

The Drax Power (Generating Stations) Order

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

Other Consents and Licences

(Submitted for Deadline 3)



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

Drax Power Limited

Drax Repower Project

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Glossary and Abbreviations

The updated Glossary and Abbreviations for the Proposed Scheme are contained in Document Reference 1.6 submitted in November 2018 at Deadline 3 of the Examination.

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EXECUTIVE SUMMARY

1. This document has been prepared by Drax Power Limited (Drax or the Applicant) to support an Application for a Development Consent Order (DCO).
2. The Proposed Scheme will provide up to 1,800 MW or up to 3,600 MW of electrical generation capacity (depending on whether one or both of Units 5 and 6 at the Existing Drax Power Station Complex are repowered). The term “repowered” means the existing coal-fired units would be decommissioned and replaced with newly constructed gas-fired units utilising the existing steam turbine and cooling system. Should one unit be repowered, then a single gas fired generating station will be constructed (known as Unit X) with a capacity of up to 1,800 MW, comprising up to two gas turbines and up to two Heat Recovery Steam Generators (HRSGs). Each unit would also have a battery storage capability (subject to technology and commercial considerations). Should both units be repowered, the new gas-fired units / generating stations would have a total combined capacity of up to 3,800 MW.
3. The purpose of this document is to provide information on other consents and licences that are or may be required to construct and operate the Proposed Scheme.
4. This document has been updated and resubmitted for Deadline 3 of the Examination in response to comments from the Environment Agency in their Deadline 2 Written Representation (Examination Library Reference [REP02-041](#)).

1 INTRODUCTION

1.1 Overview

- 1.1.1. This document has been prepared by Drax Power Limited (Drax or the Applicant) to support an Application for a Development Consent Order (DCO) (the Application) made to the Secretary of State (the SoS) for Business, Energy and Industrial Strategy (BEIS) under section 37 of the Planning Act 2008 (the PA 2008) (Ref. 1.1).
- 1.1.2. This document has been updated for submission at Examination Deadline 3 in response to comments made by the Environment Agency in their Written Representation (Examination Library Reference [REP2-041](#)).
- 1.1.3. The Applicant is proposing to repower up to two existing coal-fired units (known as Unit 5 and Unit 6) with gas – this means the existing coal-fired units would be decommissioned and replaced with newly constructed gas-fired units utilising some of the existing infrastructure. Each unit, which is a new gas fired generating station in its own right and are termed Unit X and Unit Y, would comprise combined cycle gas turbine (CCGT) and open cycle gas turbine (OCGT) technology. Each new gas generating unit would use existing infrastructure, including the cooling system and steam turbines, and would each have a new capacity of up to 1,800 MW, replacing existing units each with a capacity of up to 660 MW. Each unit would also have a battery storage capability (subject to technology and commercial considerations). Should both units be repowered, the new gas-fired units / generating stations would have a total combined capacity of up to 3,800 MW.
- 1.1.4. A connection to the electrical network via the existing National Grid (NG) substation on the Power Station Site will be provided.
- 1.1.5. In order to repower to gas, a new Gas Pipeline needs to be constructed from the Existing Drax Power Station Complex to the National Transmission System (NTS).

1.2 The Applicant

- 1.2.1. The Applicant is Drax Power Limited. Drax Power Station is owned and managed by the Applicant, who is part of the Drax Group Plc, one of the UK's largest energy producers.

1.3 Application for a Development Consent Order

- 1.3.1. In England and Wales, under sections 14(1)(a) and 15 of the PA 2008, an onshore electricity generating station is considered to be a Nationally Significant Infrastructure Project (NSIP) if the electrical power generating capacity is more than 50 MW. As the electrical power generating capacity of the Proposed Scheme will exceed this threshold, it will be a NSIP.
- 1.3.2. Under section 31 of the PA 2008, a DCO is required to authorise the construction and operation of a NSIP.

1.4 Purpose of this Document

- 1.4.1. The purpose of this document is to provide information on the other consents and licences that are or may be required to construct and operate the Proposed Scheme.
- 1.4.2. Section 2, Table 1 of this document lists the type of consent or licence required, the relevant consenting body, any agreement that has been reached with that body, actions to be

undertaken and the status of the relevant application (e.g. whether the consent or licence has been granted or the anticipated application submission date).

