

The Drax Power (Generating Stations) Order

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

Outline Public Rights of Way Management Plan

(Submitted for Deadline 5)



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

Term	Definition
AGI	Above Ground Installation
CEMP	Construction Environmental Management Plan
CCGT	Combined Cycle Gas Turbine
DCO	Development Consent Order
ES	Environmental Statement
GRF	Gas Receiving Facility
MW	Megawatt
NTS	National Gas Transmission System
NSIP	Nationally Significant Infrastructure Project
NYCC	North Yorkshire County Council
OCGT	Open Cycle Gas Turbine
PA	Planning Act
PRoW	Public Rights of Way
SoS	Secretary of State

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1 INTRODUCTION

1.1 Introduction and Purpose of this Document

- 1.1.1. On 29 May 2018, Drax Power Limited ("Drax" or "the Applicant") made an application ("the Application") for a Development Consent Order to the Secretary of State for Business, Energy and Industrial Strategy ("the SoS"). The Application relates to the Drax Repower Project ("the Proposed Scheme") which is described in detail in chapter 3 of the Environmental Statement (document reference 6.1.4, Examination Library reference APP-071).
- 1.1.2. The Application was accepted for Examination on 26 June 2018.
- 1.1.3. This Outline Public Rights of Way ("PRoW") Management Plan, which is submitted into the Examination at Deadline 2, has been prepared by Drax to manage PRoW during the construction of the Proposed Scheme.
- 1.1.4. The Outline PRoW Management Plan describes where PRoW will be affected by the Proposed Scheme and how the PRoW will be managed to ensure they are safe to use and disruption to users is minimised.
- 1.1.5. The draft Development Consent Order ("DCO") for the Proposed Scheme, seeks powers to temporarily stop up PRoW affected by the Proposed Scheme (Article 12) and also to permanently stop up PRoW (Article 13).
- 1.1.6. It should be noted that requirement 9(1) of the draft DCO only requires a PRoW Management Plan to be provided in respect of the temporary closure of PRoWs for the construction of Work No. 7. The Outline PRoW Management Plan does not cover the permanent closure of the PRoW identified in Schedule 7 (Public Rights Of Way To Be Permanently Stopped Up) of the draft DCO. This is because the permanent closure of PRoW 35.47/1/1 and PRoW 35.47/6/1 would only be required if it is necessary for the Applicant to take such action in order to prepare the carbon capture readiness reserve space for the installation and operation of carbon capture equipment. Requirement 9(3) of the draft DCO prevents the closure of these two PRoW until the new PRoW have been completed pursuant to the approved details under requirement 9(3), which requires the Applicant to submit details of the form and layout of the surface of the new substitution PRoWs. Therefore, it is not considered necessary for the Outline PRoW Management Plan to cover the permanent closure of PRoW 35.47/1/1 and PRoW 35.47/6/1.

1.2 The Proposed Scheme

- 1.2.1. 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.

- 1.2.2. 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 an 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.
- 1.2.3. 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.
- 1.2.4. 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"). The Proposed Scheme is described in detail in Chapter 3 (Site and Project Description) of the Environmental Statement (Examination Library reference APP-071), along with the Removal of Stage 0 (as set out in the Cover Letter submitted at Deadline 2 (Examination Library Reference REP2-003) pursuant to the non-material amendment application submitted at Deadline 2 and the Assessment of Non-Material Amendments to Proposed Scheme (Applicant's Document Reference 8.4.8) submitted at Deadline 3.
- 1.2.5. 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").
- 1.2.6. As a NSIP, the Proposed Scheme therefore requires a Development Consent Order ("DCO") from the SoS for Business, Energy and Industrial Strategy.

