15.3 of NPS EN-1, the ES should describe any impacts on source protection zones (SPZs) around potable groundwater abstraction points. The Applicant should consider the interrelated impacts to the SPZ which may result from changes to the water environment but also changes to geology and soils. The Inspectorate notes the potential for other inter-related impacts, most notably between the water environment, ground conditions and biodiversity chapters. The Applicant is advised to include clear cross referencing between these chapters to ensure all potential impacts are identified and assessed.
11	7.8.4	Water quality sampling	The Applicant's attention is drawn to paragraph 5.15.3 of NPS EN-1, which states that the ES should describe *'the*

[19] See https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances

			existing quality of waters affected by the proposed project…' The Scoping Report notes that it is not proposed to undertake water quality sampling to inform the impact assessment. The Applicant is therefore advised to agree the approach to establishing the baseline environment with the relevant consultees.

Table 13: Waste

	Waste (See Scoping Report section 7.9) The Scoping Report identifies the potential for effects on local waste treatment and disposal facilities during the demolition and construction phase for the power station works. An assessment of the waste generated will be undertaken using applicable construction waste arising benchmark data from the Building Research Establishment (BRE). Opportunities for reducing, reusing, segregation and recycling of waste materials, together with an assessment of any residual construction waste streams, will be identified. Consideration will be given to the potential demand on local waste management facilities.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.9.2	Waste generation during operation	Taking into account the nature and characteristics of the Proposed Development, the Inspectorate agrees that this is unlikely to result in significant effects and is therefore content with the proposed approach.
2	7.9.2	Waste generated during construction of the pipeline	Taking into account the nature and characteristics of the Proposed Development, the Inspectorate agrees that this is unlikely to result in significant effects and is therefore content with the proposed approach.
3	7.9.2	Generation of hazardous waste	Taking into account the nature and characteristics of the Proposed Development, the Inspectorate agrees that this is unlikely to result in significant effects and is therefore content with the proposed approach.
	Section	**Other points**	**The Inspectorate's comments**
4	7.9.4	Assessment methodology	There is no specific guidance to be followed for the assessment. The ES should clearly describe and define levels of magnitude, sensitivity and significance of effects.

Table 14: Socio Economics

	Socio Economics (See Scoping Report section 7.10) The Scoping Report identifies the potential for effects on local economic receptors (local businesses and individuals aged 16-64 within the local and regional level study areas). The assessment will utilise publicly available data sources and evaluate the indirect and direct employment opportunities. The change in the provision of formal recreational space for users of the existing facilities (e.g. employees of Drax) will be undertaken qualitatively in line with the principles set out in DMRB[20] and the Peoples and Communities Interim Advice Note.		
	Section	**Applicant's proposed matters to scope out**	**The Inspectorate's comments**
1	7.10.2	Demand for educational and healthcare services, community facilities and accommodation during construction	Taking into account the nature and characteristics of the Proposed Development, the Inspectorate agrees that this is unlikely to result in significant effects and is therefore content with the proposed approach.
		Crime during construction and operation	
		Community infrastructure during operation	
		Disruption to local businesses due to a reduction in footfall during construction	
		Reduction in amenity value, leisure uses or tourism	
		Health and safety	
		Employment during operation	
	Section	**Other points**	**The Inspectorate's comments**
2	7.10.3	Change in provision of formal recreational space from the power station works	It is unclear why this potential effect will only be considered during the demolition phase and not the construction phase. This should be clarified within the ES.

[20] Volume 11 Section 3 Part 8

3	7.10.4	Data sources	The ES should identify the 'publicly available' data sources that are utilised within the assessment.
4	7.10.4	Assessment methodology	The ES should provide further details on the 'Excel based analysis' which is proposed within the Scoping Report.

Table 15: Cumulative Effects

	Cumulative effects (See Scoping Report section 8) The ES will consider: • Effect interactions – the interaction and combination of environmental effects of the Proposed Development affecting the same receptor; and • In-combination interactions – the interaction and combination of environmental effects of the Proposed Development with a committed project (or projects) affecting the same receptor. The majority of cumulative assessments will be qualitative, however partially quantitative assessments may be undertaken for traffic related effects for air quality and noise.		
	Section	**Other points**	**The Inspectorate's comments**
1	8.2.2	Assessment methodology	The Inspectorate notes the overarching approach suggested by the Applicant. Whilst this does not mirror exactly the suggested approach set out in AN17, the principles appear to be broadly in line with these recommendations.
2	8.2.2	Identification and evaluation of projects for consideration	The Inspectorate recommends that the list of plans of projects to be considered within the assessment is agreed with the local authority.
3	8.2.2	Identification and evaluation of projects for consideration	The ES should set out and justify what geographical boundary has been used to identify other plans or projects.
4	8.2.2	Identification and evaluation of projects for consideration	In order to determine whether the Proposed Development shares common sensitive receptors with other projects, it is recommended that the ES establishes zones of influence for each topic, as detailed in AN17.

Confidential Information

3.4.1 In some circumstances it will be appropriate for information to be kept confidential. In particular, this may relate to information about the presence and locations of rare or sensitive species such as badgers, rare birds and plants where disturbance, damage, persecution or commercial exploitation may result from publication of the information. Where documents are intended to remain confidential the Applicant should provide these as separate paper and electronic documents with their confidential nature clearly indicated in the title, and watermarked as such on each page. The information should not be incorporated within other documents that are intended for publication or which the Inspectorate would be required to disclose under the Environmental Information Regulations 2014.

4. INFORMATION SOURCES

4.1.1 The Inspectorate's National Infrastructure Planning website includes links to a range of advice regarding the making of applications and environmental procedures, these include:

- Pre-application prospectus[21]
- Planning Inspectorate Advice Notes[22]:
  - Advice Note three: EIA consultation and notification;
  - Advice Note four: Section 52;
  - Advice Note five: Section 53 rights of entry;
  - Advice Note seven: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping;
  - Advice Note nine: Rochdale envelope;
  - Advice Note ten: Habitat regulations assessment relevant to nationally significant infrastructure projects (includes discussion of Evidence Plan process);
  - Advice Note eleven: Transboundary impacts
  - Advice Note seventeen: Cumulative effects assessment; and
  - Advice Note eighteen: The Water Framework Directive.

4.1.2 Applicants are also advised to review the list of information required to be submitted within an application for Development as set out in The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations 2009 (as amended).

[21] https://infrastructure.planninginspectorate.gov.uk/application-process/pre-application-service-for-applicants/

[22] https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

Table 1: Prescribed consultation bodies

SCHEDULE 1 DESCRIPTION[23]	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
The National Health Service Commissioning Board	NHS England
The relevant Clinical Commissioning Group	Vale of York Clinical Commissioning Group
	East Riding of Yorkshire Clinical Commissioning Group
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England - Yorkshire
The relevant fire and rescue authority	North Yorkshire Fire and Rescue Service
The relevant police and crime commissioner	North Yorkshire Police and Crime Commissioner
	Humberside Police and Crime Commissioner
The relevant parish council(s) or, where the application relates to land [in] Wales or Scotland, the relevant community council	Long Drax Parish Council
	Drax Parish Council
	Newland Parish Council
The Environment Agency	The Environment Agency - Yorkshire
The Marine Management Organisation	Marine Management Organisation (MMO)

[23] Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations')

SCHEDULE 1 DESCRIPTION[23]	ORGANISATION
The Civil Aviation Authority	Civil Aviation Authority
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	South Yorkshire Passenger Transport Executive
The Relevant Highways Authority	North Yorkshire County Council
The relevant strategic highways company	Highways England - Yorkshire
The Coal Authority	The Coal Authority
The relevant internal drainage board	Black Drain Drainage Board
	Cowick and Snaith Internal Drainage Board
	Goole and Airmyn Internal Drainage Board
	Goole Fields District Drainage Board
	Rawcliffe Internal Drainage Board
	Reedness & Swinefleet Drainage Commissioners
	Thorntree Internal Drainage Board
The Canal and River Trust	The Canal and River Trust
Public Health England, an executive agency of the Department of Health	Public Health England
Relevant statutory undertakers	See Table 2 below
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Forestry Commission - Yorkshire and North East Area
The Secretary of State for Defence	Ministry of Defence

Table 2: Relevant statutory undertakers

STATUTORY UNDERTAKER[24]	ORGANISATION
The relevant Clinical Commissioning Group	Vale of York Clinical Commissioning Group
	East Riding of Yorkshire Clinical Commissioning Group
The National Health Service Commissioning Board	NHS England
The relevant NHS Trust	Yorkshire and Humber Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	Highways England Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
Canal Or Inland Navigation Authorities	North East Waterways
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes and Communities Agency
The relevant Environment Agency	Environment Agency - Yorkshire
The relevant water and sewage undertaker	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
	Energetics Gas Limited
	Energy Assets Pipelines Limited

[24] 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in s127 of the Planning Act 2008

STATUTORY UNDERTAKER[24]	ORGANISATION
	ES Pipelines Ltd
	ESP Connections Ltd
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Quadrant Pipelines Limited
	National Grid Gas Plc
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	Wales and West Utilities Ltd
	Northern Gas Networks Limited
The relevant electricity generator with CPO Powers	Drax Corporate Developments Limited
	Drax Power Limited
The relevant electricity distributor with CPO Powers	Energetics Electricity Limited
	ESP Electricity Limited
	G2 Energy IDNO Limited
	Harlaxton Energy Networks Limited
	Independent Power Networks Limited
	Peel Electricity Networks Limited

STATUTORY UNDERTAKER[24]	ORGANISATION
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Utility Distribution Networks Limited
	Northern Powergrid (Yorkshire) plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc

Table 3: Section 43 consultees (for the purposes of section 42(b))

ORGANISATION
Selby District Council
City of York Council
Harrogate Borough Council
Leeds City Council
Wakefield Council
Doncaster Metropolitan Borough Council
East Riding of Yorkshire Council
North Yorkshire County Council
Stockton-on-Tees Borough Council
Durham County Council
Cumbria County Council
Lancashire County Council
Bradford Metropolitan District Council
Darlington Borough Council
Redcar and Cleveland Borough Council
Middlesbrough Council
North York Moors National Park
Yorkshire Dales National Park

Table 4: Non-prescribed consultation bodies

ORGANISATION
Sheffield City Region Combined Authority

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

Consultation bodies who replied by the statutory deadline:

Canal and River Trust
Coal Authority
East Riding of Yorkshire Council
Energy Assets Pipelines Limited
Environment Agency
ESP Utilities Group
Harrogate Borough Council
Health and Safety Executive
Highways England
Highways England Historical Railways Estate
Historic England
Leeds City Council
Long Drax Parish Council
Marine Management Organisation
National Grid Gas Plc and National Grid Electricty Transmission Plc (joint response)
NATS En-Route Safeguarding
Natural England
Newland Parish Council
North York Moors National Park Authority
North Yorkshire County Council and Selby District Council (joint response)
Northern Gas Networks
Public Health England
Redcar and Cleveland Borough Council
Royal Mail
Sheffield City Region Combined Authority
Wakefield Metropolitan District Council

Canal & River Trust

6th October 2017

The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref 170427_EN010091-000170

Dear Sirs,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Proposed application by Drax Power Ltd. (the Applicant) for an Order granting Development Consent for the Drax Repower Project (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your consultation in respect of the above.

In respect of the scoping consultation and the EIA Scoping Report submitted by Drax Power Ltd, we have the following comments to make:

The Drax Power station site is located to the west of the River Ouse. The Canal & River Trust is Harbour Authority for the river at this point, although we do not own the river itself. Our interest in this proposal is therefore to ensure that there are no adverse impacts on navigation on the river or on navigational safety.

The indicative DCO site boundary shown at Figures 1 and 2 extend to the west bank of the River Ouse in two places, although we note that the indicative development footprint shown suggests that the proposed peaking plant will be more than 500m from the river.

The Scoping Report identifies in 5.2.5 that the cooling for the new CCGT will be provided utilising cooling water from the River Ouse. Changes to the abstraction (or any discharge) rates compared to existing rates have the potential to affect navigation on the Ouse. Information upon changes to the abstraction rates, and confirmation as

to whether discharges to the river are proposed, are not provided in the Scoping Report.

We recommend that Drax Power Ltd. liaise with the Trust over any changes to the abstraction and potential discharge of water from and to the River Ouse so that the Trust can agree the flow rate of the discharges and ensure that their location and means of construction do not impede navigation on the river or otherwise raise any navigational safety issues. Information upon changes to abstraction or discharge flow rates, and any measures required to maintain safe navigation should be fully addressed within the ES.

Section 5.3.7 explains that the existing Drax Jetty on the River Ouse may be used for loading and unloading of large plant and equipment, and that works to the jetty to allow this may be required, including: the location of a mobile crane; associated security lighting; fencing; and the siting of storage and laydown facilities. The Trust welcome the potential use of the jetty in principle, and are aware that it has been successfully used previously for this purpose. Works to the jetty will require consent by the Trust under the Trust's Code of Practice for Third Party Works.

As the Trust are Harbour Authority on the River Ouse at this point, the jetty would come under our harbour area, and works and operations here would need to comply with the Trust's Port Marine Safety Code (PMSC). Lighting on the jetty would likely need to comply with Trinity House specifications to ensure that craft can be navigated correctly on the river.

The changes to the jetty have the potential to impact upon the navigational safety of both craft that will both travel past and those that will utilise the facility. We therefore believe that information upon the impact of any specified lighting and location and size of crane facility would be required within the EIA.

There is the potential that works on the jetty may require dredging or bed levelling on the jetty berth pocket to accommodate craft, or the removal of vegetation around the facility. These can have indirect impacts upon craft movements upon the river. The ES therefore would need to cover whether such works are required, and assess the impacts of these works on the river.

It does not appear likely that the proposed development will have any other potential impact on the Trust in our capacity as Navigation Authority and we therefore have no further comments to make on the matters that are identified within the Scoping Report for inclusion in the EIA. We would encourage that the appropriate liaison take place with the Environment Agency in order that the Environmental Assessment is

adequately informed on all other flood and water management matters relating to the River Ouse.

Yours faithfully

Simon Tucker MSc MRTPI
Area Planner, Yorkshire and North East
Simon.Tucker@canalrivertrust.org.uk
07885 241223

The Coal Authority
Resolving the impacts of mining

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG
T: 01623 637 119
E: planningconsultation@coal.gov.uk
www.gov.uk/coalauthority

Ms Hannah Pratt
Senior EIA and Land Rights Advisor
on behalf of the Secretary of State

[By Email: DraxRe-power@pins.gsi.gov.uk]

05 October 2017

Dear Ms Pratt

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017(the EIA Regulations) – Regulations 10 and 11
Proposed application by Drax Power Ltd. (the Applicant) for an Order granting Development Consent for the Drax Repower Project (the Proposed Development)

Thank you for your consultation notification of 14 September 2017 seeking the views of the Coal Authority on the EIA Scoping Opinion for the above proposal.

The Coal Authority is a non-departmental public body sponsored by the Department of Business, Energy and Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

I have reviewed the proposals and checked the site location plan against our coal mining information and can confirm that, whilst the proposed development site falls within the coalfield, it is located outside of the defined Development High Risk Area, meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability.

Accordingly, the Coal Authority has **no comments or observations to make** on the scope of the Environmental Statement that would accompany an application for this proposal.

Yours sincerely

D Roberts

Deb Roberts *M.Sc.*
Planning Liaison Officer

From: Matthew Sunman [mailto:Matthew.Sunman@eastriding.gov.uk]
Sent: 14 September 2017 16:53
To: Drax Re-power
Cc: James Chatfield
Subject: Fw: Drax Repower project - EIA Scoping consultation

Good Afternoon

Thank you for your consultation.

I can confirm the East Riding of Yorkshire Council has no comments to make.

Kind Regards

Matthew Sunman
Principal Development Management Officer
MPhysGeog (Hons), MSc Urban and Regional Planning,
MRTPI

Tel: (01482) 393735
Web: www.eastriding.gov.uk

From: Helen Gilbert [mailto:helengilbert@EnergyAssets.co.uk]
Sent: 19 September 2017 09:46
To: Drax Re-power
Subject: Ref: EN010091-000170

Good morning

To whom it may concern

With regards to your request for details of existing services, we can confirm that based on the details provided to us, we have no buried plant or equipment in the identified area.

