

The Drax Power (Generating Stations) Order

Land at, and in the vicinity of, Drax Power Station, near Selby, North Yorkshire

Removal of Stage 0 Mitigation Review

(Submitted for Deadline 2)



The Planning Act 2008
The Infrastructure Planning (Applications: Prescribed Forms and Procedure)
Regulations 2009 - Regulation 5(2)(q)

Drax Power Limited

Drax Repower Project

Applicant: DRAX POWER LIMITED
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Glossary

Abbreviation	Description
The Applicant	Drax Power Ltd.
Application	The DCO Application
Associated Development	<p>Associated development is defined by section 115(2) of the Planning Act 2008 as development which is associated with a Nationally Significant Infrastructure Project (NSIP). In the case of the Proposed Scheme, the term Associated Development includes:</p> <ul style="list-style-type: none"> - the up to two gas insulated switchgear banking buildings (described as Work No. 4 in Schedule 1 of the Order); - the natural gas receiving facility and natural gas compression building (described as Work No. 5 in Schedule 1 of the Order); - the AGI (described as Work No. 6 in Schedule 1 of the Order); - the Gas Pipeline (described in Work No. 7 in Schedule 1 of the Order); - the electrical connections to the existing 400 kilovolt National Grid substation (described in Work No. 8 in Schedule 1 of the Order); - temporary construction laydown areas (described in Work No. 9 in Schedule 1 of the Order); - landscaping and biodiversity enhancement measures (described in Work No. 11 in Schedule 1 of the Order); - decommissioning and demolition of sludge lagoons and construction of replacement sludge lagoons (described in Work No. 12 in Schedule 1 of the Order); - removal of existing 132 kilovolt overhead line and associated towers and foundations (described in Work No. 13 in Schedule 1 of the Order); - passing place on Rusholme Lane (described in Work No. 14 in Schedule 1 of the Order); and - further associated development as set out in Schedule 1 of the Order. <p>These developments are associated with the NSIP, i.e. Unit X and Unit Y and the battery storage facilities (described in Work Nos. 1-3 in Schedule 1 of the Order).</p>
Development Consent Order (DCO)	A Development Consent Order (DCO) is made by the Secretary of State (SoS) pursuant to the Planning Act 2008 (PA 2008) to authorise a Nationally Significant Infrastructure Project (NSIP).
Drax Power Station	The existing biomass and coal fired power generation facility at the Existing Drax Power Station Complex.
Environmental Impact Assessment (EIA)	A systematic means of assessing a development project's likely significant environmental effects undertaken in accordance with the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.
EIA Regulations 2017	The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 which prescribe the information to be included in the Environmental

	Statement and the consultation to be carried out in connection with development requiring an Environmental Statement.
Environmental Statement (ES)	A statement that includes the information that is reasonably required to assess the environmental effects of a development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile, but that includes at least the information required in the EIA Regulations 2017 and which is prepared in accordance with the latest Scoping Opinion adopted by the Secretary of State (where relevant).
Existing Drax Power Station Complex	The facilities comprising the existing Drax Power Station, and the land upon which it is situated.
Nationally Significant Infrastructure Project (NSIP)	A project meeting the criteria for a “nationally significant infrastructure project” set out in section 14 of the Planning Act 2008, and therefore requiring authorisation under the PA 2008 by way of a DCO. The Proposed Scheme constitutes a Nationally Significant Infrastructure Project (NSIP) by virtue of s.14(1)(a) and s.15 of the PA 2008 as it is an onshore generating station in England of 50 MW capacity or more.
The Order	The DCO which, if made by the SoS, will authorise the construction, operation and maintenance of the Proposed Scheme and which will be known as “The Drax Power (Generating Stations) Order”. A draft of the Order is at Examination Library Reference AS-012.
Order land	The land shown coloured pink, blue, green and yellow on the Land Plans which is within the Order limits and which is the subject of compulsory acquisition, extinguishment of easements servitudes and other private rights and temporary possession.
Order limits	The limits shown on the Works Plans (Examination Library refAPP-009) within which the development authorised by the Order may be carried out.
PA 2008	The Planning Act 2008 (as amended) which is the legislation in relation to applications for NSIPs, including pre-application consultation and publicity, the examination of applications and decision making by the SoS.
Proposed Scheme	Drax Power Limited is proposing to repower up to two existing coal-powered generating units (Units 5 and 6) at the Existing Drax Power Station Complex with new gas turbines that can operate in both combined cycle and open cycle modes. The term "repower" is used as existing infrastructure, such as the steam turbine and cooling towers, that are currently used for the coal fired units would be reutilised for the new gas fired generating units/stations. The repowered units (which each constitute a new gas fired generating station) would have a new combined capacity of up to 3,600 MW in combined cycle mode (1,800 MW each), replacing existing units with a combined capacity to generate up to 1,320 MW (660 MW each). This is explained further below: Each gas generating station would have up to two gas turbines, with each gas turbine powering a dedicated generator of up to 600 MW in capacity. The gas turbines in each generating station (or unit), therefore, would have a