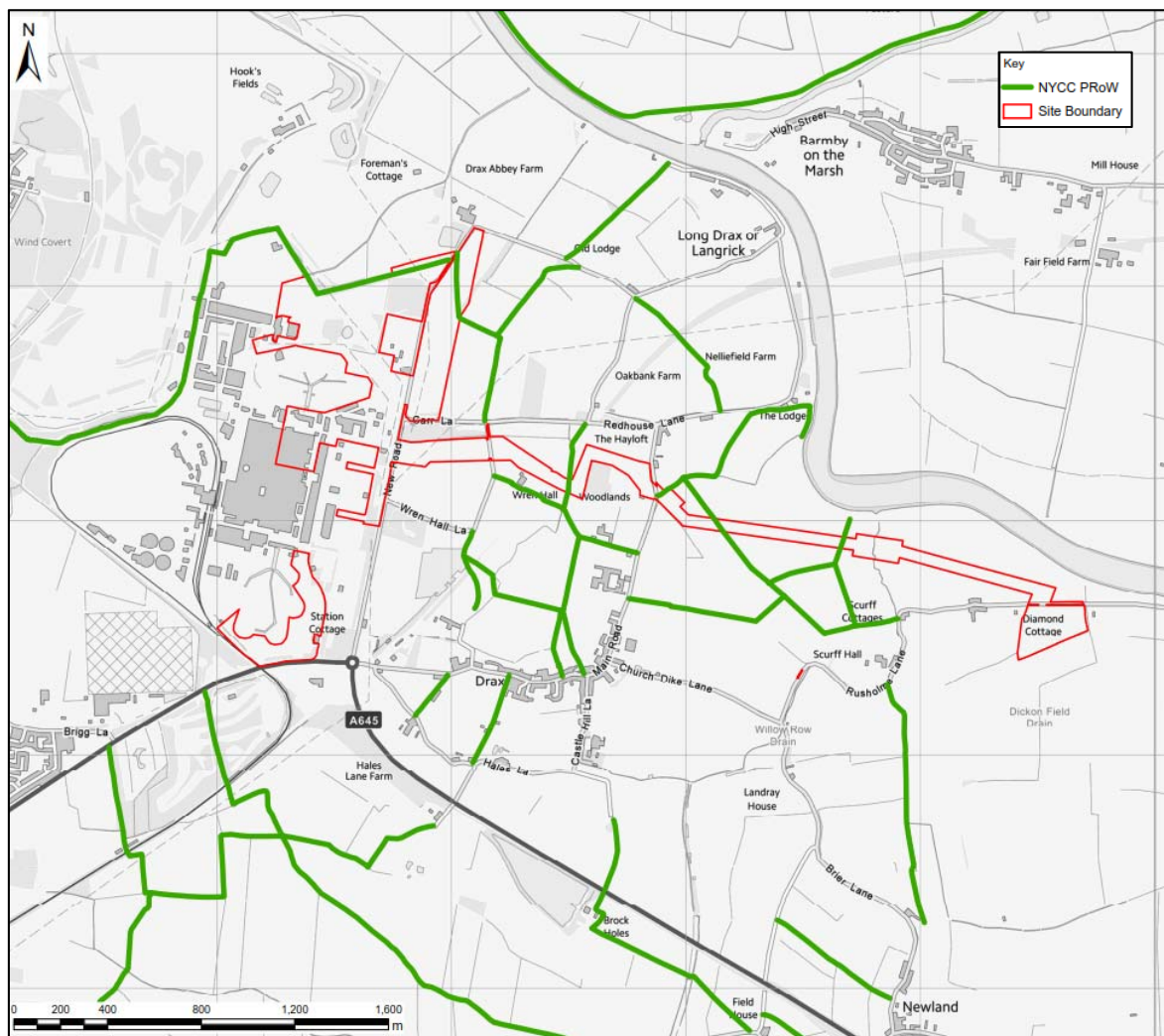
2 PUBLIC RIGHTS OF WAY IN THE AREA

2.1 Identification of the PRow

2.1.1. The North Yorkshire County Council (“NYCC”) “Public Rights of Way Map - Ref 14.16” reveals that there are 40 PRow within the 1 km study area of PRow for the Proposed Scheme. These PRow are shown on Figure 3.1c in Chapter 3 (Site and Project Description) of the Environmental Statement (“ES”) (Examination Library reference [APP-071](#)) and listed in Table 14.11 of the Socio-Economic Chapter (Examination Library reference [APP-082](#)).