Regards,
Helen

Helen Gilbert
Utility Network Co-ordinator

ENERGY assets

Tel: 01506 425376

Web: www.energyassets.co.uk

creating a better place

Environment Agency

Hannah Pratt
Senior EIA and Land Rights Advisor
The Planning Inspectorate

Via email:
draxre-power@pins.gsi.gov.uk

Our ref: RA/2017/137510/01
Your ref: EN010091-000170

Date: 12 October 2017

Dear Hannah

Drax Power Station, Selby, YO8 8PH.

Drax repower project - EIA scoping consultation

Thank you for your recent request for EIA scoping opinion in respect of the above proposal. Please see the following comments in the appendices, which are provided from the perspectives of Biodiversity, Ground Conditions and Contamination, Water Quality, Resource and Hydrology, Flood Risk and Waste. Comments have been split into two sub categories of 'EIA Scope' (Appendix 1) and 'Additional Information and Advice' (Appendix 2).

I hope that these comments are useful in determining the appropriate scope for the Environmental Impact Assessment for the above development.

We look forward to engaging with the applicant in more detail during the pre-application phase of the Development Consent Order (DCO) process. Please encourage the developer to contact us early to discuss how we can work together during the pre-application phase.

If I can be of any further assistance, please don't hesitate to contact me.

Yours sincerely

Nick Beyer
Planning Specialist

Telephone: 0203 025 5581
E-mail: sp-yorkshire@environment-agency.gov.uk
Address: Lateral, 8 City Walk, Leeds, LS11 9AT

Appendix 1 – Comments on proposed EIA Scope

Biodiversity

We support the principle of the proposed methodology for assessing and managing ecological and biodiversity issues, presented in Section 7.5, however until the Preliminary Ecological Assessment has been completed, it is difficult to determine exactly what level of assessment and mitigation will be required. We look forward to the opportunity to review and comment on future ecological assessments, starting with the Phase 1 habitat survey.

Ground Conditions and Contamination

We support the proposed scope for assessing the likely significant effects identified within Section 7.7. The scoping report indicates that there are a number of insignificant effects, which will not be investigated in the Environmental Statement. We have no objection to this, however, the effects identified will still need to be investigated and any required mitigation measures put in place. The report has assumed that this will be controlled via a Construction and Environmental Management Plan. We have no objections to this approach.

Water Resource, Quality and Hydrology

We support the inclusion of consideration of the potential effects on water quality during the construction, operational, and decommissioning phases.

Section 7.8 - The table on page 46 mentions potential Water Framework Directive (WFD) deterioration of groundwater sources. It is important that WFD status is also taken account for surface water sources. As well as taking account of current WFD water body status and required actions to prevent deterioration, consideration of what mitigation measures (if any) the development could contribute to, in order to improve the water body status. We recommend looking at the Humber River Basin Management Plan and encourage any projects that would help to improve the status of a water body.

The applicant should refer to the following link to the Catchment Data Explorer database which supports the River Basin Management Plan:
http://environment.data.gov.uk/catchment-planning/
The applicant should use the database to familiarise themselves with the water environment in the areas of interest. The database provides useful information about catchments and provides links to other useful sites.

Flood Risk

We support the proposed methodology for assessing and managing flood risk. The scoping report acknowledges the requirement for a Flood Risk Assessment which will address both risk to, and risk arising from the proposed works.

Waste

We support the proposed scope presented in Section 7.9.

Cont/d..

Appendix 2 – Additional advice and information

Ground Conditions and Contamination

In forming our response to the scoping request, we have considered issues relating to controlled waters. The evaluation of any risks to human health arising from the site should be discussed with the Environmental Health Department.

This site overlies a sandstone aquifer. Any pathways for contamination must be strictly controlled to avoid pollution of the principle aquifer from any historic contamination identified on the site from previous uses.

It is recommended that the requirements of the National Planning Policy Framework (NPPF) are followed. Paragraph 109 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Therefore, in completing any preliminary risk assessment, site investigations and risk assessments the applicant should assess the risk to groundwater and surface waters from contamination which may be present and where necessary propose appropriate remediation.

We recommend that the applicant:

Applies the risk-based framework set out in the Model Procedures for the Management of Land Contamination (CLR 11) and follow the guidance in that document so that the best decision are made for the site;

Refers to the Environment Agency guidance on requirements for land contamination reports;

Uses BS 10175 2001, Investigation of potentially contaminated sites – Code of Practice as a guide to undertaking the desk study and site investigation scheme;

Uses MCERTS accredited methods for testing contaminated soils at the site; and

Consults our website at www.gov.uk for further information about any permissions that may be required.

Water Resource, Quality and Hydrology

Section 5.2.5 - Cooling water - The scoping report refers to the current abstraction from the River Ouse. The applicant will need to check the abstraction licence to ensure that future proposed quantities and conditions will adhered to the existing licence. If not, an application to vary the licence will be required.

Flood Risk

Some of the works may require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency for any proposed works or structures, in, under, over or within *sixteen* metres of the top of the bank, of the tidal River Ouse, designated a 'main river', or from the toe of a defence. This was formerly called a Flood Defence Consent. Some activities are also now excluded or exempt. A permit is separate to and in addition to any planning permission granted. Further details and guidance are available on the GOV.UK website: https://www.gov.uk/guidance/flood-risk-activities-environmental-permits.

Waste - Environmental permitting and other regulation

This development will require an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016 from the Environment Agency. The applicant is advised to contact John Bullers, 02030255093, john.bullers@environment-agency.gov.uk to discuss the issues likely to be raised.

Under the Environmental Permitting (England and Wales) Regulations 2016, permitted sites should not cause harm to human health or pollution of the environment. The operator is required to have appropriate measures in place to prevent pollution to the environment, harm to human health or the quality of the environment, detriment to surrounding amenity, offence to a human sense or damage to material property. If measures are not included within the application then it is likely that we would reject any application received for an Environmental Permit under the Environmental Permitting (England and Wales) Regulations 2016.

The Environmental Permit will control the following activities and emissions from the Installation:-

- Reception, handling and use of natural gas;
- In process control systems;
- Process efficiency including energy, water, raw materials and waste;
- Emissions to air. As a new build, the permit application will be assessed against the conclusions of the Large Combustion Plant Best Available Technique Reference document (LCP BRef) dated 31 July 2017. Emissions will be monitored continuously via Monitoring Certification (MCERTs) approved units. The air impact assessment must take into effect in-combination affects from other industrial sources of Oxides of Nitrogen and Carbon Monoxide – the principle air pollutants. Careful consideration needs to be given to the impact on local sensitive receptors including the designated RAMSAR sites within 10km of the installation
- Noise and vibration. It is noted that there are a number of local sensitive receptors that could potentially be affected by adverse noise and vibration.
- Groundwater and land contamination. The Site Condition Report (SCR) will introduce a system to continually monitor the potential for pollution from the 'baseline' in order to demonstrate that there has been no impact through the life of the facility;
- Water abstraction and discharge pipelines. Whilst it is acknowledged the pipelines will transport 'water', due to the quantities involved, it is important to have a maintenance and inspection regime to ensure that leaks from the system are minimised.

Cont/d..

The Environmental Permit application must demonstrate that people and the environment will be protected from these activities and emissions. Mitigation is likely to be required to control:

- Emissions to air;
- Emissions to water;
- Noise and vibration;
- Water pipeline infrastructure.

We expect new combustion developments to comply with the environmental performance standards in the EPR Technical Guidance Note: Combustion Activities (EPR1.01). We will justify any derogation we allow from these standards in our decisions.

Under the Environmental Permitting regime we will be including the following key areas of potential harm when making an assessment for the Permit:

- Management – including energy efficiency and avoidance, recovery and disposal of wastes.
- Operations including gaseous and liquid fuels.
- Emissions and monitoring including point source emissions to water, point source emissions to air, fugitive emissions and monitoring.

In this location the applicant will need to consider stack heights to ensure adequate dispersion of emissions to air to satisfactorily protect people and the environment and obtain an Environmental Permit to operate. It is noted that there are a number of options for consideration:-

Unit 5 Conversion Only

- One Gas Turbine (GT) able to run either in Combined Cycle (CC) mode or Open Cycle (OC) mode (via a by-pass stack). This configuration would result in two separate windshield (one for CC and one for OC operation)
- Two GTs able to run either in CC mode or OC mode (via two by-pass stacks). This configuration could result in four separate windshields (two for CC operation and two for OC operation)

Unit 5 and 6 Conversion (based on the assumption that unit 5 and 6 will be configured to have the same number of GTs.

- Four GTs able to run either in CC mode or OC mode (via a by-pass stack). This configuration could result in eight separate windshields (four for CC operation and four for OC operation)

Consideration should be given in the BAT justification to combining these into a single common flues, one for CC operation and one for OC operation. A further BAT justification will be required to support the choice to operate the GTs in open cycle mode. In addition, some local planning policy restricts stack height. We advise joint discussions between the operator, the local planning authority and the Environment Agency and whilst not a legal requirement, parallel tracking of the planning and permit applications to allow these issues to be resolved. This should reduce uncertainty as to whether the activity is likely to be permitted, which in turn will reduce uncertainty and promote faster decision making for both planning and permitting applications.

Cont/d..

Combined Heat and Power (CHP) Ready requirements
We will as a minimum require proposed combustion facilities to be built CHP ready by imposing specific permit conditions. For example, conditions requiring the operator to provide and maintain steam and/or hot water pass-outs such that opportunities for the further use of waste heat may be capitalised upon should they become practicable, and a condition that requires the operator to review and report on the practicability of CHP implementation at least every 2 years. The applicant is advised to refer to the latest Environment agency guidance on 'CHP Ready' at
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296450/LIT_7978_e06fa0.pdf

Additional to this the Environment Agency is able to offer guidance on undertaking cost benefit assessments for installations under Article 14 of the Energy Efficiency Directive.

Carbon Capture (CC) Ready requirements
We will as a minimum require proposed combustion facilities to be built CCR ready. This will be in-line with the Overarching National Policy Statement for Energy (EN-1) and the National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2).

It should be noted that we are only able to comment on the suitability of the space set aside on or near the site for carbon capture equipment and the technical feasibility of carbon capture equipment retrofit.

End

From: ESP Utilities Group Ltd [mailto:donotreply@espug.com]
Sent: 14 September 2017 15:09
To: Hannah Pratt
Subject: Your Reference: Drax Power Project Our Reference: PE133056. Plant Not Affected Notice from ES Pipelines

Hannah Pratt
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay,
Bristol
BS1 6PN

14 September 2017

Reference: Drax Power Project

Dear Sir/Madam,

Thank you for your recent plant enquiry at (Drax Power Project).
I can confirm that ESP Gas Group Ltd has no gas or electricity apparatus in the vicinity of this site address and will not be affected by your proposed works.
Therefore, ESP **DOES NOT OBJECT.**

ESP are continually laying new gas and electricity networks and this notification is valid for 90 days from the date of this letter. If your proposed works start after this period of time, please re-submit your enquiry.

Important Notice
Please be advised that any enquiries for ESP Connections Ltd, formerly known as British Gas Connections Ltd, should be sent directly to us at the address shown above or alternatively you can email us at: PlantResponses@espipelines.com

Yours faithfully,

Alan Slee
Operations Manager

Bluebird House
Mole Business Park
Leatherhead
KT22 7BA
☎ 01372 587500 🖹 01372 377996
http://www.espug.com

From: Mike Parkes [mailto:Mike.Parkes@harrogate.gov.uk]
Sent: 29 September 2017 13:43
To: Drax Re-power
Subject: Scoping Report - Drax Power Ltd

Dear Hannah

I confirm that Harrogate Borough Council does not have comments to offer in respect of the Scoping Report.

Mike Parkes
Principal Planner
Planning and Development
Harrogate Borough Council
PO Box 787
Harrogate
HG1 9RW

01423 500600 ext 56553

www.harrogate.gov.uk/planning

HSE
Health and Safety Executive

CEMHD Policy - Land Use Planning
NSIP Consultations
Building 2.2, Redgrave Court
Merton Road, Bootle
Merseyside, L20 7HS

Your ref: EN010091
Our ref: 4.2.1.6090

HSE email: NSIP.applications@hse.gov.uk

FAO Hannah Pratt
The Planning Inspectorate
Temple Quay House
Temple Quay,
Bristol
BS1 6PN

Dear Ms Pratt,

09 October 2017

PROPOSED DRAX REPOWER PROJECT (the project)
PROPOSAL BY DRAX POWER LTD (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as amended) – Regulations 10 and 11

Thank you for your letter of 14th September 2017 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

The proposed development falls within the consultation zones of 'Drax Power Station' and potentially within those of 'Capture limited (Drax Power Station)'. HSE strongly suggests that the Applicant engages with both these parties to ensure the development does not adversely impact these Major Accident Hazard sites.

Pipeline Notification

It is noted that the proposal includes provision for a new pipeline in the corridors indicated on the site location plan provided. The new pipelines and modifications to the existing pipelines may require notification under the Pipelines Safety Regulations 1996. This may ultimately require extending existing consultation distances. The classification of the pipeline may determine if the planning authorities are required to be consulted. HSE suggests that, as a matter of course, the Applicant ensures that Selby District Council is made aware at this early stage.

Given the submission is a scoping document there is minimal specific detail (e.g. pipeline standards). This will require addressing in later submissions. The document does identify environmental issues to be included in scope related directly with the pipeline and the associated connections.

As the new pipeline will be connected to the gas transmission system it will form part of the gas supply network. As such the conveyor of gas in this pipeline must comply with the Gas Safety (Management) Regulations 1996. This may include preparation of a Safety Case for acceptance by HSE. It is noted that the scoping document specifically identifies risks associated with flooding. The design of the pipeline should consider these risks.

Would Hazardous Substances Consent be needed?

The presence of additional hazardous substances on, over or under land at or above set threshold quantities (Controlled Quantities) may require Hazardous Substances Consent (HSC) under the Planning (Hazardous Substances) Act 1990 as amended. The substances, alone or when aggregated with others, for which HSC is required, and the associated Controlled Quantities, are set out in The Planning (Hazardous Substances) Regulations 2015.

Hazardous Substances Consent would be required if the site is intending to store or use any of the Named Hazardous Substances or Categories of Substances and Preparations at or above the controlled quantities set out in schedule 1 of these Regulations.

Further information on HSC should be sought from the relevant Hazardous Substances Authority for the proposed development.

Explosives sites

As there are no licensed explosive sites in the vicinity, HSE has no comment to make, in this regard.

Waste

In respect of waste management the applicant should take account of and adhere to relevant health and safety requirements. More details can be found on HSE's website at:

http://www.hse.gov.uk/waste/index.htm

Electrical Safety

No comment from a planning perspective.

Please send any further electronic communication on this project directly to the HSE's designated e-mail account for NSIP applications. Alternatively any hard copy correspondence should be sent to:

Mr Dave Adams (MHPD)
NSIP Consultations
2.2 Redgrave Court
Merton Road
Bootle, Merseyside
L20 7HS

Yours sincerely,

[redacted]

Dave Adams
CEMHD4 Policy

Drax Repower Project, Selby – Environmental Impact Assessment Scoping Report

PREPARED FOR:	Jamey Fearnside
PREPARED BY:	Jack Fawdington / Clare Pennells (CH2M)
DATE:	2 October 2017
PROJECT NUMBER:	679066.AE.17.85
DOCUMENT REF:	TM001
REVIEWED / APPROVED BY:	Richard Edwards (CH2M)

Task Overview

On behalf of Highways England, CH2M has reviewed an Environmental Impact Assessment [EIA] Scoping Report that has been submitted to The Planning Inspectorate owing to the application representing a nationally significant infrastructure project. The EIA Scoping Report has been prepared by WSP (the 'Consultant') on behalf of Drax Power Ltd (the 'Applicant'). Drax Power Ltd is seeking to submit a planning application for the repowering of two existing coal-fired units with gas (the proposed development) at Drax Power Station in Selby, North Yorkshire. This proposed development is inclusive of a range of associated developments which will be discussed later in this review.

The main objective of the EIA Scoping Report is to set out the scope the studies that will form the EIA. In accordance with Regulations 10(3)(a) to (d) of the EIA Regulations 2017, the EIA Scoping Report contains the following:

- A plan sufficient to identify the land;
- A description of the proposed development, including its location and technical capacity;
- An explanation of the likely significant effects of the development on the environment; and
- Such other information or representations as the person making the request may wish to provide or make.

CH2M has reviewed the content of the Scoping Report and comments are provided below in relation to the pertinent issues for Highways England. Issues relating to traffic and transport are generally set out in Section 4.4 and 7.1 and therefore the comments below generally relate to these sections. However, where relevant, other sections of the Scoping Report are also briefly commented upon below.

