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PINS Reference: EN010091

Examination Deadline 4 (“D4”)

The Drax Power (Generating Stations) Order

Dear Ms Gregory,

Please find enclosed documentation for Examination Deadline 4 from Drax Power Limited ("Drax") for a Development Consent Order ("DCO") in respect of the Drax Repower Project ("the Proposed Scheme"). This Deadline is the fourth of nine Deadlines for the Examination set out within the Rule 8 Letter published on 11 October 2018.

I set out below the documents submitted at this Deadline 4.

Full List of Submission Documents for Deadline 4

Submission documents for Deadline 4 of the Examination include:

Updated Application Documents

- 1.2 Application Guide
- 2.3A Works Plans
- 2.4 Access and Right of Way Plans
- 6.2.5.1 Outline Construction Worker Travel Plan

- 6.2.5.2 Outline Construction Traffic Management Plan
- 6.5 Outline Construction Environmental Management Plan

Additional Examination Documents

- 8.1.4 Statement of Common Ground with North Yorkshire County Council and Selby District Council (second draft)
- 8.1.5 Statement of Common Ground with the Environment Agency (first draft)
- 8.1.7 Statement of Common Ground with Yorkshire Wildlife Trust (first draft)
- 8.2.4 Schedule of Changes for Deadline 4
- 8.5.12 Written Summary of Drax Power Limited's ("the Applicant") Oral Case put at the Environmental Matters Issue Specific Hearing – 5 December 2018
- 8.5.13 Written Summary of Drax Power Limited's ("the Applicant") Oral Case put at the Draft Development Consent Order Issue Specific Hearing – 6 December 2018
- 8.5.14 Written Summary of Drax Power Limited's ("the Applicant") Oral Case put at the Compulsory Acquisition Hearing – 6 December 2018

The reasons for the submission of these documents are set out below.

Plans

The updated Works Plans (document reference number 2.3A) are submitted due to an error on the key sheet with the reference to Works 15A as raised in the Agenda for the Issue Specific Hearing: Environmental Issues, published on the Examining Authority's website on 27 November 2018.

The Access and Rights of Way Plans (document reference number 2.4) have been updated to correct an error raised by North Yorkshire County Council and Selby District Council in paragraph 14.3 of the Local Impact Report, relating to the location of Public Right of Way 35.47/4/1.

Environmental Documents

The Outline Construction Worker Travel Plan (document reference number 6.2.5.1) and Construction Traffic Management Plan (document reference number 6.2.5.2) have been updated with minor changes, including to provide clarity on the access of HGVs to the Laydown areas to the east and west of New Road in response to matters raised by Mr Watson at the Compulsory Acquisition Hearing on 6 December 2018, to replace some figures and to align the description of the Proposed Scheme with the updates made at Deadline 3. Full details of the amendments are set out in the Schedule of Changes.



The Outline Construction Environmental Management Plan (document reference number 6.5) has been updated to provide notification to North Yorkshire County Council and Selby District Council in relation to chosen crossing techniques to reflect a commitment given by the Applicant on this point at the Issue Specific Hearing on Environmental Matters, and a minor change regarding protected species and demolition.

Statements of Common Ground

Draft or updated draft Statements of Common Ground (SoCG) with the following parties are submitted at Deadline 4:

- North Yorkshire County Council and Selby District Council (document reference number 8.1.4) (second draft);
- Environment Agency (document reference number 8.1.5) (first draft); and
- Yorkshire Wildlife Trust (document reference number 8.1.6) (first draft).

The abovementioned draft SoCGs set out the areas of agreement, and any areas of disagreement between the Parties. In line with the Rule 8 Letter, the final signed versions of the SoCGs will be submitted by Thursday, 21 March 2019 (Deadline 8).

Since the submission of the first draft SoCG with the Local Planning Authorities at Deadline 1, Drax has had further engagement with North Yorkshire County Council and Selby District Council. Most points in the SoCG are now agreed, with the exception of outstanding points on landscaping and visual impacts, as set out in the updated draft SoCG. Drax and the Local Planning Authorities are continuing to engage on this matter.