combined capacity of up to 1,200 MW. The gas turbines in each generating station (or unit), in combined cycle mode, would provide steam to the existing steam turbine (through Heat Recovery Steam Generators (HRSGs)) which would generate up to 600 MW per unit. Each unit would have up to two HRSGs. This results in a capacity for each generating station of up to 1,800 MW and, should both units be repowered, a combined capacity of up to 3,600 MW. The new gas turbine generating units have been designated the terms "Unit X" and "Unit Y". In OCGT mode, the combined capacity would be up to 2,400 MW (as in OCGT mode, there would be no HRSG capacity). Each unit would have (subject to technology and commercial considerations) a battery energy storage facility. The battery units may be stored within a single structure.

The total combined capacity of the two gas fired generating stations and two battery storage facilities (i.e. the total combined capacity of the Proposed Scheme) is therefore 3,800 MW.

Drax is seeking consent for the flexibility to either:

- Repower one unit (either Unit 5 or 6) and construct Unit X as a gas fired generating station; or
- Repower both Units 5 and 6 and construct Unit X and Unit Y as two gas fired generating stations.

In the single unit scenario, up to two gas turbines and up to two HRSGs and (subject to technology and commercial considerations) a battery energy storage facility would be constructed. The maximum size of the battery storage cells and any structure built to protect them would not change, as the battery storage cells for one Unit could be one larger battery which would allow the output associated with one Unit to be sustained for a longer duration. However, the fuel gas station and gas insulated switchgear would be smaller.

In the event that two units are repowered and two new generating stations are constructed, then construction works would be undertaken consecutively rather than concurrently.

In order to repower to gas, a new Gas Pipeline would be constructed from the Existing Drax Power Station Complex to the National Transmission System (NTS) operated by National Grid. Pipeline infrastructure would be the same for both one and two unit scenarios.

A gas receiving facility (GRF) comprising Pipeline Inspection Gauge (PIG) Trap Facility (PTF), Pressure Reduction and Metering Station (PRMS) and compressor station is proposed south of woodland to the east of New Road. At the connection to the NTS there will be an AGI comprising - a Pig Trap Launching station (PTF-L) which will be operated by Drax, and a Minimum Offtake Connection (MOC), which will be operated by National Grid.

The Proposed Scheme also includes the electrical connection.

Drax's Proposed Scheme is described in more detail in Chapter 3 (Site and Project Description) of the ES Volume 1 (Examination Library Reference APP-071).