Site Context

Section 4.1 of the Scoping Report sets out that the site currently comprises approximately 222ha of land within the curtilage of Drax Power Station. This land is inclusive of land within the ownership of the Applicant and across agricultural land to the east of Drax Power Station near Selby.

It is worth noting that the Scoping Report highlights that at this stage the Site Boundary does not denote the final application boundary (i.e. red line boundary), upon which development consent will

be sought, but it is considered the maximum extent of all potential permanent and temporary works required as part of the Proposed Scheme. This is considered acceptable at this stage and should not impact on the requirements of any Strategic Road Network [SRN] assessments.

The site lies approximately 4 miles from Junction 36 of the M62. Any traffic travelling to / from the site on the M62 is likely to use Junction 36 to access the site and therefore Highways England will need to understand the impact of the proposals upon this location.

The general location of the site is shown on Figure 1 of the report, with site access obtainable via New Road to the east of the site and the A645 to the south of the site. Section 4.4 details that staff and visitors access the south via the 'South Gate' on the A645, whereas contractors, deliveries and all HGV traffic make use of the site entrances off New Road. The site is also currently served by rail for deliveries of coal and access to the River Ouse via a jetty located off Redhouse Lane.

Consultation

The Scoping Report sets out that WSP and the Applicant provided North Yorkshire County Council [NYCC] and Selby District Council [SDC] with an introduction to the proposed scheme in a briefing meeting on 23rd August 2017. This included information on project background, the proposed scheme, options being considered for associated developments, environmental constraints, programme, consultation and next steps. Early scoping discussions with Highways England would be welcomed in respect of the forthcoming TA.

Description of Proposed Scheme

Section 5 of the EIA Scoping Report provides details of the proposed scheme as summarised below:

1) The upgrading of two existing coal-fired power units to gas;
2) The erection of four new gas turbines and up to four Heat Recovery Steam Generators (HRSG);
3) Main flue and bypass exhaust stacks for each HRSG;
4) A new gas pipeline of approximately 3km extending eastwards from the site. The Applicant is considering whether this will form part of the application for a development consent order or form a separate standalone application under the Town and Country Planning Act 1990;
5) The erection of a battery storage unit of up to 200MW;
6) An upgrade to the existing National Grid 400Kv substation on the power station site. The Applicant is considering, alongside the National Grid, whether this would be consented through permitted development rights or will form part of the application for a development consent order;
7) Demolition and relocation of existing contractors' compounds, contractors' carpark, turbine outage stores and existing station ash lagoons and such other infrastructure as may be required and necessary at the power station site;
8) Land safeguarded for carbon capture and storage; and
9) The erection of a mobile crane alongside the jetty, associated security lighting, fencing, storage and welfare facilities and laydown areas.

The gas turbine generating units will be constructed in phases, with construction of each taking approximately 34 months. The overall construction programme if two units are built is therefore anticipated to last approximately 68 months. The battery storage facility and gas pipeline will be constructed within this programme.

Little information is supplied in relation to what traffic movements would be associated with the above processes, however, Section 5.4 of the Scoping Report states that the peak construction period

for the site is anticipated to be between months 18 and 22, with up to 700 construction works taking place at the site simultaneously during this period. Due to the sites proximity to the M62, it remains likely that the proposed development will be reliant on the motorway network as the main route utilised by construction traffic entering and leaving the site. The distribution of the predicted traffic movements across the aforementioned Junction 36 of the M62 will therefore need to be presented within a Transport Assessment [TA], with particular reference to the periods of peak construction period traffic for the critical weekday peak hours. A full breakdown of the calculation of the predicted construction traffic movements will need to be supplied within the TA.

It would be useful if WSP prepared a TA Scoping Report based upon which agreements could be made with Highways England, NYCC and Selby District Council in relation to the requirements of the forthcoming TA.

Current Land Use

Drax Power Station is a significant coal-fired power station which includes three units already converted to biomass. Land uses and operations within the power station site are predominately associated with operation of the power station itself, with few external products produced. Beyond this, the EIA Scoping Report does not detail the further operational characteristics of the site, however, owing to the sites nature as a power station, it is likely that outside periods of construction, there would be little HGV vehicle trips associated with the site, with the majority of trips associated with the site generated by employees over typical peak hour travel periods. Nevertheless, this is not confirmed by the Scoping Report, and further detail is required through the upcoming TA to suitably detail the quantum and nature of vehicle trips associated with the site, both during operation and construction. It is appreciated that Section 7.1.2 of the Scoping Report confirms that the proposed scheme is not anticipated to result in an increase in the operational workforce at Drax Power Station, nor require additional trips to facilitate the operation and maintenance of the proposed scheme. However, further details in support of this assumption will need to be provided as part of the TA. The existing operation of the site should be clearly defined within the TA.

Traffic and Transportation

Section 4.4 of the Scoping Report provides further details on the key traffic and transport issues associated with the site, as commented on below.

The power station is currently accessed to the south from the A645 and east from New Road. The A1041 and A645 serve to connect the Drax Power Station to the wider road network, with A645 providing direct access to the M62 Junction 36, while the A1041 provides access to the A1(M) and M1, albeit via the A63 at a distance of approximately 19 miles. As a result, traffic wishing to utilise the A1(M) would therefore likely do so via the M62. Therefore, as already noted, it is the impact of the proposals on the M62 Junction 36 that will be of concern to Highways England.

The Scoping Note highlights that a single bus service (No.8) provides access to the power station site, stopping at Drax Power Station four times during the day between Monday and Friday, approximately every two hours from 08:47am. There are a further two bus services which operate between Goole and Selby via Camblesforth (located approximately 1.2 mile south of the site), with the Scoping Report stating that the power station has good pedestrian links to local bus stops on the A645, Drax village and Camblesforth.

It is also highlighted that Snaith Railway station is the closest station to the site, located around 3.5 miles away, with services operating between Leeds, Wakefield, Pontefract, Doncaster and Goole. Selby railway station is located approximately 6 miles from the site, providing further services to Manchester and London.

A full consideration of the site's accessibility by all modes will need to be undertaken as part of the forthcoming TA.

The key issue surrounding the proposed development relating to the traffic impact appears to relate to the period of peak construction between 18 and 22 months, whereby up to 700 construction works will be taking place on site at once. The quantity of workers required for this volume of works, together with the individuals employed by Drax Power Station directly, present a significant volume of potential trips that will likely utilise the M62 Junction 36.

The anticipated number of vehicles that will be arriving/departing at the site, the likely modes they will be travelling by, the periods or potential shift patterns at which this traffic will be arriving at/departing the site and the likely trip distribution will need to be considered within the forthcoming TA.

Transport Assessment Methodology

Section 7.1 of the Scoping Report sets out further details in relation the proposed assessment method for considering the impact of the proposals on traffic and transport issues.

As already noted, the Scoping Report suggests that it is not anticipated that the proposals will result in an increase in employee trips at Drax Power Station post construction. However, further details will need to be set out in the TA to justify this assumption, including a clear indication of the existing operation of the site. Details will also need to be supplied in relation to any other traffic movements associated with the site during operation such as delivery or export vehicles etc.

Section 7.1.4 of the Scoping Report confirms brief details in relation to the assessment methodology for Traffic and Transport. A desk study will be undertaken to identify the SRN within the vicinity of the site. It is stated that nuisance and disruption caused by construction traffic and activities on motorised and non-motorised users will be considered qualitatively using the information presented within a TA. This will specifically consider the increases of traffic on the network during the construction phase and associated changes to motorised and non-motorised users in terms of severance, delay, safety, fear and driver stress. Beyond this, the EIA Scoping Report presents little further information surrounding the content of the forthcoming TA for the site.

The overview presented is generally brief, however at this stage of the development it is considered acceptable. It should be noted that the quantitative impact of the proposals will need to be considered within the forthcoming TA as well as the qualitative impact. However, the input parameters for the TA should be agreed either through a TA Scoping Report or scoping meetings between NYCC, Highways England and WSP.

Construction Traffic Management Plan

Due to the size of the proposed scheme, it is likely that travel planning measures will be required for the construction period. It is also likely that other elements of the construction traffic will need to be controlled through the conditioning of a Construction Traffic Management Plan [CTMP]. Highways England will expect a CTMP to provide details of how the construction traffic to the site during the peak hours will be managed down. The CTMP will need to include details relating to the following:

- Hours of operation of the site,
- The timing of deliveries;
- Routing of HGV and abnormal road traffic to/from the site; and
- TP measures that will manage down the site's trip generation during the peak hours.

Summary and Conclusions

On the basis of this review, the recommendation to Highways England in relation to this development proposals is:

A TA Scoping Report / TA scoping discussions should be held with Highways England in order to agree input parameters for a forthcoming TA and CTMP.

This review has highlighted that this proposed development, particularly within a transport scope, remains in the very early stages of the planning process. Currently, the level of detail disclosed within this EIA Scoping Report surrounding transportation remains acceptable due to the predominantly environmental scope of this document. However, a TA Scoping Report / TA scoping discussions should be held between WSP, NYCC and Highways England, in order to agree how the forthcoming TA will consider the impact of the proposals upon the M62 Junction 36 . It is appreciated that the EIA Scoping Report suggests that the prime impact of the proposals will be during construction with a minimal number of vehicle movements during operation. However, evidence will need to be supplied within the TA in order to justify these assumptions and fully set out the current operation of the site. The likely levels of traffic during the peak hours at the SRN for both the construction and operational phases of the development should also be set out. Providing it is confirmed that the impact of the proposals will only be a concern during the construction phase, it is likely that any required travel planning measures could be included within a CTMP.

Our ref: HE/HRE/RD/PL6
Your ref: EN010091-000170

Robert Davies

Room T9 ,3rd Floor
37 Tanner Row
York
YO1 6WP

Mobile: 07740418158
2 October 2017

The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

For the attention of Hannah Pratt
By Email only

Dear Hannah

PROPOSED APPLICATION BY DRAX POWER LTD FOR AN ORDER GRANTING DCO FOR THE DRAX REPOWER PROJECT

I refer to your letter dated 14th September 2017 and confirm that we do not have comments to make upon the above proposal.

Yours sincerely

[redacted]

Robert Davies
Historical Railways Estate
Email: robert.davies@highwaysengland.co.uk

Historic England

YORKSHIRE OFFICE

Ms Hannah Pratt
The Planning Inspectorate
3D Eagle Wing, Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Dial: 01904 601982

Our ref: PL00174903

11 October 2017

Dear Ms Pratt

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations)- Regulations 10 and 11
Proposed application by Drax Power Ltd. (the Applicant) for an Order granting Development Consent for the Drax Repower Project (the proposed development)
Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter of 14 September 2017 consulting Historic England on the above EIA Scoping Report.

This development could, potentially, have an impact upon a number of designated heritage assets in the area around the site, as well below-ground archaeology within the site which is potentially of national importance. We would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

We would also expect the Environmental Statement to consider the potential impacts which the proposals might have upon non-designated heritage assets (including buildings, historic open spaces, historic features, and the wider historic landscape) since these make an important contribution to the local distinctiveness of an area and its sense of place.

The assessment should also take account of the potential impact which associated activities (such as construction activity, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area.

Proposed Assessment Methodology
Given the heights of the structures associated with the proposed development and the surrounding landscape character, this development is likely to be visible across a large area and could, as a result, affect the significance of heritage assets at some distance

from the site itself.

We have some concerns that the study area is currently tightly defined at 3km and therefore the list of sensitive receptors at 7.4.1 may be incomplete. The assessment should consider any heritage assets that could be affected by the development and in some directions this may extend further than 3km. Discretion should be exercised to ensure the impact on all assets has been fully understood.

We recommend a methodology similar to that outlined for Landscape and Visual Impacts at section 7.6.4 is used for assessment of the impact on heritage assets. This approach utilises a Zone of Theoretical Visibility (ZTV) to inform the extent of the study area, and includes consultation with relevant stakeholders.

Consideration could also be given to undertaking a practical exercise with either a crane or balloons erected at the height of the proposed buildings, flues and exhaust stacks so that all parties are to better able to understand the landscape impact of the proposals. We have been engaged in other major developments where this technique has been used and it greatly assisted the identification of the key issues and impacts from which the resulting EIA was able to focus its assessment.

In summary, we consider the scope of the Historic Environment section of the EIA should be extended given the heights of the structures currently proposed, to ensure that the potential impact on all heritage assets in the vicinity has been fully understood at this stage.

Given the number of important designated heritage assets within the vicinity and the potential for nationally important below-ground archaeology within the site, we would welcome early discussions in order to agree the key sites and setting issues which will need to be addressed within this EIA. We have therefore copied this letter to the applicants.

If you have any queries about any of this matter or would like to discuss anything further, please contact me.

Yours sincerely,

[redacted]

Emma Sharpe
Assistant Inspector of Historic Buildings and Areas
emma.sharpe@HistoricEngland.org.uk

cc: Jim Doyle, Drax Power Limited
Chris Taylor, WSP

From: White, Louise [mailto:Louise.White@leeds.gcsx.gov.uk]
Sent: 14 September 2017 11:27
To: Drax Re-power
Cc: Butler, Steven
Subject: OFFICIAL : FW: Drax Repower project - EIA Scoping consultation

Dear Hannah,

I can confirm that, on behalf of Leeds City Council, we are satisfied with the contents of the applicant's Scoping Report.

Kind regards,

Louise White
Minerals & Waste Planning Team Leader
Development Management
Leeds City Council.

From: Roger Turnbull [redacted]
Sent: 05 October 2017 20:53
To: Drax Re-power
Subject: Comments on Drax Repower project

Dear Hannah

Your ref EN010091-000170 Drax Re power

This is a response to the Drax Repower scheme from Long Drax Parish Council

Long Drax is the Parish where the vast majority of the work and disruption will take place including the gas pipeline. We have lived with Drax Power Station for many years and do support development that will maintain any prosperity in the Parish and the local economy.

Having read the proposal from Drax Power ltd, we do see that areas outside the station fence line will be developed for the construction phase, which may be for over 5 years, so will be disruptive to local people. Below is a list of possible concerns that we have that will need to be managed by the project:-

1. Noise during works and plant operation.
2. Dust during work.
3. Road congestion management including, closures, vehicles parking and blocking of roads and sight lines at junctions.
4. Jetty working hours as it is adjacent to properties.
5. Jetty site lighting disturbing households and motorists.
6. Pipe line work over land and adjacent to properties.
7. Visual impact of new installation.
8. Visual impact of jetty installation area if woodland cleared for storage of unloaded parts for CCGT.
9. Area A field to be used as contractors compound has a public right of way footpath across it, how will it be affected.
10. What are the restoration plans for Areas A Field (if CCS does not go ahead) and G Jetty.

We are sure that with suitable consultation during the project minimal disruption to the Parish can be achieved.

Regards

Roger Turnbull

Long Drax Parish Council.

Marine Management Organisation

Scoping Opinion

Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended) ("the Regulations")

Title: Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 – Regulations 10 and 11

Proposed application by Drax Power Ltd. for an Order Granting Development Consent for the Drax Repower Project

Contents

1. The MMO's role in Nationally Significant Infrastructure Projects

The Marine Management Organisation (MMO) was established by the Marine and Coastal Access Act 2009 (the "2009 Act") to make a contribution to sustainable development in the marine area and to promote clean, healthy, safe, productive and biologically diverse oceans and seas.

The responsibilities of the MMO include the licensing of construction works, deposits and removals in English inshore and offshore waters and for Welsh and Northern Ireland offshore waters by way of a marine licence[1]. Inshore waters include any area which is submerged at mean high water spring (MHWS) tide. They also include the waters of every estuary, river or channel where the tide flows at MHWS tide. Waters in areas which are closed permanently or intermittently by a lock or other artificial means against the regular action of the tide are included, where seawater flows into or out from the area.

In the case of Nationally Significant Infrastructure Projects (NSIPs), the Planning Act 2008 (the "2008 Act) enables Development Consent Order's (DCO) for projects which affect the marine environment to include provisions which deem marine licences[2]. As a prescribed consultee under the 2008 Act, the MMO advises developers during pre-application on those aspects of a project that may have an impact on the marine area or those who use it. In addition to considering the impacts of any construction, deposit or removal within the marine area, this also includes assessing any risks to human health, other legitimate uses of the sea and any potential impacts on the marine environment from terrestrial works.