2.1.2. An illustration of the PRow within the study area is shown below in Figure 1.

Figure 1 – PRow in relation to the Site Boundary



2.1.3. As presented in Table 5.51 of the Transport Chapter of the ES (Examination Library reference [APP-073](#)), Table 1 below represents the lists of the PRow that

will be affected by the Proposed Scheme with the constraints identified and the impacts detailed.

Table 1 – Public Rights of Way

PRoW	Constraint	Impact / Details
35.47/6/1	Runs along the north of the Existing Drax Power Station Complex	Negligible - Will remain open during construction. Will be permanently stopped up if CCS is taken forward with a parallel diversion provided.
35.47/1/1	Crosses Area A of the Existing Drax Power Station Complex	Negligible - Will remain open during construction. Will be permanently stopped up if CCS is taken forward with a parallel diversion provided.
35.47/4/1	Crosses Gas Pipeline	Minor - Temporary Closure for up to 6 months in Stage 1 between the points marked and M and N on sheet 5 of the access and rights of way plan (Examination Library Ref: REP4-002)
35.47/5/1	Crosses Gas Pipeline	Minor - Temporary Closure for up to 6 months in Stage 1 between the points marked and O and P on sheet 5 of the access and rights of way plan (Examination Library Ref: REP4-002)
35.47/9/1	Crosses Gas Pipeline	Minor - Temporary Closure for up to 6 months in Stage 1 between the points marked and Q and R on sheet 5 of the access and rights of way plan (Examination Library Ref: REP4-002)
35.49/2/1	Crosses Gas Pipeline	Minor - Temporary Closure for up to 6 months in Stage 1 between the points marked and S and T on sheet 5 of the access and rights of way plan (Examination Library Ref: REP4-002)

2.1.4. As outlined in paragraph 1.1.6, there is no requirement for this Outline PRoW Management Plan to cover the permanent closure of PRoW 35.47/1/1 and PRoW 35.47/6/1. However, the new substitution PRoWs can be seen on sheet 2 of the access and rights of way plan (Examination Library Ref: REP4-002)

2.1.5. The following section outlines the management proposals for the remaining temporary closures.

3 MANAGEMENT PLAN

3.1 Temporary PRow Closures

- 3.1.1. The temporary closure of the PRow will occur as required (and, as required by the DCO, the powers to temporarily close the PRow will only be exercised once notices are erected onsite, or as otherwise advised by the NYCC pursuant to Article 12(7)). The temporary closures will be implemented (where reasonably practicable) on a rolling basis, when work is required to an area with a Public Right of Way affected. Therefore, the Applicant will use reasonable endeavours to ensure that not all the PRows will be closed at the same time, and each will be re-opened as works at each location are completed. The following PRow are subject to Temporary Closure: 35.47/4/1, 35.47/5/1, 35.47/9/1 and 35.49/2/1, locations of which are presented in Figure 3.1c in Chapter 3 (Site and Project Description) of the ES (Examination Library reference [APP-071](#)) and on the access and rights of way plan (Examination Library Ref: REP4-002) as identified in Table 1 above.
- 3.1.2. PRow users may be affected by short duration closures (of up to 6 months) during the construction period of the Gas Pipeline (Stage 1). This management plan presents alternative routes for each temporary PRow closure, where that is practicable, and confirms that publicity and signage would be provided in advance of the temporary closure.