	Schedule 1 of the Order (Examination Library Reference AS-012) lists out the elements comprised within the Proposed Scheme.
Requirements	The 'requirements' at Schedule 2 to the Order that, amongst other matters, are intended to control the final details of the Proposed Scheme as to be constructed and also to control its operation, amongst other matters, to ensure that it accords with the EIA and does not result in unacceptable impacts.
Rusholme Lane Area	Area required for passing places during the construction of the Gas Pipeline, AGI and GRF (described as Work No. 14 in Schedule 1 to the Order).
Site	The Site refers to the Power Station Site, the Carbon capture readiness reserve space (which is also the location of temporary construction laydown described as Work No. 9B in Schedule 1 to the Order) and the Pipeline Area.
Site Reconfiguration Works	<p>The Site Reconfiguration Works or Stage 0 refers to the works described below that are necessary to prepare the Power Station Site for the construction of the generating station equipment and the electrical connection. The works comprise:</p> <ol style="list-style-type: none"> 1. Demolition of the private squash court (no replacement), Learning Centre (consolidated into existing facilities); and 2. Demolition of and reconstruction of car parking, turbine outage stores, contractor's compounds and welfare facilities. 3. Construction of a cooling water spray screen between relocated facilities and the southern cooling towers. <p>The Site Reconfiguration Works were the subject of a separate planning application under the Town and Country Planning Act 1990 (planning reference 2018/0154/FULM) which was approved by Selby District Council on 24 May 2018. The Applicant has started to carry out the Site Reconfiguration Works by implementing planning permission 2018/0154/FULM. At the time of submitting this document, the Applicant has submitted a non-material amendment application to the Examining Authority to remove these works from the Proposed Scheme being authorised under the DCO. The DCO Application makes it clear that these works may be carried out under either:</p> <ol style="list-style-type: none"> 1. Any TCPA planning permission that may be granted; or 2. The Order.
Unit X	The construction of a gas fired generating station capable of operating in CCGT and OCGT modes and which would have a generating capacity of up to 1,800 MW. Unit X would be connected to a battery storage facility. Unit X is described in Work No. 1 of Schedule 1 to the draft DCO (Examination Library Reference AS-012).
Unit Y	The construction of a gas fired generating station capable of operating in CCGT and OCGT modes and which would have a generating capacity of up to 1,800 MW. Unit Y would be connected to a battery storage facility. Unit Y is described in Work No. 2 of Schedule 1 to the draft DCO (Examination Library Reference AS-012).
Work No. / Work Number	Work number, a component of the Proposed Scheme, described at Schedule 1 to the Order.

Abbreviations

Abbreviation	Term in full
BEIS	Department for Business, Energy and Industrial Strategy.
BNG	Biodiversity Net Gain
DCO	Development Consent Order
EIA	Environmental Impact Assessment
ES	Environmental Statement
NSIP	Nationally Significant Infrastructure Project
NYCC	North Yorkshire County Council
SDC	Selby District Council.
SoS	Secretary of State

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1 INTRODUCTION

1.1 Purpose of this Document

- 1.1.1 This document relates to the DCO Application (“the Application”) submitted by Drax Power Limited (“Drax” or “the Applicant”) to the Secretary of State (“SoS”) on 29 May 2018 and concerns the removal of the Site Reconfiguration Works (referred to as the “Stage 0 Works”) from the DCO Application
- 1.1.2 The Applicant has successfully obtained a planning permission for the Site Reconfiguration Works, and is currently implementing that planning permission (see Appendix 1 for the decision notice). The Applicant is therefore applying to remove the Site Reconfiguration Works from the DCO Application. The non-material amendment application to remove the Site Reconfiguration Works is set out in the cover letter accompanying the documents submitted for Deadline 2 of the Examination. This document, submitted for Deadline 2, is submitted in support of the non-material amendment application and sets out how the environmental mitigation measures proposed under the Application in connection with the Site Reconfigurations Works relate to the mitigation measures sought by way of planning conditions under planning permission 2018/0154/FULM granted by Selby District Council on 24 May 2018 for the Site Reconfiguration Works.
- 1.1.3 The Environmental Statement (“ES”) for the DCO Application assesses Stage 0 in its own right. The ES then assesses Stage 1 (being the construction of Unit X) assuming that the Stage 0 works (i.e. the Site Reconfiguration Works) and the mitigation associated with the Stage 0 works have been completed (see paragraph 3.7.3 of Chapter 3 (Examination Library Reference [APP-071](#))).
- 1.1.4 Given the ES assesses Stage 1 on the assumption that the Stage 0 works, and its associated mitigation, have been completed, it is necessary for the purposes of the non-material amendment application to confirm that the mitigation measures associated with Stage 0 in the DCO Application are equally secured under planning permission 2018/0154/FULM. This is to ensure that once the Stage 0 works are completed pursuant to planning permission 2018/0154/FULM, the “Stage 0 baseline” as assumed in the ES remains the same.