With regard to a draft SoCG with the Environment Agency, on 16 November 2018, following a number of iterations, Drax issued a final draft SoCG to the Environment Agency for comment and agreement. At the time of Deadline 4, no further comments were received by Drax from the Environment Agency. Drax is awaiting confirmation from the Environment Agency on the following points in relation to CHP and CCR:

- That the Environment Agency is satisfied that sufficient space will be allocated for future retrofit of CHP.
- That the Environment Agency is satisfied with the selection of heat loads to confirm the footprint of any development required.
- That the Environment Agency is satisfied that there are no foreseeable barriers to carbon capture with regards to technical feasibility.
- That the Environment Agency is satisfied with a disapplication of requirements for an abstraction licence and flood risk permit under the DCO. Protective provisions in that respect are currently being discussed.

Drax considers that no further points remain under discussion with the Environment Agency.

With regard to the draft SoCG with Yorkshire Wildlife Trust, a number of matters remain under discussion. Drax and the Trust continue to engage on these matters.

With regard to the draft SoCG with Highways England submitted at Deadline 2, the matters set out in section 3.2 of that SoCG in relation to the highways works and temporary road closures relating to the M62 are still under discussion.

No other SoCGs are outstanding to be finalised.

Other Documents

The Written Summaries of Drax Repower Limited's oral cases put at the hearings have been submitted in line with the deadline given in the Rule 8 letter. These include:

- 8.5.12 Written Summary of Drax Power Limited's ("the Applicant") Oral Case put at the Environmental Matters Issue Specific Hearing – 5 December 2018
- 8.5.13 Written Summary of Drax Power Limited's ("the Applicant") Oral Case put at the Draft Development Consent Order Issue Specific Hearing – 6 December 2018
- 8.5.14 Written Summary of Drax Power Limited's ("the Applicant") Oral Case put at the Compulsory Acquisition Hearing – 6 December 2018

The Schedule of Changes for Deadline 4 (document reference 8.2.4) sets out key changes to updated submission documents. The revision numbers for each document are set out in the updated Application Guide (document reference 1.2).

Land Documents to be submitted at Deadline 5

We would like to advise the Examining Authority that some minor amendments will be required to the Land Plans (Applicant's document reference 2.2), Book of Reference (Applicant's document reference 4.3) and Compulsory Acquisition Schedule (Applicant's document reference 4.4). The key changes relate to Ms Kate Bingley's and Mr John Neville Stones' interests in plots 26, 27 and 28. Upon continued review of the title plans following the recent "gifting" of some land by Mr Stones to Ms Bingley, it has come to our attention that Mr Stones has retained an interest in some parts of the land and therefore these plots will need to be split to create eight new plots to reflect Mr Stone's ownership of this land.

We are currently reviewing the titles to confirm the precise nature of Mr Stones' interest and to ensure that any changes are reflected accurately. We are also reviewing the rights sought over plots 10, 13 and 15, as requested by the Examining Authority in the Compulsory Acquisition Hearing on 6 December 2018. Therefore, consolidated updated Land Plans, the Book of Reference, and Compulsory Acquisition Schedule, will be submitted at Deadline 5.

Removal of "Stage 0"

In reference to the Examining Authority's request within its Rule 9 and Rule 17 letter dated 30 November 2018 to submit updated application documentation to reflect the removal of Stage 0, we note that we submitted the updated application documentation at Deadline 2 and therefore consider that we have already satisfied this request. The relevant updated application

documentation which we consider needed to be updated as a result of the removal of Stage 0 and which was submitted at Deadline 2 is as follows:

- 3.1 Draft Development Consent Order (the Explanatory Memorandum was updated at Deadline 3 and amendments were made to reflect the removal of Stage 0 from the draft DCO)
- 2.1 Site Location Plan
- 2.2 Land Plans
- 2.3A Works Plans
- 2.3B Indicative Works Associated with Unit X
- 2.5A Two Unit Option Indicative Plant Layout
- 2.5B One Unit Option Indicative Plant Layout
- 4.3 Book of Reference
- 4.4 Compulsory Acquisition Schedule
- 5.8 Other Consents and Licences
- 6.2.9.10 Environmental Statement – Volume 2 – Appendix 9.10 – Biodiversity Net Gain Assessment
- 6.5 Outline Construction Environmental Management Plan
- 6.7 Landscape and Biodiversity Strategy and Biodiversity Plan
- 6.8 Flood Risk Assessment (Surface Water Drainage Strategy)

The explanation for the changes made to each of the above documents to reflect the removal of Stage 0 was set out in the Schedule of Changes submitted at Deadline 2 (REP2-030).

Please do not hesitate to contact me should you have any queries regarding the enclosed submissions.

Yours sincerely



Jim Doyle
Environmental Consents Officer
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