- 1.4.3. This document has been updated and submitted for Deadline 3 of the Examination, in response to comments made by the Environment Agency in their Written Representation (Examination Library Reference [REP2-041](#)). Updates have been made to consent / licence no. 16 in Table 1 below to include a reference to the potential storage of demolition or construction waste, and additional consents / licences that may be required have been added (nos. 20 and 21) to add potential requirements for a flood risk activity permit and temporary dewatering consents.
- 1.4.4. It is however noted that in paragraph 4.1 of their Written Representation, the Environment Agency states that *“In the submitted Flood Risk Assessment, the applicant has recognised that any work or structures, in, under, over or within 16 m of the top of the bank of the tidal River Aire (Main River) will require an Environmental Permit and that an Environmental Permit will also be required for any temporary structures or stockpiles of materials within the floodplain.”* The Flood Risk Assessment (Examination Library Reference [REP2-027](#)) does not make reference to works or structures, in, under, over or within 16 m of the top of the bank of the tidal River Aire, which is approximately 6 km away from the Site. However, Table 1 below now covers the potential need for a Flood Risk Activity Permit for any temporary structures or stockpiles of materials within the floodplain.

1.1 Site Description

Existing Drax Power Station Complex

- 1.1.1. Drax Power Station is a large power station, comprising originally of six coal-fired units. It was originally built, owned and operated by the Central Electricity Generating Board and had a capacity of just under 2,000 MW when Phase 1 was completed in 1975. Its current capacity is 4,000 MW after the construction of Phase 2 in 1986.
- 1.1.2. Three of the original six coal-fired units are now converted to biomass (Units 1-3) and this is assessed as the current baseline in the Environmental Statement (ES) (Applicant’s document reference 6.1). By the latter half of 2018, four units (Units 1-4) will run on biomass with only two units (Units 5 and 6) running on coal. One or both of Units 5 and 6 will be repowered as part of the Proposed Scheme, this means the existing coal-fired units would be decommissioned and replaced with newly constructed gas-fired units utilising some of the existing infrastructure. The area within the Existing Drax Power Station Complex where development is proposed is referred to as the Power Station Site and is approximately 46.01 ha.

Pipeline Area

- 1.1.3. The Gas Pipeline route is approximately 3 km in length and crosses agricultural land to the east of the Existing Drax Power Station Complex. The land within the Pipeline Construction Area is 25.4 ha and the land within the Pipeline Operational Area is 2.4 ha.
- 1.1.4. An additional area is located on Rusholme Lane (Rusholme Lane Area) to accommodate a potential passing place for traffic during construction of the Gas Pipeline. This is considered to be part of the Pipeline Area.

Site Boundary

- 1.1.5. The Site is approximately 71.41 ha and lies approximately 4 m Above Ordnance Datum (AOD).
- 1.1.6. The Site Boundary (depicted with a red line on the Site Location Plan (submitted at Deadline 2, Applicant's document reference 2.1 Rev 02) represents the maximum extent of all potential permanent and temporary works required as part of the Proposed Scheme.
- 1.1.7. The Power Station Site, the Carbon capture readiness reserve space and the Pipeline Area (including the Rusholme Lane Area) have been divided into a number of Development Parcels shown on Chapter 1 (Introduction) Figure 1.3. of the ES (Examination Library Reference [APP-069](#)).
- 1.1.8. The current land uses at these development parcels are described in Table 3-1 of the ES Chapter 3 (Site and Project Description) (Examination Library Reference [APP-071](#)).