1.2 Mitigation Relevant to Stage 0

- 1.2.1 Table 1 below sets out the environmental mitigation relevant to Stage 0 contained in:
- Part 3 of Schedule 2 (requirements) to the draft Development Consent Order submitted in July 2018 (Examination Library Reference [AS-012](#)); and
 - Planning permission 2018/0154/FULM (attached at Appendix 1 to this document).

Table 1 - Mitigation Review

Topic / Issue	Mitigation assumed for DCO – Stage 0 <i>Extracted from the Schedule 2 Requirements, Part 3, ‘Site Configuration Works’ of the draft DCO dated July 2018 (Examination Library Reference AS-012).</i>	Where is this mitigation provided by Planning Permission 2018/0154/FULM	Compliance
Stage 0			
Compliance with plans	Requirement 27	Condition 2	
	<i>The site reconfiguration works must be carried out in accordance with the site reconfiguration works plans (which are identified in Schedule 15 to the draft DCO)</i>	<i>The development hereby permitted shall be carried out in accordance with the plans/drawings listed below: [...]</i>	Only Site A (as referred to in the planning permission, being the area corresponding with numbered work 15B on the Works Plans, Examination Library Reference APP-009) is within the red line boundary of the planning permission and the DCO Application. The drawings listed on the planning permission for Site A are the same as the drawings listed in Schedule 15 to the draft DCO (Examination Library Reference AS-012).

<p>Details of finished colour treatment and profile of cladding</p>	<p>Requirement 28</p>	<p>Condition 3</p>	
	<p><i>The following buildings listed below in site A (being the area corresponding with numbered work 15B on the works plans, Examination Library Reference APP-009) must not be first sited or commenced above slab level until details of the finished colour treatment and profile of the cladding of all walls roofs and trims and details of blockwork and brickwork (as appropriate) have been submitted to and approved by the relevant planning authority:</i></p> <p><i>(a) Building references 1 to 11; and</i></p> <p><i>(b) 10m high barrier wall; as identified on the site reconfiguration works plans.</i></p>	<p><i>The following buildings listed below that are the subject of this permission in [Site] A...shall not be first sited or commenced above slab level until details of the final location, dimensions, finished colour treatment and profile of the cladding of all walls roofs and trims /or details of blockwork/brickwork have been submitted to and approved by the local planning authority:</i></p> <p><i>Site A</i></p> <ul style="list-style-type: none"> <i>○ Buildings 1 to 12</i> <i>○ 10m high barrier wall Dwg No DS0016-Z1</i> 	<p>The planning permission requires the submission of the same details as the draft DCO (Examination Library Reference AS-012) and covers all the buildings and structures as required under the draft DCO.</p> <p>The parameters for the Site Reconfiguration Works set out in Part 4 of Schedule 13 to the draft DCO match those in Table 3-7 of Chapter 3 of the ES (Examination Library Reference APP-071).</p>

