

From: [Michael Reynolds](#)
To: [Drax Re-power](#)
Subject: NYCC & SDC - Deadline 7 Submission
Date: 20 February 2019 16:58:07
Attachments: [Letter to PINS Drax Deadline 7.pdf](#)

Dear sirs

Please see attached deadline 7 submission.

Many thanks
Michael

Michael Reynolds

Senior Policy Officer (Infrastructure)

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Planning Inspectorate

By email to:

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Date: 20 February 2019

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Dear Sirs

The Drax Re-Power Project

Deadline 7

Response to Deadline 6 Submissions

This response has been prepared by the Authorities in response to “Applicant’s Response to Offsite Mitigation Strategy Submitted by the Local Authorities” submitted by the Applicant for Deadline 6 (Examination Library Reference 8.4.11).

The Local Authorities disagree with several points made in the Applicant’s Response. In particular relating to the appropriateness of the Applicant’s mitigation, and the interpretation of ‘mitigation, and ‘enhancement’.

The Appropriateness of the Applicant’s Mitigation

The Applicant has now submitted further mitigation proposals on the Bingley Land and is proposing to re-surface part of the Trans-Pennine Trail. While these proposals are welcome, they are clearly not enough or proportionate to the scale of the development and its impact.

The Applicant’s assessment of impacts of the proposed development is not disputed. A substantial quantity of likely adverse landscape and visual effects have been identified (moderate to major, negative, direct, permanent, long term) with almost no effective mitigation proposed (ES 18 – Summary of Significant Effects Table 18.6 and Table 18.6).

The Applicant has put forward the position that there is no off-site mitigation that could make a difference to the effects identified in the LVIA . The Authorities Disagree.

The Authorities' view is that further mitigation is reasonable and possible to reduce landscape impacts and that the mitigation proposals presented by the Applicant are not appropriate and proportionate. This is demonstrated by the Martin Woolley Off-site Mitigation Strategy (MW OSMS).

Following the Examination Hearing on 12th February 2019, the Authorities are to submit project proposals that would help offset the significant adverse Landscape Effects predicted in the Applicant's LVIA.

The Authorities proposals will further consider the deliverability and costs of projects within a 3km radius, and seek to prioritise these within the areas most affected; to mitigate and offset identified impacts.

Mitigation versus Enhancement

The Authorities do not agree with the Applicants interpretation of Mitigation and Enhancement. The Authorities are not seeking 'enhancement' or improvement of a wider (and unrelated area) above the baseline conditions.

The Authorities are seeking offsetting and improvement to landscape within the area directly affected by the proposals. The Authorities' proposals are Landscape mitigation supported by existing Landscape Character Assessments and Green Infrastructure Strategies.

Compensation or offsetting is an established principle within the mitigation hierarchy. The Guidelines for Landscape and Visual Impact Assessment (GLVIA3) suggests that '*where landscape effects are significant and adverse, proposals for preventing/avoiding, reducing, or offsetting or compensating for them should be described*' (GLVIA3 para. 5.56). This hierarchy of measures is reiterated within the Town and Country Planning Regulations (Environmental Impact Assessment) Regulations 2017 (Part 5, para. 18 – (3) (c)).

Yours faithfully

Michael Reynolds
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