1.2 The Proposed Scheme

- 1.1.1. Drax is proposing to repower up to two existing coal-fired units (known as Unit 5 and Unit 6) with gas – this means the existing coal-fired units would be decommissioned and replaced with newly constructed gas-fired units utilising some of the existing infrastructure. Each unit, which is a new gas fired generating station in its own right, would comprise combined cycle gas turbine (“CCGT”) and open cycle gas turbine (“OCGT”) technology. Each new gas generating unit would also use existing infrastructure, including the cooling system and steam turbines, and would each have a capacity of up to 1,800 MW, replacing existing units each with a capacity of up to 660 MW. Each unit would have a battery storage capability (subject to technology and commercial considerations). Should both units be repowered, the new gas-fired units / generating stations would have a total combined capacity of up to 3,800 MW.
- 1.1.2. Drax is seeking consent for the flexibility to construct a single generating station with an 1,800 MW generating capacity or to construct two generating stations each with a 1,800 MW generating capacity. The construction of each new gas fired generating station would repower either one or both of Unit 5 and Unit 6. The decision as to whether Drax constructs one or two gas fired generating stations and when, is a commercial decision that can only be taken post any consent being granted.
- 1.1.3. In order to repower to gas, a new Gas Pipeline needs to be constructed from Drax Power Station to the National Gas Transmission System (“NTS”). In addition, an Above Ground Installation (“AGI”), and Gas Receiving Facility (“GRF”) are required. A connection to the electrical network would be made via the existing National Grid Substation within the Existing Drax Power Station Complex. Other development includes construction laydown areas, a passing place to enable the construction of the Gas Pipeline and a temporary footbridge during construction.
- 1.1.4. The development being applied for is called the "Proposed Scheme" and is more fully described in Schedule 1 of the draft Development Consent Order (where it is termed the "Authorised Development").
- 1.1.5. The Proposed Scheme includes the construction of a generating station with a capacity of more than 50 MW and accordingly meets the criteria given in the Planning Act 2008 (as amended) ("PA 2008") for being a Nationally Significant Infrastructure Project ("NSIP").

- 1.1.6. As a NSIP, the Proposed Scheme therefore requires a Development Consent Order ("DCO") from the SoS for Business, Energy and Industrial Strategy.

2 OTHER CONSENTS AND LICENCES

- 2.1.1. Information on the other consents and licences that it is considered are or may be required under other legislation for the construction and operation of the Proposed Scheme is set out in Table 1 below.

Table 1 – Other Consents and Licences

No.	Consent / Licence	Relevant Body	Comments / Agreements	Application Status / Action Required	Anticipated Submission Date / Timescales
1.	Environmental Permit (EP). The Environmental Permitting (England and Wales) Regulations 2016 (Ref. 2.1).	Environment Agency (EA)	This is required for the operation of Unit X and Unit Y. A variation to the existing EP with reference (VP3530LS) is being submitted to the EA.	Application has been duly made on 16 July 2018.	Decision pending.
2.	Greenhouse Gas Permit. Greenhouse Gas Emissions Trading Scheme Regulations 2012/3038 (Ref. 2.2).	EA	This is required in relation to the emission of carbon dioxide associated with the Proposed Scheme. An application to vary the existing licence to include Unit X and Unit Y (Work No.1 and Work No.2) is being submitted.	Application to be prepared 12 months prior to full commissioning of Unit X.	Q1 2020
3.	Hazardous Substances Consent (HSC). The Planning (Hazardous Substances) Act 1990 (Ref. 2.3)	Selby District Council (SDC)	May be required for AGI and storage of hazardous materials in	Requirement for application to be established 12 months	Q1 2020

No.	Consent / Licence	Relevant Body	Comments / Agreements	Application Status / Action Required	Anticipated Submission Date / Timescales
	and the Planning (Hazardous Substances) Regulations 2015 (Ref. 2.4).		relation to Unit X and Unit Y.	prior to operation of the AGI.	
4.	Gas Transporter Licence. Gas Act 1986 (Ref. 2.5).	Ofgem	Required for Gas Pipeline.	Application to be prepared 12 months prior to operation of the Gas Pipeline.	Q1 2020
5.	Generators Licence. The Electricity Act 1989 (Ref. 2.6).	Ofgem	This is required for electricity generation under the Proposed Scheme. Modification to existing licence.	Application to be prepared 12 months prior to full commissioning of Unit X.	Q1 2020
6.	Fire Notice. The Regulatory Reform (Fire Safety) Order 2005 (Ref. 2.7).	Local fire and rescue authority (the Health and Safety Executive (HSE) has enforcement responsibility on construction sites).	A fire safety risk assessment is required in respect of work on construction sites and an action plan is to be produced in relation to such assessment.	Will be sought, after the DCO has been made by the SoS in advance of construction activities in consultation with local fire and rescues authority and the HSE.	Prior to start of construction of the Proposed Scheme.
7.	Permit for Transport of Abnormal Loads. Road Vehicles (Authorisation of Special Types) (General) Order	Vehicle Certification Agency (VCA) (the Executive	Only if required and to the extent not included in the Order.	Establish the number and scheduling of loads requiring this consent.	As required and in advance of any AILs needing to be transported during the