<p>Details of wearing course of contractor's access road</p>	<p>Requirement 29</p>	<p>N/A</p>	
	<p><i>Details of the wearing course of the contractor's access road in site A (being the area corresponding with numbered work 15B on the Works Plans) shall be submitted to and approved by the relevant planning authority before its final application.</i></p>	<p><i>No condition.</i></p>	<p>The ES for the DCO Application did not make an assumption about the wearing course and there would be no variance in the environmental effects based on the type of wearing course. The wearing course would therefore make no difference to the baseline assessment for Stage 1.</p>
<p>Construction Environmental Management Plan</p>	<p>Requirement 30</p>	<p>N/A</p>	
	<p><i>(1) No part of numbered work 15 must commence, save for the permitted preliminary works (except for site clearance), until a construction environmental management plan for that part has been submitted to and</i></p>	<p><i>No condition.</i></p>	<p>The Outline CEMP (Examination Library Reference APP-133) includes a Demolition Method Statement for Stage 0.</p> <p>Whist the planning permission does not contain a condition</p>

	<p><i>approved by the relevant planning authority.</i></p> <p><i>(2) The plan submitted and approved pursuant to subparagraph (1) must be substantially in accordance with the outline construction environmental management plan.</i></p> <p><i>(3) All construction works associated with numbered work 15 must be carried out in accordance with the approved construction environmental management plan.</i></p>		<p>securing a CEMP, Drax has prepared a CEMP and submitted it to SDC. This CEMP includes a Demolition Method Statement comparable with the provisions contained in the Outline CEMP contained for Stage 0 in the DCO Application.</p>
Provision of landscape and biodiversity mitigation	Requirement 31	Conditions 5 and 6	
	<p><i>(1) No building comprising part of numbered work 15 must be brought into use until a written strategy for numbered work 15 and which is substantially in accordance with the outline landscape and biodiversity strategy has been submitted to</i></p>	<p><i>5. The first building shall not be brought into use on site A until details of the additional planting and screening shown to the south of Site A on Dwg No DS0001-Z4 and detailed in the agent's email dated 18 May 2018 to include details of species, stock size on planting, planting</i></p>	<p>The details of the additional planting and screening shown to the south of Site A on Dwg No DS0001-Z4 and detailed in the agent's email dated 18 May 2018, including details of species, stock size on planting, planting densities and measures for management</p>

<p><i>and approved by the relevant planning authority.</i></p> <p><i>(2) The strategy submitted and approved pursuant to subparagraph (1) must include details of, where applicable-</i></p> <p><i>(a) the location, number, species, size and planting density of any proposed planting</i></p> <p><i>including details of any proposed tree planting and the proposed times of such planting;</i></p> <p><i>(b) cultivation, importing of materials and other operations to ensure plant establishment;</i></p> <p><i>(c) hard surfacing materials;</i></p> <p><i>(d) an implementation timetable; and</i></p> <p><i>(e) annual landscaping and biodiversity management and maintenance.</i></p> <p><i>(3) Any shrub or tree planted as part of the approved strategy that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority,</i></p>	<p><i>densities and measures for management and maintenance have been submitted to and approved by the local planning authority.</i></p> <p><i>6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out within six months of the first occupation of the first building. Any trees which die, are removed or become seriously damaged or diseased within the first five years shall be replaced in the next planting season with others of similar size and species.</i></p>	<p>and maintenance have been submitted to SDC for approval. The submitted details align with the Outline Landscape and Biodiversity Strategy (Examination Library Reference APP-135).</p>
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	<p><i>seriously damaged or diseased, must be replaced in the first available planting seasons with a specimen of the same species and size as that originally planted unless otherwise agreed with the relevant planning authority.</i></p> <p><i>(4) The strategy must be implemented and maintained in accordance with the implementation timetable in the strategy submitted and approved pursuant to subparagraph (1) unless otherwise agreed with the relevant planning authority.</i></p>		
Surface water drainage	Requirement 32	N/A	
	<p><i>(1) No part of numbered work 15 must commence, save for the permitted preliminary works, until a surface water drainage scheme for that part has been submitted to, and after</i></p>	No condition	<p>A Surface Water Management Strategy was included as part of the Stage 1 Flood Risk Assessment (Peter Brett Associates, February 2018) submitted with the TCPA application. Site A in this report is</p>

consultation with the Environment Agency, lead local flood authority and relevant internal

drainage board, approved by the relevant planning authority.