Where a marine licence is deemed within a DCO, the MMO is the delivery body responsible for post-consent monitoring, variation, enforcement and revocation of provisions relating to the marine environment. As such, the MMO has a keen interest in ensuring that provisions drafted in a deemed marine licence (DML) enable the MMO to fulfil these obligations. This includes ensuring that there has been a thorough assessment of the impact of the works on the marine environment (both direct and indirect), that it is clear within the DCO which works are consented within the deemed marine licence, that conditions or provisions imposed are proportionate, robust and enforceable and that there is clear and sufficient detail to allow for monitoring and enforcement. To achieve this, the MMO would seek to agree the deemed marine licence with the developer for inclusion with their application to the Planning Inspectorate (PINS).

Further information on licensable activities can be found on the MMO's website[3]. Further information on the interaction between the Planning Inspectorate and the MMO can be found in our joint advice note[4].

[1] Under Part 4 of the 2009 Act

[2] Section 149A of the 2008 Act

[3] https://www.gov.uk/planning-development/marine-licences

[4] https://infrastructure.planninginspectorate.gov.uk/wp-content/uploads/2013/04/Advice-note-11-v2.pdf

2. Proposal

Drax Repower Project

2.1 Project Background

Drax Power Limited is seeking development consent to convert up to two existing coal-powered generating units to new combined cycle gas turbines (CCGT), capable of generating up to 3,600MW, to construct a battery storage facility with capacity of up to 200MW, and associated development at the Drax Power Station near Selby, North Yorkshire (the “Project”).

2.2 Overview of the Project

The site of the Project comprises approximately 222ha of land, both within the Drax Power Station, and land within the surrounding area, near Selby, North Yorkshire.

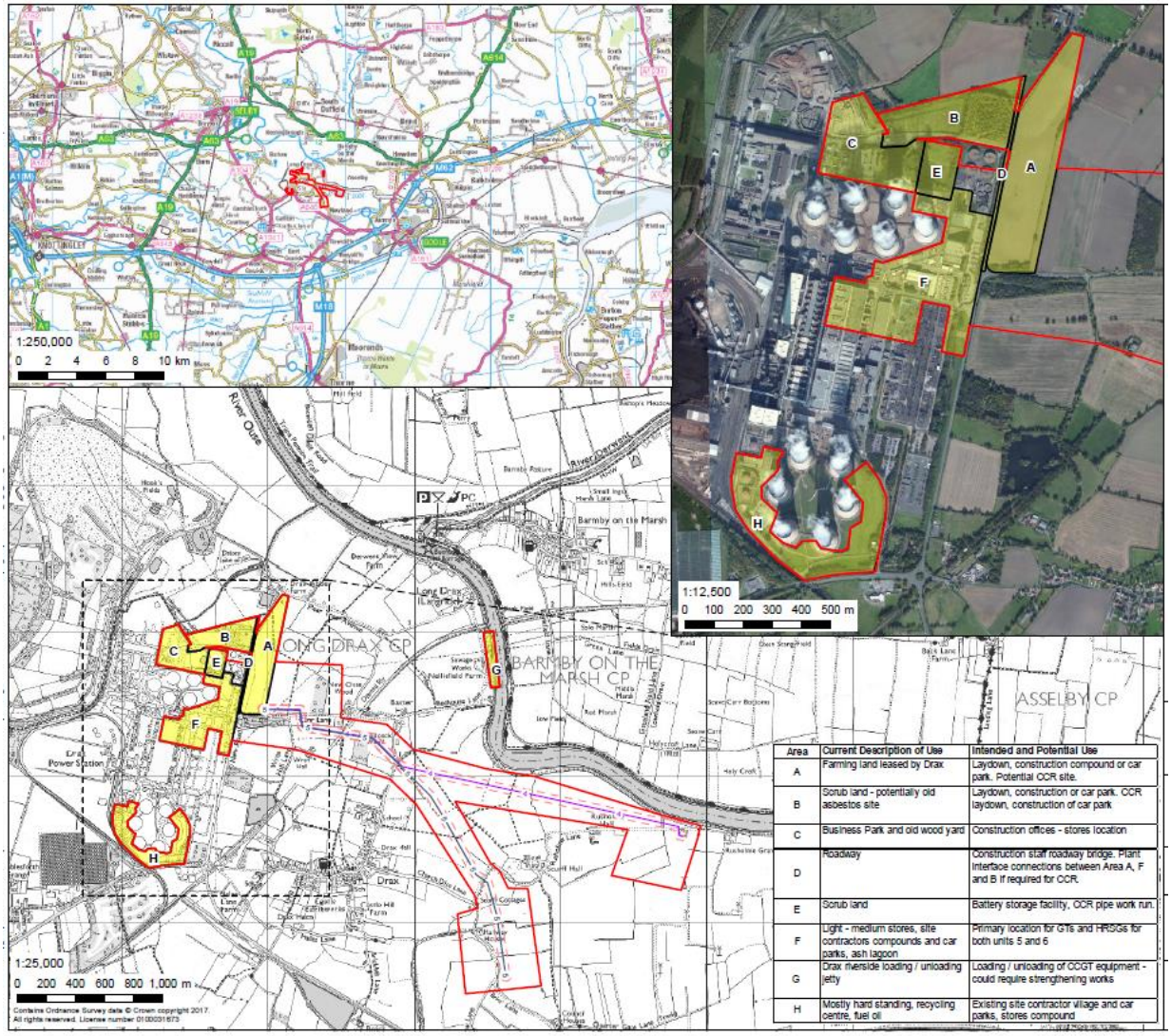
The Drax Power Station is located approximately 1.5km southwest of the River Ouse which flows eastwards into the Humber Estuary. Land within the curtilage of the power station includes a riverside jetty located on the River Ouse and owned by Drax Power Limited.

It is proposed to repower up to two existing coal-powered generating units with new combined cycle gas turbines, including the construction of up to four separate gas turbines, the construction of up to four Heat Recovery Steam Generators, and the construction of a battery storage facility of up to 200MV. It is anticipated that cooling for the new CCGT will be provided by the existing condenser of the steam turbines and the existing cooling water infrastructure, which involves the abstraction of river water from the nearby River Ouse.

Proposed associated development includes a new gas connection from the Gas Transmission Network, electrical connection, carbon capture readiness, the development of switchyard and transmission plant works, the provision of construction laydown areas, the construction of a temporary pedestrian bridge, siting of a temporary mobile crane landside of the jetty, the demolition and relocation of existing facilities and other minor works such as site drainage and services.

3. Location

The site of the Project is located near Selby, North Yorkshire, as displayed in Figure 1 below.



Area	Current Description of Use	Intended and Potential Use
A	Farming land leased by Drax	Laydown, construction compound or car park. Potential CCR site.
B	Scrub land - potentially old asbestos site	Laydown, construction or car park. CCR laydown, construction of car park
C	Business Park and old wood yard	Construction offices - stores location
D	Roadway	Construction staff roadway bridge. Plant interface connections between Area A, F and B if required for CCR.
E	Scrub land	Battery storage facility, OCR pipe work run.
F	Light - medium stores, site contractors compounds and car parks, ash lagoon	Primary location for GTs and HRSGs for both units 5 and 6
G	Drax riverside loading / unloading jetty	Loading / unloading of CCGT equipment - could require strengthening works
H	Mostly hard standing, recycling centre, fuel oil	Existing site contractor village and car parks, stores compound

Figure 1: Drax Repower site

4. Consenting regime

The Project falls within the definition of a Nationally Significant Infrastructure Project (NSIP) under Section 14(1)(a) and 15(2) of the 2008 Act. As such, Drax Power Limited intends to apply for a DCO to construct and operate the proposed scheme, under Section 31 of the 2008 Act.

While the Environmental Impacts Assessment (EIA) Scoping Report highlights no obvious marine works, the MMO has identified the following potential aspects of the Project which have the potential to be licensable under section 66 of the 2009 Act. Works capable of requiring a Marine Licence include but are not limited to:

- Upgrades to the existing cooling water infrastructure located within the River Ouse
- Maintenance to existing cooling water infrastructure

- Strengthening / modification of the jetty to accommodate unloading infrastructure and equipment
- Supporting construction activities related to the new gas pipeline which are not covered within Item 35 ('Bored Tunnels') of the Marine Licensing (Exempted Activities) Order 2011 but do have interaction with the Marine Environment
- Dredging of the area surrounding the jetty to accommodate vessel access (if required)
- Other minor infrastructure and auxiliaries/services, if located within the UK marine area[5].

If such works are required and a Marine Licence is needed, the MMO would encourage the applicant to seek a DML covering all licensable activities as part of any resultant application to PINS. In this respect, the MMO would welcome early engagement with the applicant so that a draft DML can be agreed prior to any future submission of a DCO to PINS. The MMO must also be made aware of any additional works or activities in the UK marine area which may require a Marine Licence under the 2009 Act at the earliest opportunity.

5. Environmental Impact Assessment ("EIA")

The Project falls under Schedule 1 paragraph 2(1) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 as it constitutes a 'thermal power station and other combustion installations with a heat output of 300 megawatts or more'. Therefore, the DCO application will be supported by an Environmental Impact Assessment (EIA).

As such, an Environmental Impacts Assessment Scoping Report dated September 2017 (the "Report") has been prepared by WSP, on behalf of Drax Power Limited, as part of the EIA process.

The MMO was formally consulted on this document by The Planning Inspectorate on the 14 September 2017 (ref. 'EN010091-000170').

6. MMO Scoping Opinion

It should be noted that the information provided within the Report is quite general and high level in nature. Works locations and methodologies have yet to be presented therefore making it difficult to assess potential impacts and whether any proposed activities fall within section 66 of the 2009 Act.

Based on the information available at this time, the MMO agrees with proposed scope as outlined in the Report. However, the MMO recommends that the following aspects are considered further during the EIA and should be included in any resulting Environmental Statement ("ES") submitted to PINS in support of a DCO application.

6.1 Baseline Conditions (2.2)

Section 2.2 of the Report references 'surveys completed between July 2017 and April 2018' which will be used to inform the ES. The applicant should be aware that some surveying works within the marine environment, dependent on their nature, may be licensable activities under section 66 of the 2009 Act.

[5] As defined by Chapter 4, Part 2, section 42, subsection 3(a) of the 2009 Act

6.2 Planning Policy and Need (3)

Section 3 of the Report details both national and local policy statements relevant to the Project. The applicant should be aware that the ES should also include details regarding other relevant policy and plans, as outlined below.

In determining the DCO application, PINS is required to have regard to the Marine Policy Statement and/or any relevant marine plan. The proposed location of the Project is within the East Inshore Plan Area.

The East Marine Plans were published on 2 April 2014. The East Inshore Marine Plan area covers 6,000 square kilometres of sea and stretches from mean high water springs to 12 nautical miles offshore off the coastline between Flamborough Head and Felixstowe.

The MMO is the marine plan authority for the English inshore and offshore regions. Further information regarding marine planning can be found on the MMO's website: https://www.gov.uk/topic/planning-development/marine-planning

6.3 Biodiversity (4.9)

The MMO welcomes the consideration of Statutory Nature Conservation Sites (European, International, National and Local) within table 4.4. Based on the scale of works and the current level of information available on the proposals, the MMO is in agreement with this baseline consideration however we defer to Natural England (NE) who may be able to advise further in this respect.

6.4 Water Resources, Quality and Hydrology (4.11)

The Report states within section 4.11 that the nearest major surface water feature (the River Ouse) is 'approximately 1.5 km northeast of Drax Power Station'. Regarding the Power Station as a whole, the MMO notes that the Drax-owned Jetty is within the direct vicinity of the River Ouse itself.

The report correctly identifies the Humber Estuary Ramsar, Special Area of Conservation (SAC), Special Protected Area (SPA) and Site of Special Scientific Interest (SSSI) sites which lie 'approximately 3.5km downstream of the Power Station Site'. The MMO welcomes consideration of these designated sites; for clarity, the MMO understand that The Humber Estuary designated sites lie around 6km downstream from the site. In any ensuing ES, detailed consideration should be given to the River Derwent SAC (UK0030253) which lies approximately 750m upstream from the Jetty. Again, in relation to designated areas and sites, the MMO defer to the response of NE in this respect who may be able to advise further.

6.5 Associated Development – Gas Pipeline (5.3.1)

Based on the information presented, the MMO is aware that at the easternmost extent, Pipeline Option 4 lies within 0.1km of the River Ouse. If any works are required within the marine environment, notwithstanding any activity under Section 35 (Bored Tunnels) of the Exempt Activities (2011) Order, some activities may require a marine licence or consideration within a DML.

6.6 Associated Development – Temporary Crane on Jetty (5.3.7)

Whilst firm details are yet to be confirmed, the MMO notes that in Section 5.3.7, reference is made to the existing Drax Jetty which may be used for unloading and

loading activities. If needed, details of any required reinforcement, maintenance or construction works surrounding the jetty should be supplied to the MMO and included in any ensuing ES.

Within section 5.3.7, the report notes that 'it is not anticipated that jetty works or capital dredging will be required'. The MMO is not aware of any historical capital or maintenance dredging alongside the berth next to the Jetty; if it is deemed that dredging is required, engagement with the MMO should commence as early as possible so that any necessary sampling, characterization and licensing can be agreed. The MMO would also highlight at this early stage that as dredging constitutes enabling works as part of a wider EIA-scale project, any required dredging and disposal operations must be considered within any ensuing ES.

The MMO would highlight at this early opportunity that should dredging be required, sufficient time should be allocated for the necessary sampling and disposal arrangements to be agreed and included within the DML if appropriate.

If disposal at sea is favored and a sample plan is required, a request to the MMO can be made through the Marine Case Management System (MCMS). Following this exercise, any required sample analysis will need to be carried out by an MMO approved laboratory. The results of this analysis phase will then need to be supplied to the MMO so that our own review can take place as well as any consultation if required. Please note that the MMO's target response for such requests is 13 weeks.

In addition to this, a suitable designated area for disposal of dredged material will be required if disposal at sea is favored. If a suitable site is not available, a site characterisation process would need to be carried out but the applicant should be made aware that this is a lengthy process without a guideline turnaround time.

6.7 Associated Development – Other Works (5.3.9)

Reference is made to 'site drainage' under other works which may be incorporated as part of the proposal. As with any other works within the marine environment, full details of any proposed works should be supplied to the MMO at the earliest opportunity and considered fully within any ensuing ES.

6.8 Insignificant Effects (6)

In the absence of full details for the proposals, it is difficult for the MMO to comment fully on the judgments surrounding the scoping out of 6.1.1 (Climate) and 6.1.2 (Heath). Despite this, based on the information provided, given the scale of works and notwithstanding any change to the level of marine-works, the MMO is largely in agreement with the judgment made to scope out these topics. Full confirmation may be provided by the MMO as and when the full details of the marine-works are available.

6.9 Sensitive Receptors – Noise and Vibration (7.3.1)

The report provides few details about works required within the marine environment and until such a time as the works required are confirmed, the MMO cannot formally agree with the omission of The River Ouse and the River Derwent in relation to noise and vibration. The MMO does appreciate that the extent of marine-works are unconfirmed and would welcome further consultation as and when full details are available.

6.10 Sensitive Receptors - Biodiversity (7.5)

The MMO is in agreement with the inclusion of the following sensitive receptors within the ensuing ES:

- International and nationally designated ecological sites within 10 km and 5 km (respectively) of the Site;
- Locally important designated nature conservation sites within 5 km of the Site; Priority habitats within 2km of the Site; and
- Protected and notable species within the 100m of the Site.

Again, in relation to designated areas and sites, the MMO defer to the response of NE in this respect who may be able to advise further.

6.11 Assessment Methodology (7.5.4)

The MMO welcomes the consideration of habitats and species as part of a Preliminary Ecological Appraisal (PEA) and the consideration of the impact that works may have on neighboring species and habitats.

The MMO notes that Table 4.4 (Statutory Nature Conservation Sites) considers the neighboring River Derwent SAC and that Section 7.5.1 (Sensitive Receptors) draws reference to 'international and nationally designated ecological sites within 10km […] of the site'. The MMO welcomes consideration of the potential requirement for surveys of 1355 Otter (*Lutra lutra*) within section 7.5.4 of the Report. Despite this, beyond Otter, consideration is not given to the potential requirement for marine-based surveys related to the other protected species within the neighboring River Derwent SAC. In this respect, the MMO notes the presence of 1099 River Lamprey (*Lampetra fluviatilis*), 1095 Sea Lamprey (*Petromyzon marinus*) and 1163 Bullhead (*Cottus gocio*).