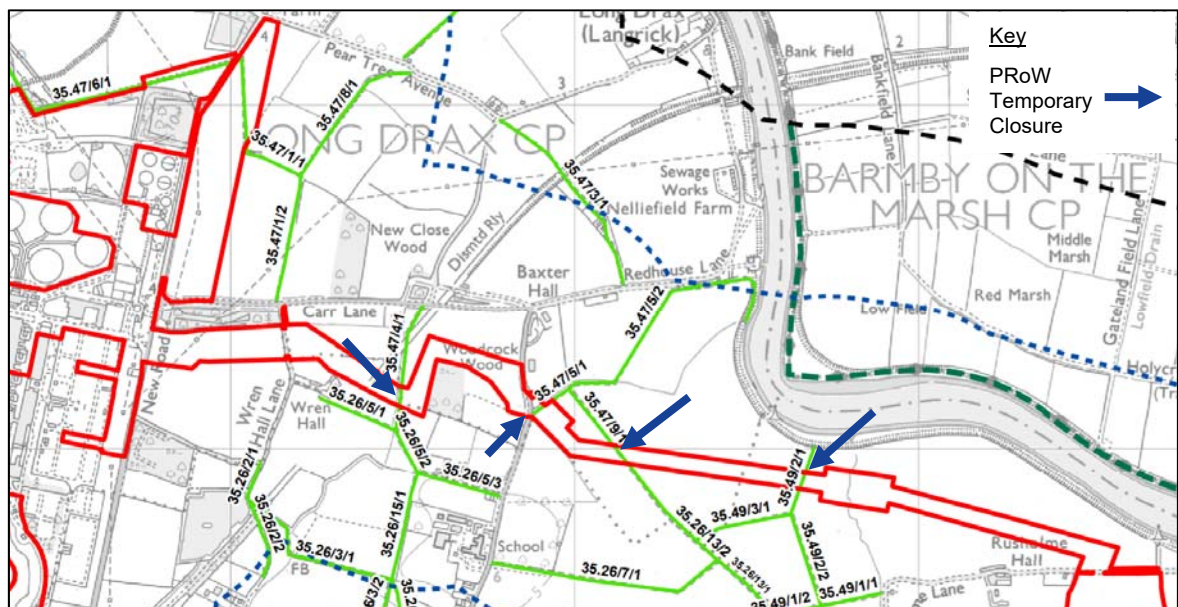
3.2 Implementing the Temporary Closures Onsite

- 3.2.1. Temporary closure of PRows will be achieved through the provision of fencing which will be erected along the Pipeline Construction Area for the working area, and at the point of closure of the PRow. This will be provided with no gaps that otherwise could encourage use of inappropriate alternative access routes. The location of fencing in relation to temporary PRow closures will be provided to the PRow Officer at NYCC for information. Regular inspections will take place by Drax to ensure that all signage and fencing are still in place throughout the temporary closures and that the condition of the alternative signed routes are suitable for the use by the public.
- 3.2.2. Where a PRow is subject to a temporary closure (see Figure 2 below), these will be within the red line boundary and only closed for the duration of the required works. An alternative route has been identified to provide the continuity of journey made via the PRow and public highway network for three of the four PRow. Table 2 below presents the alternative routes for each temporary PRow closure.

Table 2 – Alternative Routes

PRoW	Alternative Route
35.47/4/1	The start and end points of this PRoW can be reached via a circular route using PRoW 35.26/5/1, 35.26/5/2, Carr Lane, Wren Hall Lane and Main Road. Access along Main Road will be provided at all times.
35.47/5/1	This PRoW provides a route to PRoW 35.47/5/2 which can be reached via Main Road and Redhouse Lane. This PRoW also provides a route to PRoW 35.47/9/1 (which is also subject to a temporary closure) which leads to PRoW 35.26/13/2. PRoW 35.26/13/2 can be reached via Main Road and PRoW 35.26/7/1 Access along Main Road will be provided at all times.
35.47/9/1	This PRoW provides a route to PRoW 35.47/5/1 which can be reached via Main Road and PRoW 35.26/7/1. Access along Main Road will be provided at all times.
35.49/2/1	There are no alternative PRoW or public highway that can provide access to the River Ouse where this PRoW terminates. Alternative mitigation is discussed below.

