

**Question ANC 1.3 Climate Effects.**

In your RR [RR-320], you state that the Proposed Development would be incompatible with the Climate Change Act 2008, having regard to its requirements of carbon emissions being 80% lower than 1990 baseline levels.

**i) Justify this assertion.**

**ii) Explain how the Proposed Development is incompatible with the legislation given that the compliance date is 2050.**

**Response:**

The Trust accepts that emissions from the power sector, covered by the EU Emissions Trading System (ETS), are not formally counted under the current accounting framework used for assessing compliance with the Climate Change Act. However the Trust is of the opinion that there are a number of points which suggest that the Climate Change Act should apply:

- It is not clear that the present regime will continue to be in existence for future carbon budgets, or the 2050 target. This might particularly be the case if the UK leaves the EU ETS when leaving the EU.
- The UK Committee on Climate Change (CCC) has repeatedly emphasised the need for actual emissions in the traded sector to reduce in line with the UK's cost-effective decarbonisation pathway see Box 6.1 on page 116 in the CCC Fifth Carbon Budget Report: *"To stay on track to the 2050 target and to support emissions reductions elsewhere in the economy, the power sector will need to reduce emissions at around the rate in our estimate of the cost-effective path..."*<sup>1</sup> This is not least because it would be reckless to rely on purchasing a large amount of emissions credits in an increasingly scarce and expensive market.
- Failing to reduce actual emissions in the power sector would also undermine the Act's effectiveness. For example by rendering meaningless the decarbonisation of non-traded sectors such as transport (through electrification) as the electricity used by these sectors would continue to be generated by high-carbon power plants.
- The CCC's cost-effective pathway envisages there being no unabated gas on the UK grid by the mid-2030s see p. 9 of the CCC Report on Onshore Petroleum *"Should CCS not be deployed, meeting the 2050 emissions reduction target will require elimination of almost all fossil fuel use in power generation, transport and buildings. This implies a reduction in gas consumption by 2050 of around 80% on today's levels. It also implies that gas would cease to be used for electricity generation by the mid-2030s"*.<sup>2</sup>
- Even though Drax's proposed development is not envisaged to operate beyond 2050, it is not reasonable to plan on the basis of a sudden switch away from high- to low-carbon energy generation. 15GW of unbuilt capacity already has planning consent so there is potential for a large number of CCGT plants to be in operation leading up to 2050. It will not be possible for a large number of CCGT plants to be closed down for example in 2048. There would then be a need to replace this capacity with low-carbon generation by 2050. Extremely fast construction of alternative power generation would be necessary and there would also be the challenge of re-skilling and / or relocating employees. The proposed repowering of coal units at Drax could therefore put the 2050 target at risk. This would also be incompatible with the CCC's cost-effective pathway for the intervening period.

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<sup>1</sup> The Fifth Carbon Budget – The next step towards a low carbon economy. Available from

<https://www.theccc.org.uk/publication/the-fifth-carbon-budget-the-next-step-towards-a-low-carbon-economy/>

<sup>2</sup> The Climate Change Committee Report on "The compatibility of onshore petroleum with meeting the UK's carbon budgets." Available from <https://www.theccc.org.uk/publication/onshore-petroleum-the-compatibility-of-uk-onshore-petroleum-with-meeting-carbon-budgets/>

#### **Question BHR 1.6.**

**Yorkshire Wildlife Trust in its RR [RR-320] state that the methodologies within the Applicant's Biodiversity Net Gain strategy [APP-116] are sound. However, they state that further information is required to fully assess the implications of the proposals and the likely achievable net gain. Yorkshire Wildlife Trust also states that a 20% net biodiversity gain would be more appropriate for development of this size and scale.**

**For Yorkshire Wildlife Trust:**

**ii) Explain what further information is required to assess the implications of the proposals and comment accordingly.**

**Response:**

The Trust would like to see an updated version of the Applicant's Biodiversity Net Gain strategy [APP-116] based on the most recent plans and surveys. In particular detail on how the loss of linear habitat will be mitigated /compensated for. Habitat such as hedgerows and drains is particularly valuable for species such as farmland birds and water vole both of which are declining rapidly. There may be opportunities for habitat creation and enhancement in surrounding farmland which is owned by Drax. Extra habitat creation will be possible to provide biodiversity gain rather than no net loss of biodiversity. There may need to be some habitat creation outside the development area.

#### **Question BHR 1.8.**

**Provide comment on the adequacy of the outline LBS [APP-135] (6.7 Outline Landscape and Biodiversity Strategy) in respect to mitigation of ecology effects. You may alternatively wish to do so within your Written Representations.**

**Response:**

The Trust would like to see a clearer interpretation of the impacts on species and habitats and how the suggested mitigation and compensation is related to these impacts. There are benefits of combining landscape and biodiversity strategies but it does lead to a lack of clarity as to what impacts are being mitigated and compensated for by particular areas of habitat creation and improvement. The suggested techniques for habitat creation, planting plans and management appear to be suitable but the overall plan does not yet give confidence that there will be net gain for biodiversity as a result of the plan.

#### **Question LV 1.3**

**Yorkshire Wildlife Trust in its RR [RR-320] states that opportunities exist to mitigate the effects on landscape and visual character as identified in the Chapters 10 [APP-078] and 18 [APP-086] of the ES. Options include improving visitor experiences at Barlow Common Nature Reserve or to major habitat creation flood plain grassland at the River Ouse, which it says would add to landscape value. NYCC in its RR [RR-309] states that the current proposals do not seek to adequately mitigate or compensate for the identified significant adverse effects of the Proposed Development.**

**i) Provide a response, including whether further discussions are on-going between parties.**

**ii) If mitigation is to be undertaken off-site, explain how this is to be secured and why, notwithstanding the Landscape and Biodiversity Strategy, additional work is required and agreed.**

**iii) If an off-site financial contribution is to be agreed, provide an explanation and justification for the sum sought and the project to be funded, and how the contribution would meet the requirements of paragraph 4.1.8 of NPS EN-1.**

**Response:**

- i) The Trust has provided some suggestions to the landscape lead at NYCC John Wainwright and is happy to continue discussions and provide further possible projects. For example there is potential for ongoing works on a part of the River Derwent SSSI which is opposite Drax, next to the Barmby Barrage. The area

is immediately adjacent to the Trans Pennine Trail which is used by cyclists and long distance walkers and adjacent to footpaths on either side of the River Derwent, so an important part of the regional GI network. The SSSI unit 21

<https://designatedsites.naturalengland.org.uk/ReportUnitCondition.aspx?SiteCode=S1003398&ReportTitle=River%20Derwent%20SSSI> is in declining condition and is owned by the EA. A variety of

improvements are needed such as removing scrub, reinstating ponds, repairing and reopening a hide, and providing interpretation for the birds and other wildlife in the area. Some funding may already be available for part of the works as part of a catchment plan for the River Derwent. Such works close to Drax, and other similar projects, could go some way towards compensating for landscape impacts but would also help to compensate for biodiversity loss and have potential for showing a biodiversity net gain for the development.

- ii) Mitigation could be secured and agreed with a Section 106 agreement between relevant parties. The exact details would depend on what was seen as appropriate mitigation and compensation by the Inspector and what landholdings and organisations carrying out the works would be involved.
- iii) At this point it an exact sum is not yet being considered. However it does appear that this approach has potential to provide valuable mitigation and compensation.

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