The MMO appreciates that the extent of marine-works are unconfirmed surrounding the jetty and that the report notes the 'Requirements for species specific surveys will be determined completion of the PEA and confirmation of Scheme design'. In this respect, the MMO would welcome further consultation regarding the appropriateness of surveys based on the level of marine-works as and when they are confirmed.

6.12 Water Resource, Quality and Hydrology (7.8)

The MMO notes that impacts to The Humber Estuary SSSI, SPA, SAC and Ramsar receptors will be considered within the ES yet the neighboring River Derwent SAC is not considered either as a sensitive receptor or an insignificant effect. At this time, given the lack of certainties surrounding the level of marine works, the MMO is unable to agree with the exclusion of the River Derwent SAC.

6.13 Waste (7.9)

The report comments that 'Due to the nature of the Proposed Scheme, it is not envisaged that significant levels of waste will be generated during its operational life'. The MMO would reiterate comments made in 6.6; if it is deemed that a dredging component is required, engagement with the MMO should commence as early as possible so that any necessary sampling, characterisation, consideration of dredged waste material and licensing can be agreed.

6.14 Additional Notes

In the absence of any additional detail at this time, the MMO notes that if works are required within the UK marine area, the ES should include but not be limited to assessment and consideration of:

- Socio-economics (e.g. River Navigation and other users of the marine environment such as Recreational Fishermen/women);
- Marine Ecology, Nature Conservation and Hydrodynamics;
- Cumulative Impact Assessment (i.e. with other marine projects locally);
- Relevant Marine Plan (East Inshore);
- Fisheries;
- Ornithology;
- Visual impacts;
- Assessment against the Waste Framework Directive;
- Assessment against the Water Framework Directive.

As with all licensable activities within the marine environment, the MMO would expect to see a thorough and robust assessment of impacts upon marine receptors and clear justification provided for any impact pathways which have been scoped out.

Additionally, both direct and indirect impacts of the terrestrial works on the marine environment should be considered where appropriate.

7. Conclusion

Whilst the MMO notes that the exact details of the Project are still being refined, it would appear that the Repower Project is unlikely to involve significant works within the UK Marine Area. From the 'Drax Repower EIA Scoping Report (September 2017)', the MMO understands that any marine works will be almost entirely limited to the Drax-owned Jetty which may be used for loading and unloading in the future.

Generally, the topics highlighted in section 6.14 of this document should be assessed during the EIA process and the outcome of these assessments should be documented in the ES in support of the DCO application. Where the MMO has raised comments in relation to the consideration of sensitive receptors, these should be taken forward into any ensuing ES.

However, there are still a number of uncertainties throughout the report and until the exact details of works are confirmed, as has been noted in the response above, it is difficult for the MMO to confirm impacts and either agree or disagree with statements made. For instance, where further consideration of a receptor has been omitted (such as Biodiversity in relation to the Derwent River SAC), it is not possible for the MMO to confirm agreement as the nature or extent of works are unknown at this time.

Going forward, any ensuing ES for the scheme needs to fully assess all potential impacts to the marine environment based upon firm details of proposed marine works. Confirmation on working locations and likely construction techniques as well as the likely methodologies involved would be useful in this respect. If exact details are not be finalised at the time of DCO submission, the 'Rochdale Envelope Approach' should be followed whereby the worst case scenario is considered within the ES.

The MMO has noted the timetable supplied for non-statutory consultation ('late 2017') and statutory consultation on a Preliminary Environmental Information Report ('Quarter 1 2018'). Beyond this, we would welcome further consultation and recommend that Drax Power Limited contact the MMO at the earliest opportunity to discuss licensing requirements under the 2009 act, including the process of obtaining a DML should works be required within the UK marine area.

Should you have any further questions or wish to discuss the matter further, please do not hesitate to contact me directly quoting the reference above.

Yours sincerely,

Edward Walker

Marine Licensing Case Manager
Marine Management Organisation
T: +44 (0)2082 258148
E: edward.walker@marinemanagement.org.uk

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Land and Acquisitions
Spencer Jefferies
Development Liaison Officer
Network management
Spencer.Jefferies@nationalgrid.com
Direct tel: +44 (0)7812 651481

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
DraxRe-power@pins.gsi.gov.uk

12 October 2017

Dear Sir/Madam

PROPOSED APPLICATION BY DRAX POWER LTD FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE DRAX REPOWER PROJECT (THE PROPOSED DEVELOPMENT)

SCOPING CONULTATION AND NOTIFICATION OF THE APPLICANT'S CONTACT DETAILS AND DUTY TO MAKE AVAILABLE INFORMATION TO THE APPLICANT IF REQUESTED

This is a response on behalf of National Grid Electricity Transmission PLC (NGET) and National Grid Gas PLC (NGG)

I refer to your letter dated 14th September 2017 regarding the Proposed Development. Due to the close proximity of some of our assets, NGET and NGG wish to express their interest in further consultation while the impact on our assets is still being assessed.

In respect of existing NGET and NGG infrastructure, both will require appropriate protection for retained apparatus including compliance with relevant standards for works proposed within close proximity of its apparatus; providing that the order affects NGET & NGG apparatus in any way.

The developer can identify NGET & NGG assets within the Order limits by using our Shape Files in the link below. Also please see map attached to email for reference.
http://www2.nationalgrid.com/uk/services/land-and-development/planning-authority/shape-files/

Please see relevant guidance for working near NGET & NGG assets below.

Where the Promoter intends to acquire land, extinguish rights, or interfere with any of NGET's & NGG's apparatus, both will require appropriate protection and further discussion on the impact to its apparatus and rights.

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

Assets in the vicinity of the Proposed Development:

Gas Infrastructure:

- DRAX Above Ground Installation
- FM07 - Asselby to Drax Duplicate River Xing
- FM07 - Cawood to Susworth T West
- FM29 - Asselby to Pannal

Electricity Infrastructure:

- DRAX 400kV Substation
- DRAX 132kV Substation
- 4VJ Over Head Line
- 4VC Over Head Line
- 4VH Over Head Line
- 66kV Cables
- 400kV Cables

Specific Comments – Electricity Infrastructure:

- National Grid's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset

- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. National Grid recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for "overhead line clearances Issue 3 (2004) and also shown in the following National Grid Document: http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=6169

- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.

- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 "Avoidance of Danger from Overhead Electric Lines" and all relevant site staff should make sure that they are both aware of and understand this guidance.

- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum "sag" and "swing" and overhead line profile (maximum "sag" and "swing") drawings should be obtained using the contact details above.

- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.

- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or "pillars of support" of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation ("pillar of support") drawings can be obtained using the contact details above.

- National Grid Electricity Transmission high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide National Grid full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with National Grid prior to any works taking place.

- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

Gas Infrastructure

The following points should be taken into consideration:

- National Grid has a Deed of Grant of Easement for each pipeline, which prevents the erection of permanent / temporary buildings, or structures, change to existing ground levels, storage of materials etc.

Pipeline Crossings:

- Where existing roads cannot be used, construction traffic should ONLY cross the pipeline at previously agreed locations.

- The pipeline shall be protected, at the crossing points, by temporary rafts constructed at ground level. The third party shall review ground conditions, vehicle types and crossing frequencies to determine the type and construction of the raft required.

- The type of raft shall be agreed with National Grid prior to installation.

- No protective measures including the installation of concrete slab protection shall be installed over or near to the National Grid pipeline without the prior permission of National Grid.

- National Grid will need to agree the material, the dimensions and method of installation of the proposed protective measure.

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

- The method of installation shall be confirmed through the submission of a formal written method statement from the contractor to National Grid.
- Please be aware that written permission is required before any works commence within the National Grid easement strip.
- A National Grid representative shall monitor any works within close proximity to the pipeline to comply with National Grid specification T/SP/SSW22.
- A Deed of Consent is required for any crossing of the easement

Cables Crossing:

- Cables may cross the pipeline at perpendicular angle to the pipeline i.e. 90 degrees.
- A National Grid representative shall supervise any cable crossing of a pipeline.
- Clearance must be at least 600mm above or below the pipeline.
- Impact protection slab should be laid between the cable and pipeline if cable crossing is above the pipeline.
- A Deed of Consent is required for any cable crossing the easement.
- Where a new service is to cross over the pipeline a clearance distance of 0.6 metres between the crown of the pipeline and underside of the service should be maintained. If this cannot be achieved the service shall cross below the pipeline with a clearance distance of 0.6 metres.

General Notes on Pipeline Safety:

- You should be aware of the Health and Safety Executives guidance document HS(G) 47 "Avoiding Danger from Underground Services", and National Grid's specification for Safe Working in the Vicinity of National Grid High Pressure gas pipelines and associated installations - requirements for third parties T/SP/SSW22.
- National Grid will also need to ensure that our pipelines access is maintained during and after construction.
- Our pipelines are normally buried to a depth cover of 1.1 metres however; actual depth and position must be confirmed on site by trial hole investigation under the supervision of a National Grid representative. Ground cover above our pipelines should not be reduced or increased.
- If any excavations are planned within 3 metres of National Grid High Pressure Pipeline or, within 10 metres of an AGI (Above Ground Installation), or if any embankment or dredging works are proposed then the actual position and depth of the pipeline must be established on site in the presence of a National Grid representative. A safe working method agreed

National Grid house
Warwick Technology Park
Gallows Hill, Warwick
CV34 6DA

prior to any work taking place in order to minimise the risk of damage and ensure the final depth of cover does not affect the integrity of the pipeline.

- Excavation works may take place unsupervised no closer than 3 metres from the pipeline once the actual depth and position has been has been confirmed on site under the supervision of a National Grid representative. Similarly, excavation with hand held power tools is not permitted within 1.5 metres from our apparatus and the work is undertaken with NG supervision and guidance.

To view the SSW22 Document, please use the link below:
http://www2.nationalgrid.com/WorkArea/DownloadAsset.aspx?id=33968

To view the National Grid Policy's for our Sense of Place Document. Please use the link below:
http://www2.nationalgrid.com/uk/services/land-and-development/publications/

To download a copy of the HSE Guidance HS(G)47, please use the following link:
http://www.hse.gov.uk/pubns/books/hsg47.htm

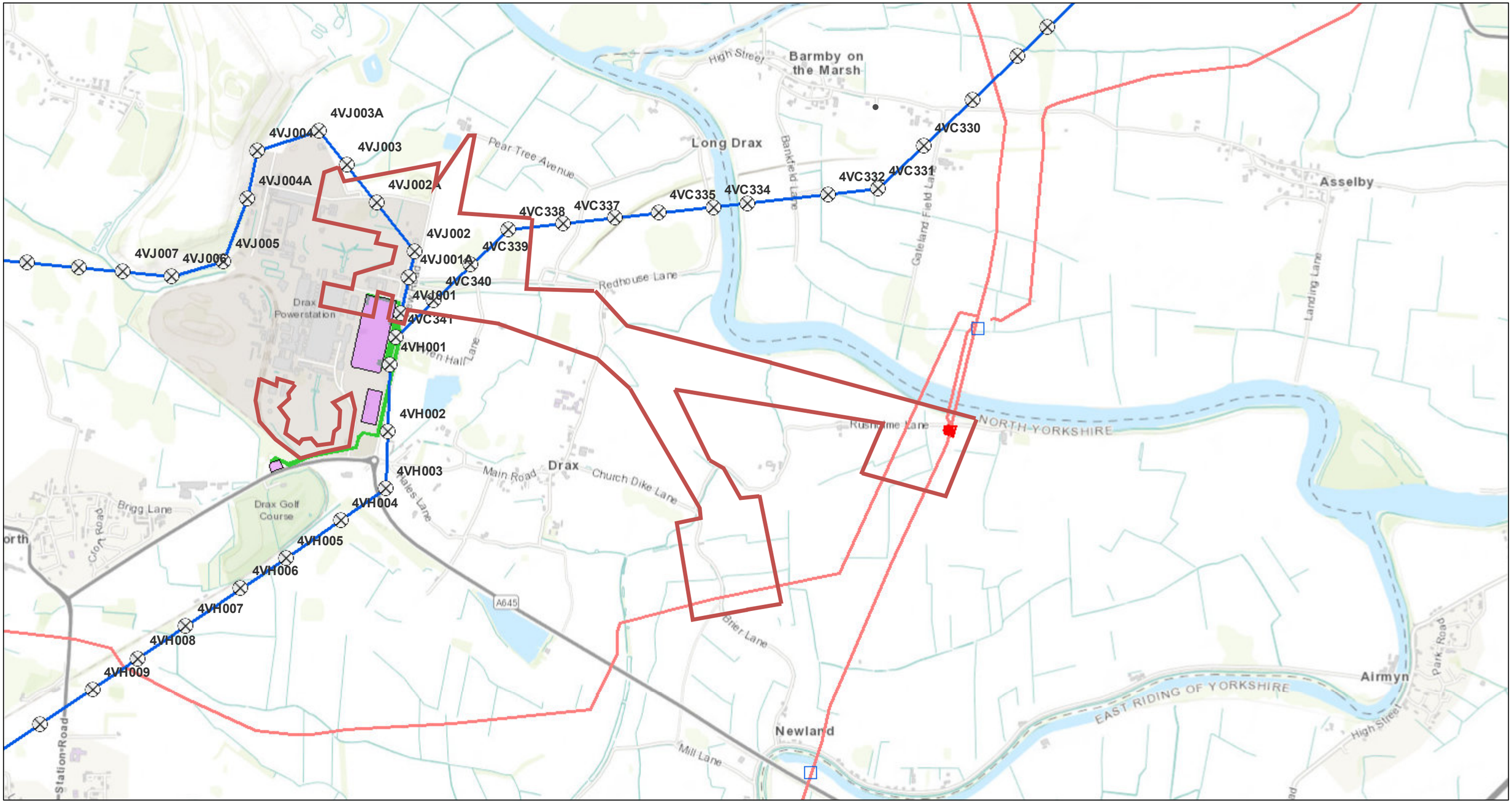
Further information in relation to in proximity to National Grid's apparatus can be found at:
http://www2.nationalgrid.com/UK/Safety/Library/

I hope the above information is useful. If you require any further information please do not hesitate to contact me.

Yours sincerely

Spencer Jefferies
Development Liaison Officer, Land and Acquisitions.

ArcGIS Web Map



October 12, 2017

1:36,112

0 0.35 0.7 1.4 mi

0 0.5 1 2 km

Above Ground Installations - 15/12/15

- Block Valve (BV)
- Transferred Offtake (XT)
- Substation_Site
- Towers

OHL (Over-head Line)

- 400
- Cables

Gas Pipe Feeder - 14/12/15

- N

AGI Boundary

- Operational (OPB)
- Site (STB)
- Joint Bay

Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS

Web AppBuilder for ArcGIS

From: ALLEN, Sarah J [mailto:Sarah.ALLEN@nats.co.uk] **On Behalf Of** NATS Safeguarding
Sent: 14 September 2017 10:08
To: Drax Re-power
Subject: RE: Drax Repower project - EIA Scoping consultation (SG20489)

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours Faithfully

NATS Safeguarding

D: 01489 444687
E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk

Date: 12 October 2017
Our ref: 226033
Your ref: EN010091-000170

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Hannah Pratt
Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square, Bristol BS1 6PN

BY EMAIL ONLY

Dear Hannah

Environmental Impact Assessment Scoping consultation (Regulation 15 (3) (i) of the EIA Regulations 2011): Drax Repower Project
Location:

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in your consultation dated 11 October 2017.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Case law[1] and guidance[2] has stressed the need for a full set of environmental information to be available for consideration prior to a decision being taken on whether or not to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for this development.

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact James Walsh on 0208 026 8639. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

James Walsh
Yorkshire & Northern Lincolnshire Team

[1] Harrison, J in *R. v. Cornwall County Council ex parte Hardy* (2001)
[2] *Note on Environmental Impact Assessment Directive for Local Planning* Authorities Office of the Deputy Prime Minister (April 2004) available from http://webarchive.nationalarchives.gov.uk/+/http://www.communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/noteenvironmental/

Annex A – Advice related to EIA Scoping Requirements

1. General Principles

Schedule 4 of the Town & Country Planning (Environmental Impact Assessment) Regulations 2011, sets out the necessary information to assess impacts on the natural environment to be included in an ES, specifically:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc.) resulting from the operation of the proposed development.
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen.
- A description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the interrelationship between the above factors.
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium and long term, permanent and temporary, positive and negative effects. Effects should relate to the existence of the development, the use of natural resources and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment.
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment.
- A non-technical summary of the information.
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

It will be important for any assessment to consider the potential cumulative effects of this proposal, including all supporting infrastructure, with other similar proposals and a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and current applications. A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

2. Biodiversity and Geology

2.1 Ecological Aspects of an Environmental Statement

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. Guidelines for Ecological Impact Assessment (EcIA) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM) and are available on their website.

