



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

## Drax Power Station Re-power Project

Issue Specific Hearing: Environmental Issues

Wednesday 5 December 2018, 10:00am

Issue Specific Hearing:

Draft Development Consent Order (DCO)

Thursday 6 December 2018, 10:00am

Compulsory Acquisitions Hearing

Thursday 6 December 2018, 2:00pm

**Location:** Goole Leisure Centre, North Street, Goole DN14 5QX

### Agendas

#### ***Please note:***

These agendas are for guidance only. They are not designed to be exclusive or exhaustive. The Examining Authority (ExA) may add other issues for consideration, may alter the order in which issues are considered and will seek to allocate sufficient time to each issue to allow proper consideration of them.

Any lack of discussion of a particular issue at a Hearing does not preclude further examination of this issue, including further written questions.

Should the consideration of the issues take less time than anticipated, the ExA may conclude the Hearing as soon as all relevant contributions have been made and all questions asked and responded to.

If there are additional matters to be dealt with or there are submissions that take a considerable amount of time at any Hearing there may be a need to continue the session for longer on the day. Alternatively it may be necessary to prioritise matters and defer others to further written questions. The ExA recognises that other Hearings may contribute information and evidence which will be used in support of a recommendation in respect of Compulsory Acquisitions.

The ExA will be using the revised version of the draft DCO accepted into the Examination at Deadline (D) 2, referenced [REP2-014] in the Project Examination Library as well as that submitted at D3, although at the time of publication of this agenda this has not been allocated an examination library reference number. At the Issue Specific Hearing on DCO matters, the ExA may

cite the Development Consent Order for the Eggborough CCGT Order 2018, made on 20 September 2018, and the applicant is advised to have had sight of that DCO prior to this Hearing.

# Issue Specific Hearing: Environmental Issues

Wednesday 5 December 2018 – 10.00am

## 1. Opening Remarks etc

## 2. Introduction of Participants

## 3. Main Discussion Points

### A) The Changes to the Proposed Development

- The Applicant to briefly set out the changes sought to the application at D2 and D3;
- The effects caused by the removal of Stage 0; and
- Whether the proposed stack heights are within the parameters assessed in the ES and HRA, both maximum and minimum.

### B) The Principle of the Proposed Development and the Effects on Climate Change

- i. Whether or not the proposed development is compliant with National Policy Statement (NPS) EN-1
  - Whether 'need' is a matter before the ExA;
  - Whether the NPS treats 'need' and 'demand/projection' independently and differently; and
  - Whether demand for renewables has met UEP projections.
- ii. The tests of s104 of the Planning Act 2008 (PA2008)
  - Whether the proposed development contravenes international obligations and any other enactment in respect to the Climate Change Act 2008 and the Paris Climate Agreement 2015 (S104(4) and (5)); and
  - An assessment against s104(7) of the PA2008, looking at:
    - An assessment of the adverse impacts of the proposed development, and in particular a focus on whether or not the future baseline scenarios as used in the ES in respect to provision elsewhere, and an emissions intensity of 450g/CO<sub>2</sub>/kWh are misleading; and concerns regarding the cumulative and transboundary effects; and
    - An assessment of the benefits of the proposed development.
- iii. Whether Carbon Capture Storage should be considered as a mitigation measure.

### C) Landscape and Visual, and Design

- The effect of the proposed development on the landscape and whether additional off-site mitigation is required; and

- The design of the proposed development and effect on the historic significance of Drax Power Station.

D) Biodiversity

- Whether or not the Proposed Development would result in an adequate biodiversity net gain having regard to the Biodiversity Net Gain Assessment submitted by the Applicant at D2 [REP2-023], and whether additional off-site mitigation measures would be required; and
- The adequacy of the outline Landscape and Biodiversity Strategy (LBS) submitted at D2 [REP2-026] including habitats clearance timing and post-construction monitoring.

E) Air Quality

- The basis for atmospheric emissions data from relevant plant suppliers;
- Whether Selective Catalytic Reduction is to be deemed Best Available Techniques; and
- Update on the Environmental Permit.

**4. Matters for Clarification**

- The Environment Agency's response to D2 [REP2-041] suggests further information has been provided in respect to long-term groundwater level monitoring. The ExA requires an update to this position;
- The working width and how this is secured;
- The gas pipeline crossing techniques, and whether a commitment is required for trenchless crossings in the dDCO;
- Error on Work Sheet Plan 1 [REP2-007] with area shown for Work No 15A; and
- An update on the position of Statements of Common Ground still to be signed, particularly in regard to revised statements (such as the revised LBS, Construction Traffic Management Plan and the Construction Worker Travel Plan submitted at D2 [REP2-026, REP2-022 and REP2-021].

**5. Other Matters**

**6. Close of Hearing**

# Issue Specific Hearing: Draft DCO

Thursday 6 December 2018 – 10:00am

## 1. Opening Remarks etc

## 2. Introduction of Participants

## 3. Main Discussion Points

- The definition of '*commence*' in Article 2 and Requirement 2 in respect to Unit Y;
- The definition of '*maintain/maintenance/maintaining*' in Article 2; and
- The Requirements in Schedule 2 in respect to Permitted Preliminary Works.

## 4. Matters for Clarification

- The removal of consent requirements under Article 8;
- The powers contained within Article 19;
- The deletion of Article 39 and replacement by Schedule 15;
- The substantial changes to Article 41 and its drafting;
- Whether Works No 3A and 3B (Battery Storage) are 'electricity generation works' or 'associated development';
- The deletion of gross capacity storage limits of Works No 3A and 3B (Battery Storage) in Schedule 1;
- The additional works required in Work No 6A in Schedule 1;
- The wording of Requirement 10 (lighting) of the dDCO;
- The deletion of Requirement 21 in respect to Combined Heat and Power;
- Statutory Undertakers in respect to Vodafone and Northern Powergrid; and
- Update on Design Parameters in Schedule 13 (in reference to WQ DCO 1.27).

## 5. Other Matters

## 6. Close of Hearing

# **Compulsory Acquisitions (CA) Hearing**

Thursday 6 December 2018 – 2.00pm

- 1. Opening Remarks etc**
- 2. Introduction of Participants**
- 3. Update of Progress on Negotiations by the Applicant**
- 4. Main Discussion Points**
  - The Tests of CA within the Planning Act 2008;
  - The need to compulsorily acquire the freehold of Plot 8; the southern and eastern strips of Plot 10 for the purposes of Work Nos 10C and 11 (retained landscaping); and the south-eastern section of Plot 62 in respect of Work No 6A (above-ground installation);
  - Changes sought on the application made at D2 [REP2-038, REP2-039 and REP2-040];
  - Issues concerning the Plot 5 'limbs' concerning Work Nos. 8A and 8B; and
  - Updates on Protective Provisions.
- 5. Other Matters**
- 6. Close of Hearing**