No.	Consent / Licence	Relevant Body	Comments / Agreements	Application Status / Action Required	Anticipated Submission Date / Timescales
	2003 (Ref. 2.8) or with authorisation from the SoS under the Road Traffic Act 1988 (Ref. 2.9).	Agency of the Department for Transport; SoS under the Road Traffic Act 1988; Department for Transport; Highways England (HE); local highway authority (North Yorkshire County Council (NYCC)); and / or the police and bridge owners (if any) as appropriate.			construction of the Proposed Scheme.
8.	Building Regulations Approval. Building Regulations 2000 (as amended) (Ref. 2.10).	SDC	Required in respect of buildings and structures forming part of the Proposed Scheme.	Detailed design to be completed before Building Regulations application(s) can be made. This will follow the DCO being made by the SoS.	Q2 2020
9.	Licence under the Protection of Badgers Act 1992 (Ref. 2.11).	Natural England (NE)	Required for any components of the Proposed Scheme that	A detailed assessment of the location of the badger setts in relation to the footprint of the	In the July to November period preceding site clearance of land

No.	Consent / Licence	Relevant Body	Comments / Agreements	Application Status / Action Required	Anticipated Submission Date / Timescales
			<p>will require the closure of a badger sett.</p> <p>Consent to close badger setts as required. It is noted that a badger sett can usually only be closed between July and November inclusive.</p>	<p>Proposed Scheme will be completed once detailed design information is available for relevant parts of the works. Formal licence applications will be submitted to NE once this information is available and in advance of works commencing.</p>	<p>where the sett is located.</p>
10.	<p>Land Drainage Consent. Land Drainage Act 1991 (prohibition on obstructions etc. in watercourses) (Ref. 2.12).</p>	<p>Local lead drainage authority/Internal Drainage Board (IDB) (Shire Group of Internal Drainage Authorities) or EA</p>	<p>Separate application(s) to be drafted for any temporary or permanent works located within 7 m of top of bank of IDB watercourse (only if required and to the extent not covered by the Order).</p>	<p>Applications to be made as required.</p>	<p>As required.</p>
11.	<p>Section 61 Construction Noise Consent. Control of Pollution Act 1974 (Ref. 2.13).</p>	<p>SDC</p>	<p>May be required during the construction of the Proposed Scheme for certain activities.</p>	<p>Apply during construction if required.</p>	<p>As required.</p>

No.	Consent / Licence	Relevant Body	Comments / Agreements	Application Status / Action Required	Anticipated Submission Date / Timescales
12.	Bilateral Connection Agreement and construction agreement for connection to the NTS at the existing NG 400 kilovolt substation for the export of electricity from the Site.	National Grid Electricity Transmission plc (NGET)	Required for the connection of each of Unit X and Unit Y to the existing National Grid 400 kilovolt substation.	<p>Complete for Unit X. An agreement to vary the existing Bilateral Connection Agreement for Unit X was entered into on 12 July 2018 in order to increase the transmission entry capacity to 5,031 Megawatts (mW) from 1 April 2023).</p> <p>A further application (modification application) will be required for Unit Y.</p>	<p>In relation to Unit X, entered into on 12 July 2018.</p> <p>In relation to Unit Y, the further application (modification application) will be completed when Drax takes the final investment decision for Unit Y.</p>
13.	Planning Permission. Town and Country Planning Act 1990 (as amended) (TCPA) (Ref. 2.14).	SDC	The Site Reconfiguration Works are being implemented under planning permission 2018/0154/FULM and are therefore proposed to be removed from the Proposed Scheme covered by the DCO Application by way of a non-material	Complete. Planning permission ref 2018/0154/FULM for the Site Reconfiguration Works was granted on 24 May 2018. Pre-commencement conditions have been discharged and the permission has been lawfully implemented.	No further permission required