EcIA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EcIA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal.

The National Planning Policy Framework sets out guidance in S.118 on how to take account of biodiversity interests in planning decisions and the framework that local authorities should provide to assist developers.

2.2 Internationally and Nationally Designated Sites

The ES should thoroughly assess the potential for the proposal to affect designated sites. European sites (eg designated Special Areas of Conservation and Special Protection Areas) fall within the scope of the Conservation of Habitats and Species Regulations 2010. In addition paragraph 118 of the National Planning Policy Framework requires that potential Special Protection

Areas, possible Special Areas of Conservation, listed or proposed Ramsar sites, and any site identified as being necessary to compensate for adverse impacts on classified, potential or possible SPAs, SACs and Ramsar sites be treated in the same way as classified sites.

Under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 an appropriate assessment needs to be undertaken in respect of any plan or project which is (a) likely to have a significant effect on a European site (either alone or in combination with other plans or projects) and (b) not directly connected with or necessary to the management of the site.

Should a Likely Significant Effect on a European/Internationally designated site be identified or be uncertain, the competent authority (in this case the Local Planning Authority) may need to prepare an Appropriate Assessment, in addition to consideration of impacts through the EIA process.

Sites of Special Scientific Interest (SSSIs) and sites of European or international importance (Special Areas of Conservation, Special Protection Areas and Ramsar sites)
The development site is in close proximity to the River Derwent Special Area of Conservation (SAC) and Site of Special Scientific Interest (SSSI).

Further information on the SAC / SSSI and its special interest features can be found at www.magic.gov . The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the site and should identify such mitigation measures as may be required in order to avoid, minimise or reduce any adverse significant effects.

Natura 2000 network site conservation objectives are available online at http://publications.naturalengland.org.uk/category/6490068894089216

2.3 Regionally and Locally Important Sites
The EIA will need to consider any impacts upon local wildlife and geological sites. Local Sites are identified by the local wildlife trust, geoconservation group or a local forum established for the purposes of identifying and selecting local sites. They are of county importance for wildlife or geodiversity. The Environmental Statement should therefore include an assessment of the likely impacts on the wildlife and geodiversity interests of such sites. The assessment should include proposals for mitigation of any impacts and if appropriate, compensation measures. Contact the local wildlife trust, geoconservation group or local sites body in this area for further information.

2.4 Protected Species - Species protected by the Wildlife and Countryside Act 1981 (as amended) and by the Conservation of Habitats and Species Regulations 2010
The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species. Records of protected species should be sought from appropriate local biological record centres, nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment.

The conservation of species protected by law is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

We welcome the proposed protected species surveys as set out in Section 7.5.4 of the the EIA Scoping Report. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and where necessary, licensed, consultants. Natural England has

adopted standing advice for protected species which includes links to guidance on survey and mitigation.

2.5 Habitats and Species of Principal Importance
The ES should thoroughly assess the impact of the proposals on habitats and/or species listed as 'Habitats and Species of Principal Importance' within the England Biodiversity List, published under the requirements of S41 of the Natural Environment and Rural Communities (NERC) Act 2006. Section 40 of the NERC Act 2006 places a general duty on all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further information on this duty is available here https://www.gov.uk/guidance/biodiversity-duty-public-authority-duty-to-have-regard-to-conserving-biodiversity.

Government Circular 06/2005 states that Biodiversity Action Plan (BAP) species and habitats, 'are capable of being a material consideration…in the making of planning decisions'. Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the ES. Consideration should also be given to those species and habitats included in the relevant Local BAP.

We note from the EIA Scoping Report that an extended Phase 1 habitat survey is being carried out. The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (eg from previous surveys);
- Additional surveys carried out as part of this proposal;
- The habitats and species present;
- The status of these habitats and species (eg whether priority species or habitat);
- The direct and indirect effects of the development upon those habitats and species;
- Full details of any mitigation or compensation that might be required.

The development should seek if possible to avoid adverse impact on sensitive areas for wildlife within the site, and if possible provide opportunities for overall wildlife gain.

The record centre for the relevant Local Authorities should be able to provide the relevant information on the location and type of priority habitat for the area under consideration.

2.6 Contacts for Local Records
Natural England does not hold local information on local sites, local landscape character and local or national biodiversity priority habitats and species. We recommend that you seek further information from the appropriate bodies (which may include the local records centre, the local wildlife trust, local geoconservation group or other recording society and a local landscape characterisation document).

Local Record Centre (LRC) in Selby please contact:

North & East Yorkshire Ecological Data Centre
5 College Street
York
Y01 7JF
Tel: 01904 641631
Email: info@neyedc.gov.uk

Geological sites in Selby please contact:

North Yorkshire Geodiversity Partnership
10 St Olave's Close
Whitcliffe Lane
Ripon
HG4 2JF

Tel: 01765 600749
Email: adriankidd@worldonline.co.uk

3. Designated Landscapes and Landscape Character

Landscape and visual impacts
Natural England would wish to see details of local landscape character areas mapped at a scale appropriate to the development site as well as any relevant management plans or strategies pertaining to the area. The EIA should include assessments of visual effects on the surrounding area and landscape together with any physical effects of the development, such as changes in topography. The European Landscape Convention places a duty on Local Planning Authorities to consider the impacts of landscape when exercising their functions.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using landscape assessment methodologies. We encourage the use of Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute and Institute of Environmental Assessment in 2013. LCA provides a sound basis for guiding, informing and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character, as detailed proposals are developed.

We are pleased to note from Section 7.6.4 of the report that the Landscape and Visual Impact Assessment will be carried out in accordance with the *Guidelines for Landscape and Visual Impact Assessment*, produced by the Landscape Institute and the Institute of Environmental Assessment and Management in 2013 (3rd edition).

In order to foster high quality development that respects, maintains, or enhances, local landscape character and distinctiveness, Natural England encourages all new development to consider the character and distinctiveness of the area, with the siting and design of the proposed development reflecting local design characteristics and, wherever possible, using local materials. The Environmental Impact Assessment process should detail the measures to be taken to ensure the building design will be of a high standard, as well as detail of layout alternatives together with justification of the selected option in terms of landscape impact and benefit.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. In this context Natural England advises that the cumulative impact assessment should include other proposals currently at Scoping stage. Due to the overlapping timescale of their progress through the planning system, cumulative impact of the proposed development with those proposals currently at Scoping stage would be likely to be a material consideration at the time of determination of the planning application.

The assessment should refer to the relevant National Character Areas which can be found on our website. Links for Landscape Character Assessment at a local level are also available on the same page.

Heritage Landscapes
You should consider whether there is land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific or historic interest. An up-to-date list may be obtained at www.hmrc.gov.uk/heritage/lbsearch.htm.

4. Access and Recreation
Natural England encourages any proposal to incorporate measures to help encourage people to access the countryside for quiet enjoyment. Measures such as reinstating existing footpaths together with the creation of new footpaths and bridleways are to be encouraged. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Rights of Way, Access land, Coastal access and National Trails
The EIA should consider potential impacts on access land, public open land, rights of way and coastal access routes in the vicinity of the development. We also recommend reference to the relevant Right of Way Improvement Plans (ROWIP) to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

5. Soil and Agricultural Land Quality
Impacts from the development should be considered in light of the Government's policy for the protection of the best and most versatile (BMV) agricultural land as set out in paragraph 112 of the NPPF. We also recommend that soils should be considered under a more general heading of sustainable use of land and the ecosystem services they provide as a natural resource in line with paragraph 109 of the NPPF.

Soil is a finite resource that fulfils many important functions and services (ecosystem services) for society, for example as a growing medium for food, timber and other crops, as a store for carbon and water, as a reservoir of biodiversity and as a buffer against pollution. It is therefore important that the soil resources are protected and used sustainably.

The applicant should consider the following issues as part of the Environmental Statement:

1. The degree to which soils are going to be disturbed/harmed as part of this development and whether 'best and most versatile' agricultural land is involved.

   This may require a detailed survey if one is not already available. For further information on the availability of existing agricultural land classification (ALC) information see www.magic.gov.uk. Natural England Technical Information Note 049 - *Agricultural Land Classification: protecting the best and most versatile agricultural land* also contains useful background information.

2. If required, an agricultural land classification and soil survey of the land should be undertaken. This should normally be at a detailed level, eg one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, ie 1.2 metres.

3. The Environmental Statement should provided details of how any adverse impacts on soils can be minimised. Further guidance is contained in the *Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites*.

6. Air Quality
Air quality in the UK has improved over recent decades but air pollution remains a significant issue; for example over 97% of sensitive habitat area in England is predicted to exceed the critical loads for ecosystem protection from atmospheric nitrogen deposition (England Biodiversity Strategy, Defra 2011). A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The assessment should take account of the risks of air pollution and how these can be managed or reduced. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk). Further information on air pollution modelling and assessment can be found on the Environment Agency website.

7. Climate Change Adaptation
The England Biodiversity Strategy published by Defra establishes principles for the consideration of biodiversity and the effects of climate change. The ES should reflect these principles and identify how the development's effects on the natural environment will be influenced by climate change, and how ecological networks will be maintained. The NPPF requires that the planning system should contribute to the enhancement of the natural environment 'by establishing coherent ecological

networks that are more resilient to current and future pressures' (NPPF Para 109), which should be demonstrated through the ES.

8. Cumulative and in-combination effects

A full consideration of the implications of the whole scheme should be included in the ES. All supporting infrastructure should be included within the assessment.

The ES should include an impact assessment to identify, describe and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment, (subject to available information):

a. existing completed projects;
b. approved but uncompleted projects;
c. ongoing activities;
d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and
e. plans and projects which are reasonably foreseeable, ie projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

From: Newland Parish Council [mailto:newlandpc@hotmail.co.uk]
Sent: 29 September 2017 14:22
To: Drax Re-power
Cc: Long Drax
Subject: Newland Parish Council response

Good afternoon,

Please note that the Newland Parish Council wishes to be consulted at all stages of the planning application.

Firstly, the Council will be concerned on the environmental issues arising from the use of the A645 link road which bisects Newland for the movement of the traffic connected with the construction of the proposed development. In particular the scoping document should ensure that the applicant prepares a full enquiry into the viability of using the River Ouse to bring in the large items of plant and machinery.

Both the proposed routes for the gas pipelines serving the development run through the Parish. Access would by Church Dike Lane, and either Rusholme Lane or Brier Lane. Rusholme Lane is a single track road unsuitable for any kind of large vehicles. Brier Lane is already overused by HGVs and could not support additional traffic especially during the harvest period.

Please ensure that these concerns will be included in the scoping document.

Regards,

Stephen Greenwood,
Chair, Newland Parish Council.
Newland Hall Newland
Selby YO8 8PS

01757 617418

From: Mark Hill [mailto:m.hill@northyorkmoors.org.uk]
Sent: 04 October 2017 08:10
To: Hannah Pratt
Cc: Rachel Smith
Subject: FW: Drax Repower project - EIA Scoping consultation

Dear Ms Pratt, I can confirm that the North York Moors National Park Authority has no comments to make on the project.

Mark Hill
Head of Development Management
Normal Workdays : Monday to Thursday

North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Tel. no. 01439 772700
Web: www.northyorkmoors.org.uk

North Yorkshire County Council

The Planning Inspectorate

By email DraxRe-power@pins.gsi.gov.uk

Michael Reynolds
Business and Environmental Services
East Block
County Hall
Racecourse Lane
Northallerton
DL7 8AD

Our Ref: Michael Reynolds
Your Ref: EN010091-000170

Tel: 01609 523253

Date: 12 October 2017

Email:
michael.reynolds@northyorks.gov.uk

Dear Sirs

Drax Re-Power Project
Scoping Consultation

Thank you for consulting North Yorkshire County Council and Selby District Council on the scoping report for the above proposed project. This response is on behalf of both Authorities.

The following are points raised by the different service areas across the two Authorities:

Ecology

Thank you for your consultation on the above scoping document at this early stage.

I agree with the scoping report that a Habitat Regulations Assessment (HRA) should be undertaken by the consenting authority and as such the applicant must provide sufficient information in order that the authority can fully assess the proposals against the conservation objectives and qualifying features of the site. If any Natura 2000 sites are scoped out of the HRA sufficient justification for this should be included.

In terms of other designated sites not included within Table 4.4 the applicant should consult the North and East Yorkshire Ecological Data Centre (NEYEDC) for an up to date list of Local Wildlife Sites (known in North Yorkshire as Sites of Importance for Nature Conservation (SINC)) which are designated by Selby District Council, as several exist within the area surrounding Drax Power Station. The NEYEDC can also provide records of priority habitat, protected and notable species from the area.

I fully support the inclusion of ecological receptors within the air quality assessments – this information will be important in informing the HRA process.

In 7.5.1 sensitive receptors are set out and I would agree with the inclusion of all of these, however it notes that sensitive receptors are listed in Table 4.4 but this is not the case – only statutory

designated sites are included within table 4.4. The table does not include non-statutory sites, priority habitat and protected/notable species.

Paragraph 7.5.2 notes that there will be no construction related air quality impacts in excess of 2km from the site. It is also notes that there are no statutory designated sites within 2km and therefore there is no perceived impact upon ecological receptors within 2km (related to construction) – however this is incorrect as Table 4.4 correctly identifies that the River Derwent SAC and SSSI falls within 0.7km of the proposed scheme and Eskamhorn Meadows SSSI is within 1.1km of the proposed scheme. It is therefore recommended that construction related air quality impacts are not scoped out of the EIA.

The approach to ecological assessment set out in 7.5.4 & 7.5.5 is supported as it follows current best practice guidance. In previous ecological survey work carried out in the area of Drax Power Station, grass snake has been found to be present and as such I would recommend that reptiles are included within the survey and assessment methodology.

Landscape

I would agree with most of the draft scoping report however I would add that the report should include some considerations of:

- The impact on the Trans-Pennine Trail which will be impacted principally visually but potentially in other environmental ways.
- Reference to the importance in the landscape of the river Ouse should be made.
- The Aire and Calder Navigation Canal is probably too far distant to be impacted by this development significantly however it again should be noted as a feature.

In terms of the impact of the pipeline – some assessment of the potential damage to existing mature farmland pattern should be made.

In terms of references to local strategies the scoping report should reference the North Yorkshire and York Local Nature Partnership strategy.

Environmental Health – Air Quality and Noise

I have read sections 7.2 and 7.3 of the Environmental Impact Scoping Report in relation to Air quality and Noise. At this stage it appears that the scoping report is only concerned with proposing the method in order to assess the potential impact of the demolition, construction and operational phases of the development. I can confirm that the proposed assessment methodology is suitable so far as this department's interests are concerned.

The Highways Authority

From reading the section concerning transport and understanding how the local network performs in the area, the Highways Authority is comfortable with the report in so far that additional work has been identified.

Information about the possible number of construction vehicles and whether there are any anticipated capacity problems on the network should be included in a Transport Assessment. The Highways Authority would expect a Transport Assessment to form part of the application.

The Authority would welcome the opportunity to see what if any mitigation measures are proposed.

Whilst we anticipate that the applicant has already done so we would take the opportunity to remind the applicant that Highways England will need to be consulted.

Socio Economic

Upon reading para 7.10.2 there is an assumption that the construction workforce will be based locally – amounting to about 1200 jobs and post Brexit there may be additional pressures on the UK construction such that they will have to look further afield for workers with the required skills. There are currently c. 1750 construction jobs in Selby District.

NYCC Archaeology

The Scoping Report includes a good summary of heritage assets in section 4.8 (and Fig. 2). Section 7.4.4. sets out the proposed methodology for the assessment of impact on heritage assets.

The approach sets out a proposal for desk based assessment. This methodology is appropriate for the existing power station site which is likely to have a very low archaeological potential.

I would recommend that additional archaeological field evaluation consisting of geophysical survey, followed by trial trenching where appropriate, takes place for those parts of the pipeline routes where archaeological fieldwork has not previously taken place, in order that proper assessment can be made of non-designated heritage assets of archaeological interest.

Environmental Policy

<u>Project design / scope</u>

There is uncertainty / flexibility within the scope the project e.g. the number of repowered turbines, inclusion of the pipeline as associated development etc. The use of a Rochdale Envelope or design flexibility is well established but it is important that the worst case scenario on relevant receptors is considered for the project envelope.