(2) The surface water drainage scheme submitted and approved pursuant to sub-paragraph (1) of this requirement must be substantially in accordance with the principles set out in the outline surface water drainage strategy.

(3) The details approved pursuant to sub-paragraph (1) must be implemented as approved and maintained throughout the construction and operation of main development.

the proposed contractor's village area (part of the Site Reconfiguration Works) and equivalent to Area H in the DCO Application (as shown in Figure 1.3 of Chapter 1 of the ES (Examination Library Reference APP-069)).

This does not impact on the other elements of the Surface Water Drainage Strategy included within the Flood Risk Assessment ("FRA") submitted with the DCO Application (Examination Library Reference [APP-136](#), a revised version has been submitted for Deadline 2) required for Stage 1 and subsequent stages. The proposed strategy for Site A in the planning permission is similar in principle to the proposed Surface Water Drainage Strategy for Area H in the FRA. There are some minor differences such as quoted areas and attenuation volumes but the principle of discharge into the existing Drax drainage system is similar. Therefore, it is reasonable to conclude that the two surface water management strategies are similarly aligned.

Construction hours	Requirement 33	N/A	
	<p><i>(1) Construction work relating to numbered work 15 must not take place on Sundays, bank holidays nor otherwise outside the hours of—</i></p> <p><i>(a) 0700 to 1900 hours on Monday to Friday; and</i></p> <p><i>(b) 0700 to 1300 hours on a Saturday.</i></p> <p><i>(2) Delivery or removal of materials, plant and machinery must not take place on Sundays, bank holidays nor otherwise outside the hours of— (a) 0800 to 1800 hours on Monday to Friday; and</i></p> <p><i>(b) 0800 to 1300 hours on a Saturday.</i></p> <p><i>(3) The restrictions in subparagraphs (1) and (2) do not apply to construction work or the delivery or removal of materials,</i></p>	No condition	The hours of construction have no bearing on the baseline for Stage 1.

<p><i>plant and machinery, where these—</i></p> <p><i>(a) are carried out within existing buildings or buildings constructed as part of the authorised development;</i></p> <p><i>(b) are carried out with the prior approval of the relevant planning authority; or</i></p> <p><i>(c) are associated with an emergency.</i></p> <p><i>(4) The restrictions in sub-paragraph (2) do not apply to the delivery of abnormal indivisible loads, where this is—</i></p> <p><i>(a) associated with an emergency; or</i></p> <p><i>(b) carried out with the prior approval of the relevant planning authority.</i></p> <p><i>(5) Sub-paragraph (1) does not preclude—</i></p> <p><i>(a) for numbered work 15B and at the corresponding numbered area shown on the works plans a start up period from 0600 to 0700 and a shut down period from 1900 to 2000 Monday to Friday and a start</i></p>		
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<p><i>up period from 0600 to 0700 and a shut down period from 1300 to 1400 on a Saturday; or</i></p> <p><i>(b) maintenance at any time of plant and machinery engaged in the construction of the authorised development.</i></p> <p><i>(6) In this requirement “emergency” means a situation where, if the relevant action is not taken, there will be adverse health, safety, security or environmental consequences that in the reasonable opinion of the undertaker would outweigh the adverse effects to the public (whether individuals, classes or generally as the case may be) of taking that action.</i></p>		
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Appendix 1: Planning Permission 2018/0154/FULM



NOTICE OF DECISION TOWN AND COUNTRY PLANNING ACT 1990

Drax Group plc
c/o Miss Francesca Rowson
Peter Brett Associates
33 Bowling Green Lane
London
EC1R 0BJ

NOTICE OF DECISION OF PLANNING AUTHORITY ON APPLICATION FOR PERMISSION TO CARRY OUT DEVELOPMENT

This decision does **not** constitute approval under the Building Regulations

Please read notes at the end of this notice

The above named council being the Local Planning Authority for the purposes of your application dated 27 February 2018 in respect of the following:

Proposal: Proposed site reconfiguration works comprising the demolition and relocation of the existing contractor's welfare compound with new access road and associated works and the construction of a new turbine outage office block, new mitigant ash delivery facility and new distribution pump house

Location: Drax Power Station, New Road, Drax

have considered your application and have determined to GRANT permission in accordance with the application drawings and particulars subject to the following conditions and reasons

01. The development for which permission is hereby granted shall be begun within a period of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 51 of the Planning and Compulsory Purchase Act 2004.

02. The development hereby permitted shall be carried out in accordance with the plans/drawings listed below:

- o Red line site location plan scale 1:5000 Dwg No PBA01 Rev01
- o Drax Land Ownership Dwg No 70037047-G_LandOwnership_09022018_Sheet 1

Site A

- o Proposed Contractors Compound Proposed Site Plan Dwg No DS0001-Z4
- o Proposed Contractors Compound Proposed Elevation Figure 3 Plan Dwg No DS0002-Z2

- o Proposed Contractors Compound Ash Delivery Facility, Pump House, Turbine Office Dwg No DS0003-Z2
- o Proposed Contractors Compound Proposed Building 1 Plans and Elevations Dwg No DS0004-Z1
- o Proposed Contractors Compound Proposed Building 2 Plans and Elevations Dwg No DS0005-Z1
- o Proposed Contractors Compound Proposed Building 3 Plans and Elevations Dwg No DS0006-Z1
- o Proposed Contractors Compound Proposed Building 4 Plans and Elevations Dwg No DS0007-Z1
- o Proposed Contractors Compound Proposed Building 5 Plans and Elevations Dwg No DS0008-Z1
- o Proposed Contractors Compound Proposed Building 6 Plans and Elevations Dwg No DS0009-Z1
- o Proposed Contractors Compound Proposed Building 7 Plans and Elevations Dwg No DS0010-Z1
- o Proposed Contractors Compound Proposed Building 8 Plans and Elevations Dwg No DS0011-Z1
- o Proposed Contractors Compound Proposed Building 9 Plans Dwg No DS0012-Z1
- o Proposed Contractors Compound Proposed Building 9 Elevations Dwg No DS0013-Z1
- o Proposed Contractors Compound Proposed Building 10 Plans and Elevations Dwg No DS0014-Z1
- o Proposed Contractors Compound Proposed Building 11 Plans and Elevations Dwg No DS0015-Z1
- o Proposed Contractors Compound Proposed 10m High Barrier Wall Dwg No DS0016-Z1
- o Proposed Contractors Compound Proposed Building 12 Plans and Elevations Dwg No DS0017-Z1

Site B

- o Turbine Outage Office Plan Layout Dwg No SQ-0351-01K
- o Turbine Outage Office Typical Building Sections Dwg No SQ-0351-03A
- o Turbine Outage Office Plan Elevations Dwg No SQ-0351-04A

Site C

- o Site C Existing Elevations Drax Unique No.127105-Z1
- o Site C Proposed Site Plan Drax Unique No.127097-Z3
- o Site C Proposed Sections Drax Unique No.127100-Z2
- o Site C Proposed Elevations Drax Unique No.127098-Z4

Site D

- o Site D Existing Elevations Drax Unique No.127104-Z1
- o Site D Proposed Sections Drax Unique No.127103-Z2
- o Site D Proposed Elevations Drax Unique No.127102-Z4

Reason: In accordance with the details of the application and for the avoidance of doubt

03. The following buildings listed below that are the subject of this permission in Sites A, B and C shall not be first sited or commenced above slab level until details of the final location, dimensions, finished colour treatment and profile of the cladding of all walls roofs and trims /or details of blockwork/brickwork have been submitted to and approved by the local planning authority:

Site A

- o Buildings 1 to 12
- o 10m high barrier wall Dwg No DS0016-Z1

Site B

- o Turbine outage office building

Site C

- o New pump house
- o Double storage bay

Reason: In order that the local planning authority may be satisfied with and retain control of the finished colour/ appearance of the buildings in the interests of the general amenities of the area in order to comply with saved Selby District Local Plan Policy ENV1.