No.	Consent / Licence	Relevant Body	Comments / Agreements	Application Status / Action Required	Anticipated Submission Date / Timescales
			amendment application (see cover letter accompanying the Deadline 2 submissions – Examination Library Reference REP2-003).		
14.	Surface Water Abstraction Licence (temporary works).	EA and Selby IDB	Groundwater abstractions from temporary excavations or trenches (only to the extent not covered by the Order).	Surface water abstraction licence from the EA and land drainage consent from Selby IDB for the discharge.	As required.
15.	Borehole Abstraction Licence.	EA	No variation required to existing licence.	Not applicable.	Not applicable.
16.	Standard Rules Environmental Permits.	EA	May be required for certain elements during construction, e.g. temporary discharges to water courses, waste management activities including the storage of demolition or construction waste.	As identified through the detailed design stages of the Proposed Scheme.	As required.

No.	Consent / Licence	Relevant Body	Comments / Agreements	Application Status / Action Required	Anticipated Submission Date / Timescales
17.	Planning and Advanced Reservation of Capacity Agreement (PARCA).	National Grid Gas plc (NGG)		<p>Complete for Unit X. Application accepted by NGG on 7 March 2018 and the PARCA was completed and approved by National Grid for capacity for Unit X on 12 October 2018.</p> <p>In respect of Unit Y, the PARCA be completed when Drax takes the final investment decision for Unit Y.</p>	<p>Unit X – completed.</p> <p>In respect of Unit Y, the PARCA is to be completed when Drax takes the final investment decision for Unit Y.</p>
18.	NTS Connection Application.	NGG		Application accepted by NGG 1 March 2018.	Decision due 1 December 2018.
19.	Pipeline Safety Notification. The Pipeline Safety Regulations 1996. (Ref. 2.15).	HSE	Required in connection with the proposed gas connection. Other HSE-related notifications / consents may also be required.	Application(s) or notification(s) to be made as required.	As required.
20.	Flood Risk Activity Permit under the Environmental Permitting Regulations (Ref. 2.16).	EA	May be required in respect of temporary structures or stockpiles of materials	Application(s) to be made as required.	As required.

No.	Consent / Licence	Relevant Body	Comments / Agreements	Application Status / Action Required	Anticipated Submission Date / Timescales
			within the floodplain (only to the extent not covered by the Order).		
21.	Temporary Dewatering Consents. Land Drainage Act 1991. (Ref. 2.12).	EA and Selby IDB	May be required for de-watering in association with construction phase (only to the extent not covered by the Order).	Applications(s) to be made as required.	As required.

REFERENCES

- Ref. 1.1: Planning Act 2008 (as amended).
- Ref. 2.1: The Environmental Permitting (England and Wales) Regulations 2016.
- Ref. 2.2: Greenhouse Gas Emissions Trading Scheme Regulations 2012.
- Ref. 2.3: The Planning (Hazardous Substances) Act 1990.
- Ref. 2.4: Planning (Hazardous Substances) Regulations 2015.
- Ref. 2.5: Gas Act 1986.
- Ref. 2.6: The Electricity Act 1989.
- Ref. 2.7: The Regulatory Reform (Fire Safety) Order 2005.
- Ref. 2.8: Road Vehicles (Authorisation of Special Types) (General) Order 2003.
- Ref. 2.9: Road Traffic Act 1988.
- Ref. 2.10: Building Regulations 2000 (as amended).
- Ref. 2.11: The Protection of Badgers Act 1992.
- Ref. 2.12: Land Drainage Act 1991.
- Ref. 2.13: Control of Pollution Act 1974.
- Ref. 2.14: Town and Country Planning Act 1990 (as amended).
- Ref. 2.15: The Pipeline Safety Regulations 1996.
- Ref. 2.16: The Environmental Permitting (England and Wales) (Amendment) (No.2) Regulations 2016.