Specifically with regard to the pipeline (which is classed as associated development), We would advise that even if they do not include the infrastructure for development consent, then they should still consider the impacts of the pipeline as part of the ES (in order to ensure that the impacts of the whole project is considered) – it does appear as though this is the approach the applicant is taking.

<u>Consideration of alternatives</u>

The 2017 EIA amendments require consideration of reasonable alternatives.The approach proposed seems reasonable and proportional to the project (and its constraints) and broadly in line with EN-1 e.g. to look at alternative techs, fuels, pipeline routes etc. However, the section also seems to imply

that all changes to the scheme overtime are to be logged as primary mitigation but certain changes may be due to non-environmental constraints e.g. financial constraints / decisions.

ES Structure

Following the transposition of the 2014 EIA Directive changes early this year, the ES must be accompanied by a statement from the applicant outlining relevant expertise or qualifications of those producing the ES. This is not technically a requirement of the ES (the statement should be provided to support it) but might be worth flagging up as something they need to provide.

Climate Change section (s'6.1.1)

They have screened out climate change as being insignificant and not to be considered any further. EN-1 and broader government policy and obligations for carbon reduction should not prohibit the development, and the change from coal to CCGT is broadly a good thing with regards to greenhouse gas emissions. However, the current EIA Regs requires consideration of climate change (CC), with regards to the impacts of the proposed development on CC and its resilience to CC, but I am not sure that provided adequate justification:

- They advise they will be a change in emissions of CO2 but don't define what the change is (I assume it goes up overall) or what baseline they are measuring from?
- They advise that per MW the emissions is lower – but I am not sure that this is a sufficient way of justifying it being screened out. I would imagine that this should be looked at by how it effects emissions from a baseline rather than what CO2 it produces per MW.

It is hoped that further justification or clarification is to be provided for it to be screened out of the EIA. However, they then appear to then go on to screen "climate impacts of CO2" in to the air quality section which is a little confusing. It maybe that the EIA doesn't need to consider CC impacts of the project because they are not significant or that they have already been mitigated but this isn't clear..

There is also little information provided on adaption and resilience to CC (although they highlight its requirement within relevant NPS), and it is now an EIA requirement. They are considering CC with regards to flood risk and inform that they will consider adaption in the project description (ES Chapter 3) but it is not clear what this will include or if it is fit for purpose at this stage.

Major Accidents or Incidents

Again, this is new requirement of the 2017 EIA Regs which requires them to consider the significant effects which may arise from relevant major accidents or incidents. The only reference within the document is that major accidents or incidents will be considered as part of Chapter 3 of the ES (Project Description). It is assumed the applicant will detail measures and steps to prevent and control such matters (including those which may be as a result of CC) but I am not sure that this is sufficient at this stage. They have neither screened in or out such matters from the EIA due to its environmental significance or lack of, and therefore, more justification or information is is considered necessary at this stage.

Selby District Council Planning Policy

The approach to agricultural land and pipe route and the intention to scope the former out of the ES concerns me; there is very little on how existing land drainage will be assessed and although I do not know how field drainage generally works in this area, my experience of other linear NSIPs is that the presence of things like tile drains and their truncation/ interruption with the pipe route will be a concern to land owners and farmers and could take some Examination time.

On soil reinstatement, and dependent on the method of installation of the pipe, this is also a potential issue since soil quality does take some time to recover. There is nothing to say that individual land owners have been contacted or the background to the pipe route(s) selection and also nothing on how the actual connection is made to the high pressure main (?) or the need for any above ground maintenance or inspection chambers. I wonder will there be jointing bays and are these also to remain accessible for inspection etc. – good practice would be to have them on field boundaries rather than in the middle of fields.

I might have missed it, but I could not see anything specific on how the pipe is laid, either through cut and trench and horizontal drilling under any highways or water courses. I think the method of the pipe installation should inform the Scoping.

On archaeology, the ES should identify how the two remaining likely routes have been arrived at and identify the nature of how any geophysical investigation has helped to inform the route selection….I have experience of Historic England seeking full geophysical investigation of a route corridor before they would support any DCO.

Flood Defences

We have no comments to make on the scoping report other than that any major development planning application will be assessed on the basis of NYCC SuDS Design Guidance.

Should you have any queries regarding any of the above please do not hesitate to contact me.

Yours faithfully

Michael Reynolds
Senior Policy Officer (Infrastructure)
Growth, Planning & Trading Standards

Northern Gas Networks
1st Floor
1 Emperor Way
Doxford International Business Park
Sunderland
SR3 3XR

Telephone No: 0800 040 7766
www.northerngasnetworks.co.uk

24 hour gas escape
number 0800 111 999

*calls will be recorded and may be monitored

Our Ref: 301666657
Your Ref:
Date: 26.09.2017

Hannah Pratt
The Planning Inspectorate
Temple Quay House
3G 2 The Square
Bristol BS1 6PN

Dear Sir / Madam,

No Objection to Planning Application at:

, Drax Power Station, New Road, Drax, Selby, YO8 8PH.

Northern Gas Networks acknowledges receipt of the planning application and proposals at the above location.

Northern Gas Networks has no objections to these proposals, however there may be apparatus in the area that may be at risk during construction works and should the planning application be approved, then we require the promoter of these works to contact us directly to discuss our requirements in detail. Should diversionary works be required these will be fully chargeable.

We enclose an extract from our mains records of the area covered by your proposals together with a comprehensive list of precautions for your guidance. This plan shows only those mains owned by Northern Gas Networks in its role as a Licensed Gas Transporter (GT). Privately owned networks and gas mains owned by other GT's may also be present in this area. Where Northern Gas Networks knows these they will be represented on the plans as a shaded area and/or a series of x's. Information with regard to such pipes should be obtained from the owners. The information shown on this plan is given without obligation, or warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, siphons, stub connections, etc., are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, its agents or servants for any error or omission. The information included on the enclosed plan should not be referred to beyond a period of 28 days from the date of issue.

If you have any further enquires please contact the number below.

Yours faithfully,

JENNIE ADAMS
Network Records Assistant
0800 040 7766

Northern Gas Networks Limited
Registered in England & Wales No 5167070
Registered Office
1100 Century Way Colton
Leeds LS15 8TU

463000 463500 464000 464500 465000 465500 466000 466500 467000 467500 468000 468500 469000 469500 470000 470500 471000 471500 472000

428000 427500 427000 426500 426000 425500 425000 424500 424000

Scale	1:8,000
User ID	N800002
Date	26/09/2017 13:14:08
Grid Ref	E: 467540 ,N:427140
ADVANCED PLOT	

Low Pressure
Medium Pressure
Intermediate Pressure
Regional High Pressure
Abandoned LP Pipe
Abandoned MP Pipe

0 125 250 500 Metres

Some examples of Plant Items:
Valve, Depth of Cover, Syphon, Diameter Change, Material Change

Drax Power Station, New Rd, Drax, Selby YO8 8PH

This plan shows those pipes owned by Northern Gas Networks or the relevant Gas Distribution Network in their roles as Licensed Gas Transporters (GT). Gas pipes owned by other GTs, or otherwise privately owned, may be present in this area. Information with regard to such pipes should be obtained from the relevant owners. The information shown on this plan is given without warranty, the accuracy thereof cannot be guaranteed. Service pipes, valves, syphons, stub connections, etc. are not shown but their presence should be anticipated. No liability of any kind whatsoever is accepted by Northern Gas Networks, the relevant Gas Distribution Network, or their agents, servants or contractors for any error or omission. Safe digging practices, in accordance with HS(G)47, must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. It is your responsibility to ensure that this information is provided to all persons (either direct labour or contractors) working for you on or near gas apparatus. The information included on this plan should not be referred to beyond a period of 28 days from the date of issue.

Northern Gas Networks

ArcGIS Server 9.3.1

Public Health England

CRCE/NSIP Consultations
Chilton
Didcot
Oxfordshire OX11 0RQ

T +44 (0) 1235 825278
F +44 (0) 1235 822614

www.gov.uk/phe

Ms Hannah Pratt
Senior EIA and Land Rights Advisor
The Planning Inspectorate
3D Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Your Ref : EN010091-000170

Our Ref : 39197

6th October 2017

Dear Hannah,

Re: Scoping Consultation
Application for an Order Granting Development Consent for the Drax Repower Project

Thank you for consulting Public Health England (PHE) in the scoping phase of the above application. Our response focuses on health protection issues relating to chemicals, poisons and radiation. Advice offered by PHE is impartial and independent.

We understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the Environmental Statement (ES). We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an ES, we recognise that the differing nature of projects is such that their impacts will vary. Any assessments undertaken to inform the ES should be proportionate to the potential impacts of the proposal, therefore we accept that, in some circumstances particular assessments may not be relevant to an application, or that an assessment may be adequately completed using a qualitative rather than quantitative methodology. In cases where this decision is made the promoters should fully explain and justify their rationale in the submitted documentation.

The attached appendix outlines generic areas that should be addressed by all promoters when preparing ES for inclusion with an NSIP submission. We are happy to assist and discuss proposals further in the light of this advice.

Yours sincerely,

Haymond Lam
Environmental Public Health Scientist

nsipconsultations@phe.gov.uk

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

Appendix: PHE recommendations regarding the scoping document

General approach

The Environmental Impact Assessment (EIA) should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA[1]. It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

It is not PHE's role to undertake these assessments on behalf of promoters as this would conflict with PHE's role as an impartial and independent body.

Consideration of alternatives (including alternative sites, choice of process, and the phasing of construction) is widely regarded as good practice. Ideally, EIA should start at the stage of site and process selection, so that the environmental merits of practicable alternatives can be properly considered. Where this is undertaken, the main alternatives considered should be outlined in the Environmental Statement (ES)[2].

The following text covers a range of issues that PHE would expect to be addressed by the promoter. However this list is not exhaustive and the onus is on the promoter to ensure that the relevant public health issues are identified and addressed. PHE's advice and recommendations carry no statutory weight and constitute non-binding guidance.

Receptors

The ES should clearly identify the development's location and the location and distance from the development of off-site human receptors that may be affected by emissions from, or activities at, the development. Off-site human receptors may include people living in residential premises; people working in commercial, and industrial premises and people using transport infrastructure (such as roads and railways), recreational areas, and publicly-accessible land. Consideration should also be given to environmental receptors such as the surrounding land, watercourses, surface and groundwater, and drinking water supplies such as wells, boreholes and water abstraction points.

Impacts arising from construction and decommissioning

Any assessment of impacts arising from emissions due to construction and decommissioning should consider potential impacts on all receptors and describe monitoring and mitigation during these phases. Construction and decommissioning will be associated with vehicle movements and cumulative impacts should be accounted for.

---

[1] Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from: http://webarchive.nationalarchives.gov.uk/20100410180038/http:/communities.gov.uk/planningandbuilding/planning/sustainabilityenvironmental/environmentalimpactassessment/

[2] DCLG guidance, 1999 http://www.communities.gov.uk/documents/planningandbuilding/pdf/155958.pdf

We would expect the promoter to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The promoter should ensure that there are robust mechanisms in place to respond to any complaints of traffic-related pollution, during construction, operation, and decommissioning of the facility.

Emissions to air and water

Significant impacts are unlikely to arise from installations which employ Best Available Techniques (BAT) and which meet regulatory requirements concerning emission limits and design parameters. However, PHE has a number of comments regarding emissions in order that the EIA provides a comprehensive assessment of potential impacts.

When considering a baseline (of existing environmental quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions
- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)
- should include consideration of local authority, Environment Agency, Defra national network, and any other local site-specific sources of monitoring data
- should compare predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as UK Air Quality Standards and Objectives and Environmental Assessment Levels)
    - If no standard or guideline value exists, the predicted exposure to humans should be estimated and compared to an appropriate health-based value (a Tolerable Daily Intake or equivalent). Further guidance is provided in Annex 1
    - This should consider all applicable routes of exposure e.g. include consideration of aspects such as the deposition of chemicals emitted to air and their uptake via ingestion
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which

may be affected by emissions, this should include consideration of any new receptors arising from future development

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken. PHE's view is that the EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that standards, guideline values or health-based values will not be exceeded due to emissions from the installation, as described above. This should include consideration of any emitted pollutants for which there are no set emission limits. When assessing the potential impact of a proposed installation on environmental quality, predicted environmental concentrations should be compared to the permitted concentrations in the affected media; this should include both standards for short and long-term exposure.

Additional points specific to emissions to air
When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- should include modelling using appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
- should include modelling taking into account local topography

Additional points specific to emissions to water
When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts these:

- should include assessment of potential impacts on human health and not focus solely on ecological impacts
- should identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; recreational waters; sewers; geological routes etc.)
- should assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- should include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water

Land quality
We would expect the promoter to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report. Emissions to and from the ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with ground contamination and/or the

migration of material off-site should be assessed[3] and the potential impact on nearby receptors and control and mitigation measures should be outlined.
Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with ground contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).
For wastes arising from the installation the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated

Other aspects

Within the EIA PHE would expect to see information about how the promoter would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should: identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; and identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The EIA should include consideration of the COMAH Regulations (Control of Major Accident Hazards) and the Major Accident Off-Site Emergency Plan (Management of Waste from Extractive Industries) (England and Wales) Regulations 2009: both in terms of their applicability to the installation itself, and the installation's potential to impact on, or be impacted by, any nearby installations themselves subject to the these Regulations.

There is evidence that, in some cases, perception of risk may have a greater impact on health than the hazard itself. A 2009 report[4], jointly published by Liverpool John Moores University and the HPA, examined health risk perception and environmental problems using a number of case studies. As a point to consider, the report suggested: "Estimation of community anxiety and stress should be included as part of every risk or impact assessment of proposed plans that involve a potential environmental hazard. This is true even when the physical health risks may be

[3] Following the approach outlined in the section above dealing with emissions to air and water i.e. comparing predicted environmental concentrations to the applicable standard or guideline value for the affected medium (such as Soil Guideline Values)
[4] Available from: http://www.cph.org.uk/wp-content/uploads/2012/08/health-risk-perception-and-environmental-problems--summary-report.pdf

negligible.” PHE supports the inclusion of this information within EIAs as good practice.

Electromagnetic fields (EMF)

This statement is intended to support planning proposals involving electrical installations such as substations and connecting underground cables or overhead lines. PHE advice on the health effects of power frequency electric and magnetic fields is available in the following link:

https://www.gov.uk/government/collections/electromagnetic-fields#low-frequency-electric-and-magnetic-fields

There is a potential health impact associated with the electric and magnetic fields around substations, and power lines and cables. The field strength tends to reduce with distance from such equipment.

The following information provides a framework for considering the health impact associated with the electric and magnetic fields produced by the proposed development, including the direct and indirect effects of the electric and magnetic fields as indicated above.

Policy Measures for the Electricity Industry

The Department of Energy and Climate Change has published a voluntary code of practice which sets out key principles for complying with the ICNIRP guidelines:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/37447/1256-code-practice-emf-public-exp-guidelines.pdf

Companion codes of practice dealing with optimum phasing of high voltage power lines and aspects of the guidelines that relate to indirect effects are also available:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/48309/1255-code-practice-optimum-phasing-power-lines.pdf

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/224766/powerlines_vcop_microshocks.pdf

Exposure Guidelines

PHE recommends the adoption in the UK of the EMF exposure guidelines published by the International Commission on Non-ionizing Radiation Protection (ICNIRP). Formal advice to this effect was published by one of PHE’s predecessor organisations (NRPB) in 2004 based on an accompanying comprehensive review of the scientific evidence:-

http://webarchive.nationalarchives.gov.uk/20140629102627/http://www.hpa.org.uk/Publications/Radiation/NPRBArchive/DocumentsOfTheNRPB/Absd1502/

Updates to the ICNIRP guidelines for static fields have been issued in 2009 and for low frequency fields in 2010. However, Government policy is that the ICNIRP guidelines are implemented in line with the terms of the 1999 EU Council Recommendation on limiting exposure of the general public (1999/519/EC):

http://webarchive.nationalarchives.gov.uk/+/www.dh.gov.uk/en/Publichealth/Healthprotection/DH_4089500

Static magnetic fields

For static magnetic fields, the ICNIRP guidelines published in 2009 recommend that acute exposure of the general public should not exceed 400 mT (millitesla), for any part of the body, although the previously recommended value of 40 mT is the value used in the Council Recommendation. However, because of potential indirect adverse effects, ICNIRP recognises that practical policies need to be implemented to prevent inadvertent harmful exposure of people with implanted electronic medical devices and implants containing ferromagnetic materials, and injuries due to flying ferromagnetic objects, and these considerations can lead to much lower restrictions, such as 0.5 mT.