04. No development shall commence on Site A until a Construction Method Statement has been submitted to and approved by the local planning authority in consultation with the local highway authority. The construction on Site A shall thereafter proceed in accordance with the approved Statement. The Statement shall provide for the following:
- a. details of how the accesses to the site (North and South Gate) and how movements between them on the public highway or within the site will be managed
 - b. details of the locations for the parking of vehicles for construction workers and visitors
 - c. details of the locations of areas reserved for the loading and unloading and storage of construction related plant and materials.

Reason: In order that there is adequate provision made for the parking and storage associated with the development and so that any impacts upon the highway network may be managed, in the interests of highway safety and maintaining the free flow of traffic on the public highway.

05. The first building shall not be brought into use on site A until details of the additional planting and screening shown to the south of Site A on Dwg No DS0001-Z4 and detailed in the agent's email dated 18 May 2018 to include details of species, stock size on planting, planting densities and measures for management and maintenance have been submitted to and approved by the local planning authority.

Reason: In accordance with the details of the application and to ensure that the local planning authority is satisfied with the details of the proposed planting in order to comply with saved Selby District Local Plan Policy ENV1.

06. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out within six months of the first occupation of the first building. Any trees which die, are removed or become seriously damaged or diseased within the first five years shall be replaced in the next planting season with others of similar size and species.

Reason: In accordance with the details of the application and to ensure that the local planning authority is satisfied with the details of the proposed planting in order to comply with saved Selby District Local Plan Policy ENV1 and to ensure for the preservation and planting of trees in accordance with s.197 of the Act.

INFORMATIVES:

01. INFORMATIVE:

The Local Planning Authority worked positively and proactively with the applicant to identify various solutions during the application process to ensure that the proposal comprised sustainable development and would improve the economic, social and environmental conditions of the area and would accord with the development plan. These were incorporated into the scheme and/or have been secured by planning condition. The Local Planning Authority has therefore implemented the requirement in Paragraphs 186-187 of the NPPF.

02. THE COAL AUTHORITY

The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:

- Collapse of shallow coal mine workings.
- Collapse of, or risk of entry into, mine entries (shafts and adits).
- Gas emissions from coal mines including methane and carbon dioxide.
- Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
- Transmission of gases into adjacent properties from underground sources through ground fractures.
- Coal mining subsidence.
- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out of their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at www.groundstability.com



Mr M Grainger
Head of Planning

Date: 24 May 2018

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, then if you want to appeal against your local planning authority's decision on your application you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.
- If this is a decision to refuse planning permission for a householder application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice
- If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If you want to appeal against any other local planning authority's decision then you must do so within 6 months of the date of this notice
- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>.
If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

Purchase Notice

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by carrying out any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with Part VI of the Town and Country Planning Act 1990.

Compensation

In certain circumstances compensation may be claimed from the local planning authority if permission is refused or granted subject to conditions by the Secretary of State on appeal or on referral of the application to him.

These circumstances are set out in Section 114 and related provisions of the Town and Country Planning Act 1990.

Circular 10/82 - Access for the disabled

Section 76 of the Town and Country Planning Act 1990 places a duty on local planning authorities to draw the attention of developers to the relevant provisions of The Chronically Sick and Disabled Persons Act 1970. These sections cover buildings or premises to which the public are to be admitted and to offices, shops, railway premises and factories. These sections require any person providing such premises to make provision, where reasonable and practicable, for the means of access, parking and sanitary conveniences to meet the needs of disabled people.

NOTE

No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under Building Regulations, of the District Council in whose area where the site of the proposed development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.