Figure 2 – PRoW subject to Temporary Closure



3.2.3. For any alternative route, appropriate signage will be provided in advance of the closure locations so that users will be able to make appropriate diversions in advance of reaching the closure location. Notices will be erected at the middle of the actual closure in addition to this on any alternative routes.

3.2.4. The Highway Authority will also be informed of the closures 6 weeks before the closures are scheduled to start for their information. Discussions with PRoW Officers at NYCC will be held to ensure the locations of signs are appropriate and a standard form of signage relating to temporary closures is used to easily inform users. The final agreed alternative route would be agreed with NYCC in advance of any temporary closure.

3.3 **PRoW 35.49/2/1**

3.3.1. As no suitable alternative route exists for this PRoW, two options have been discussed with Officers at NYCC. Option 1 is to seek to agree short term arrangements, where possible, with landowners that in advance of any closure of PRoW 35.49/2/1, access is granted from the point where PRoW 35.47/5/2 ends along the River Ouse to allow users to use the river bank to reach a point where PRoW 35.49/2/1 is intercepted.

3.3.2. Option 2 is to provide a means of access 'on demand' through the construction site during working hours under the supervision of a qualified construction worker. This could be achieved by providing a contact number of the site office at either side of the closure points who can then facilitate a staff member escorting a user or users across the construction site to the other side.

3.3.3. However, it was agreed with NYCC, that neither Option 1 or 2 was deliverable in practice, and as PRoW 35.49/2/1 would only be closed temporarily, with a short term impact, no alternative route for the temporary closure of PRoW 35.49/2/1 should be proposed.

3.4 **Condition Surveys**

3.4.1. Drax will undertake pre-commencement condition surveys of the relevant directly affected PRoW prior to the commencement of construction. The surveys will include photographic records and written descriptions. A copy of the condition survey will be provided to the NYCC PRoW Officer within 28 days of the completion of the survey.

3.5 **Provision of Notices**

3.5.1. Publicity and signage will be provided in advance of the temporary closure. Notices will be agreed with NYCC officers in advance of the closures and the required information supplied to NYCC will be in accordance with NYCC's application document *Application for the Temporary Closure of Footpath, Bridleway, Restricted Byway or Byway Open to all Traffic under the Road Traffic Regulation Act 1984*. The notice will include the following information as a minimum:

- Route of the path affected between points "x" and "y"
- The Parish it is within
- The duration of works
- A description and plan of the alternative route, or whether no suitable alternative route is possible.

- A brief statement of why the closure is required
- Statement on the access provision to any premises

3.5.2. The notices will be provided on the ground informing the public of the closures and will also be published in a newspaper circulating in the vicinity of the site. Notices will also be provided to the highway authority for them to put on their website.

3.6 Reinstatement of PRow

- 3.6.1. Once the works at any particular location have been completed, and the footpath no longer needs to be closed to the public, the notices will be removed from site by the company / contractors and the PRow will be reopened
- 3.6.2. Prior to the re-opening of the PRow, Drax will reinstate the directly affected PRows as a minimum to the same condition as was recorded prior to the commencement of construction.

3.7 Inspections

- 3.7.1. Inspections and any action required, relating to non-conformance will be undertaken in line with the Final Construction Environmental Management Plan ("CEMP").

3.8 Potential Permanent Diversions

- 3.8.1. It is recognised that there is no requirement for provisions to be described for the permanent diversion of the 2 PRows outlined in the management plan and the DCO however in the event that the permanent diversion of a PRow is required then prior liaison will be made with the Highway Authority as to the requirements pursuant to the provisions of the DCO.
- 3.8.2. Agents acting on behalf of the applicant will notify the Highway Authority 7 days prior to the 2 PRows outlined in the management plan and the DCO being diverted. Detailed plans of the proposed diversion, including details of widths, lengths, and any proposed structures will be provided prior to the diversions being implemented, to the Highway Authority for approval in accordance with requirement 9 of the DCO.