Power frequency electric and magnetic fields

At 50 Hz, the known direct effects include those of induced currents in the body on the central nervous system (CNS) and indirect effects include the risk of painful spark discharge on contact with metal objects exposed to the field. The ICNIRP guidelines published in 1998 give reference levels for public exposure to 50 Hz electric and magnetic fields, and these are respectively 5 kV m^{-1} (kilovolts per metre) and 100 μT (microtesla). The reference level for magnetic fields changes to 200 μT in the revised (ICNIRP 2010) guidelines because of new basic restrictions based on induced electric fields inside the body, rather than induced current density. If people are not exposed to field strengths above these levels, direct effects on the CNS should be avoided and indirect effects such as the risk of painful spark discharge will be small. The reference levels are not in themselves limits but provide guidance for assessing compliance with the basic restrictions and reducing the risk of indirect effects.

Long term effects

There is concern about the possible effects of long-term exposure to electromagnetic fields, including possible carcinogenic effects at levels much lower than those given in the ICNIRP guidelines. In the NRPB advice issued in 2004, it was concluded that the studies that suggest health effects, including those concerning childhood leukaemia, could not be used to derive quantitative guidance on restricting exposure. However, the results of these studies represented uncertainty in the underlying evidence base, and taken together with people's concerns, provided a basis for providing an additional recommendation for Government to consider the need for further precautionary measures, particularly with respect to the exposure of children to power frequency magnetic fields.

The Stakeholder Advisory Group on ELF EMFs (SAGE)

SAGE was set up to explore the implications for a precautionary approach to extremely low frequency electric and magnetic fields (ELF EMFs), and to make practical recommendations to Government:

http://www.emfs.info/policy/sage/

SAGE issued its First Interim Assessment in 2007, making several recommendations concerning high voltage power lines. Government supported the implantation of low cost options such as optimal phasing to reduce exposure; however it did not support not support the option of creating corridors around power lines on health grounds, which was considered to be a disproportionate measure given the evidence base on the potential long term health risks arising from exposure. The Government response to SAGE's First Interim Assessment is available here:

http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_107124

The Government also supported calls for providing more information on power frequency electric and magnetic fields, which is available on the PHE web pages (see first link above).

Ionising radiation

Particular considerations apply when an application involves the possibility of exposure to ionising radiation. In such cases it is important that the basic principles of radiation protection recommended by the International Commission on Radiological Protection[5] (ICRP) are followed. PHE provides advice on the application of these recommendations in the UK. The ICRP recommendations are implemented in the Euratom Basic Safety Standards[6] (BSS) and these form the basis for UK legislation, including the Ionising Radiation Regulations 1999, the Radioactive Substances Act 1993, and the Environmental Permitting Regulations 2016.

PHE expects promoters to carry out the necessary radiological impact assessments to demonstrate compliance with UK legislation and the principles of radiation protection. This should be set out clearly in a separate section or report and should not require any further analysis by PHE. In particular, the important principles of justification, optimisation and radiation dose limitation should be addressed. In addition compliance with the Euratom BSS and UK legislation should be clear.

When considering the radiological impact of routine discharges of radionuclides to the environment PHE would expect to see a full radiation dose assessment considering both individual and collective (population) doses for the public and, where necessary, workers. For individual doses, consideration should be given to

[5] These recommendations are given in publications of the ICRP notably publications 90 and 103 see the website at http://www.icrp.org/

[6] Council Directive 96/29/EURATOM laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

those members of the public who are likely to receive the highest exposures (referred to as the representative person, which is equivalent to the previous term, critical group). Different age groups should be considered as appropriate and should normally include adults, 1 year old and 10 year old children. In particular situations doses to the fetus should also be calculated[7]. The estimated doses to the representative person should be compared to the appropriate radiation dose criteria (dose constraints and dose limits), taking account of other releases of radionuclides from nearby locations as appropriate. Collective doses should also be considered for the UK, European and world populations where appropriate. The methods for assessing individual and collective radiation doses should follow the guidance given in 'Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment August 2012 [8].It is important that the methods used in any radiological dose assessment are clear and that key parameter values and assumptions are given (for example, the location of the representative persons, habit data and models used in the assessment).

Any radiological impact assessment should also consider the possibility of short-term planned releases and the potential for accidental releases of radionuclides to the environment. This can be done by referring to compliance with the Ionising Radiation Regulations and other relevant legislation and guidance.

The radiological impact of any solid waste storage and disposal should also be addressed in the assessment to ensure that this complies with UK practice and legislation; information should be provided on the category of waste involved (e.g. very low level waste, VLLW). It is also important that the radiological impact associated with the decommissioning of the site is addressed. Of relevance here is PHE advice on radiological criteria and assessments for land-based solid waste disposal facilities[9]. PHE advises that assessments of radiological impact during the operational phase should be performed in the same way as for any site authorised to discharge radioactive waste. PHE also advises that assessments of radiological impact during the post operational phase of the facility should consider long timescales (possibly in excess of 10,000 years) that are appropriate to the long-lived nature of the radionuclides in the waste, some of which may have half-lives of millions of years. The radiological assessment should consider exposure of members of hypothetical representative groups for a number of scenarios including the expected migration of radionuclides from the facility, and inadvertent intrusion into the facility once institutional control has ceased. For scenarios where the probability of occurrence can be estimated, both doses and health risks should be presented, where the health risk is the product of the probability that the scenario occurs, the dose if the scenario occurs and the health risk corresponding to unit dose. For inadvertent intrusion, the dose if the intrusion occurs should be presented.

---

[7] HPA (2008) Guidance on the application of dose coefficients for the embryo, fetus and breastfed infant in dose assessments for members of the public. Doc HPA, RCE-5, 1-78, available at https://www.gov.uk/government/publications/embryo-fetus-and-breastfed-infant-application-of-dose-coefficients

[8] The Environment Agency (EA), Scottish Environment Protection Agency (SEPA), Northern Ireland Environment Agency, Health Protection Agency and the Food Standards Agency (FSA). Principles for the Assessment of Prospective Public Doses arising from Authorised Discharges of Radioactive Waste to the Environment August 2012. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/296390/geho1202bklh-e-e.pdf

[9] HPA RCE-8, Radiological Protection Objectives for the Land-based Disposal of Solid Radioactive Wastes, February 2009

It is recommended that the post-closure phase be considered as a series of timescales, with the approach changing from more quantitative to more qualitative as times further in the future are considered. The level of detail and sophistication in the modelling should also reflect the level of hazard presented by the waste. The uncertainty due to the long timescales means that the concept of collective dose has very limited use, although estimates of collective dose from the ‘expected’ migration scenario can be used to compare the relatively early impacts from some disposal options if required.

Annex 1

Human health risk assessment (chemical pollutants)

The points below are cross-cutting and should be considered when undertaking a human health risk assessment:

- The promoter should consider including Chemical Abstract Service (CAS) numbers alongside chemical names, where referenced in the ES
- Where available, the most recent United Kingdom standards for the appropriate media (e.g. air, water, and/or soil) and health-based guideline values should be used when quantifying the risk to human health from chemical pollutants. Where UK standards or guideline values are not available, those recommended by the European Union or World Health Organisation can be used
- When assessing the human health risk of a chemical emitted from a facility or operation, the background exposure to the chemical from other sources should be taken into account
- When quantitatively assessing the health risk of genotoxic and carcinogenic chemical pollutants PHE does not favour the use of mathematical models to extrapolate from high dose levels used in animal carcinogenicity studies to well below the observed region of a dose-response relationship. When only animal data are available, we recommend that the 'Margin of Exposure' (MOE) approach[10] is used

[10] Benford D et al. 2010. Application of the margin of exposure approach to substances in food that are genotoxic and carcinogenic. Food Chem Toxicol 48 Suppl 1: S2-24

From: Pedlow, David [mailto:David.Pedlow@redcar-cleveland.gov.uk]
Sent: 25 September 2017 09:25
To: Drax Re-power
Subject: EN010091-000170

Good morning

Having considered the content of the documents, the Local Authority have no comments to make.

Kind Regards

David Pedlow MRTPI
Principal Planning Officer
Redcar & Cleveland Borough Council

Redcar & Cleveland House
Kirkleatham Street
Redcar
Yorkshire
TS10 1RT
Tel: 01287 612546
Email: david.pedlow@redcar-cleveland.gov.uk
Website: http://www.redcar-cleveland.gov.uk

Drax Re-Power Project

Royal Mail Group Limited Environmental Statement (ES) Scoping Consultation response

Introduction

Reference the letter to Royal Mail Group Limited (Royal Mail) from The Planning Inspectorate dated 14 September 2017 requesting Royal Mail's comments on information that should be provided in the ES.

Royal Mail's consultants BNP Paribas Real Estate have reviewed the applicant's Scoping Report and Royal Mail's response is set out below.

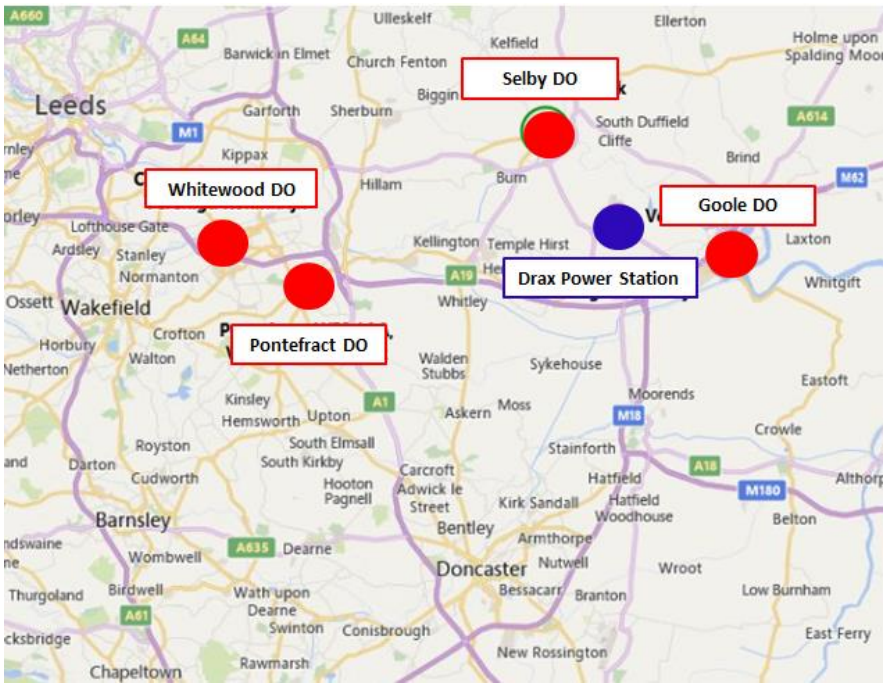
Royal Mail–relevant information

Royal Mail is responsible for providing efficient mail sorting and delivery nationally. As the Universal Service Provider under the Postal Services Act 2011, Royal Mail has a statutory duty to deliver mail to every residential and business address in the country as well as collecting mail from all Post Offices and post boxes six days a week.

Royal Mail's postal sorting and delivery operations rely heavily on road communications. Royal Mail's ability to provide efficient mail collection, sorting and delivery to the public is highly sensitive to changes in the capacity of the highway network.

Royal Mail is a major road user nationally. Disruption to the highway network and traffic delays can have direct consequences on Royal Mail's operations, its ability to meet the Universal Service Obligation and comply with the regulatory regime for postal services, thereby presenting a significant risk to Royal Mail's business.

Reference the annotated map below, locally to the proposal site (shown in blue), Royal Mail has the following operational facilities (shown in red):



- Selby Delivery Office, Micklegate, Selby YO8 4EH
- Goole Delivery Office, Larsen Road, Goole DN14 6DA
- Whitwood Delivery Office, Speedwell Road, Whitwood , Castleford WF10 5QA
- Pontefract Delivery Office, Trinity Road, Pontefract WF8 1AA

The M62 and A19 are strategically important distribution routes for Royal Mail. In exercising its statutory duties, Royal Mail uses all of the main roads in the vicinity of Drax Power Station on a daily basis.

Consequently, Royal Mail is concerned that its future ability to provide an efficient mail sorting and delivery service to the public in accordance with its statutory obligations may be adversely affected by any additional road traffic or delays arising from the construction of this proposed scheme.

Comments / observations on the applicant's Scoping Report

Royal Mail notes from the applicant's Scoping Report that likely significant transport effects include ***"increased traffic delay, severance and road safety impacts on residents as a result of construction phase traffic (consisting of HGVs, Abnormal Loads, cars and LGVs) travelling to and from the Project Site"*** as well as ***"Nuisance and disruption to users of the local road network and PROW caused by demolition and construction traffic (including HGVs)."***

The Scoping Report contains very limited information on the construction traffic mitigation measures that will be put in place to minimise these effects or on the consultations that will take place with major road users.

Royal Mail's comments on information that should be provided in Drax Re-Power's ES

Royal Mail requests that:

1. The ES to be submitted with Drax Power Ltd's DCO application should include information on the needs of major road users (including Royal Mail) and acknowledge the requirement to ensure that major road users are not disrupted through full consultation at the appropriate times during the DCO and development processes.

2. Royal Mail is specifically named within the traffic and transportation section of the ES in the list of transport operators for consultation on usage of the network.

3. Royal Mail is fully consulted by Drax Re-Power Ltd in advance of the preparation of the contractor's CTMP.

4. Major road hauliers such as Royal Mail are included in the public communications strategy for this scheme.

5. Drax Re-Power Ltd and the appointed contractor keep Royal Mail fully informed in advance of all temporary road closures and/or delivery of Abnormal Indivisible Loads.

Royal Mail is able to provide Drax Re-Power Ltd and the appointed contractor with its relevant local operational contacts and information on its road usage / trips, if required.

Should Drax Re-Power Ltd have any queries in relation to the above then in the first instance please contact Holly Trotman ***(holly.trotman@royalmail.com)*** of Royal Mail's Legal Services Team or Daniel Parry-Jones ***(daniel.parry-jones@bnpparibas.com)*** of BNP Paribas Real Estate.

From: Colin Blackburn [mailto:Colin.Blackburn@SheffieldCityRegion.org.uk]
Sent: 26 September 2017 15:34
To: Drax Re-power
Subject: FW: Drax repower project - EIA scoping consultation

FAO: Hannah Pratt

Thank you for consulting the Sheffield City Region Combined Authority on the EIA scoping report for the Drax proposals, but we have no comments on the scoping report at this time.

Regards
Colin

Colin Blackburn
Assistant Director Housing, Infrastructure & Planning
Sheffield City Region Executive Team

Mobile: 07767 851346

www.wakefield.gov.uk

wakefieldcouncil

Your Ref: EN010091 - 000170
Our Ref:
Date: 9 October 2017
Please reply to: Ian Pollard
Telephone: 01924 306396
E-mail address: ianpollard@wakefield.gov.uk

Planning Services

Service Director for Planning, Transportation and Highways: Neil Rodgers

Wakefield One, PO Box 700, Burton Street, Wakefield WF1 2EB
Typetalk calls welcome

3D Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

F.A.O Hannah Pratt

By email only

Dear Sir / Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (Regulations 10 and 11)

Proposed application by Drax Power Limited for an Order granting Development Consent for the Drax Repower Project

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter dated 14 September 2017 which informs the Council of the Applicant's name and address, and invites Wakefield Metropolitan District Council (WMDC) to comment upon the scoping documentation submitted by the Applicant ahead of the Secretary of State adopting its Scoping Opinion.

Having reviewed the Environmental Impact Assessment Scoping Report (EIASC) (produced by WSP, dated September 2017) and carried out a limited, internal consultation exercise, I can confirm that with the exception of the (minor) observation below, WMDC do not wish offer any comments in this instance.

Paragraph 4.4 of the EIASC discusses the power station being accessed via, and located approximately 6km from, Junction 32 of the M62 motorway. It is assumed that this is a mistake and it should refer to Junction 34 of the M62 given that Junction 32 is in Castleford. Notwithstanding this, the EIASC is considered to adequately make reference to all relevant topics which we would expect to be provided as part of the Environmental Statement.

If you require any further information or clarification please do not hesitate to contact me.

Yours faithfully

Ian Pollard
Principal Planning Officer (Deputy Team Leader)
Wakefield Council
Development Management