

The Drax Power (Generating Stations) Order

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

Statement of Common Ground between Drax Power Limited and
Yorkshire Wildlife Trust

(Submitted for Deadline 8)



The Planning Act 2008

Drax Power Limited

Drax Repower Project

Applicant: DRAX POWER LIMITED
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Glossary

Abbreviation	Description
AGI	Above Ground Installation
Applicant	Drax Power Limited (also referred to as Drax)
Application	Application made by Drax Power Limited for a Development Consent Order on 29 May 2018
Authorised Development	Development described in Schedule 1 of the draft Development Consent Order
CCS	Carbon Capture and Storage
DCO	Development Consent Order
Drax	Drax Power Limited (also referred to as the Applicant)
ES	Environmental Statement
GIS	Gas Insulated Switchgear
GRF	Gas Receiving Facility
HRSRG	Heat Recovery Steam Generator
LCA	Landscape Character Area
LCT	Landscape Character Types
MOC	Minimum Offtake Connection
NSIP	Nationally Significant Infrastructure Project
NPS	National Policy Statement
NTS	National Transmission System
PA 2008	Planning Act 2008
PINS	Planning Inspectorate
PIG	Pipeline Inspection Gauge
PRMS	Pressure Reduction and Metering Station
Proposed Scheme	Drax Repower Project
SoCG	Statement of Common Ground
SoS	Secretary of State for Business, Energy and Industrial Strategy
YWT	Yorkshire Wildlife Trust

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1 INTRODUCTION

1.1 Purpose of this Statement of Common Ground

- 1.1.1 This Statement of Common Ground ("SoCG") has been prepared by Drax Power Limited ("Drax" or "the Applicant") and Yorkshire Wildlife Trust ("YWT") in relation to an application ("the Application") made by Drax for a Development Consent Order on 29 May 2018 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 section 1.2 below.
- 1.1.2 For the purpose of this SoCG, Drax and YWT will jointly be referred to as the "Parties".
- 1.1.3 The purpose of this SoCG is to set out the agreement that has been reached between the Parties in respect of a number of matters relating to the Proposed Scheme, including:
- a) Air Quality;
 - b) Biodiversity;
 - c) Landscape and Visual Amenity; and
 - d) Climate.
- 1.1.4 Any matter not covered by this SoCG is due to YWT having no comment on that matter.
- 1.1.5 Section 2 of this SoCG records the consultation undertaken with YWT by Drax. Section 3 of this SoCG sets out the areas of agreement in relation to the above matters, and any areas of disagreement between the Parties.

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 new 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 up to 1,800 MW generating capacity or to construct two generating stations each with an up to 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 bridge 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").
- 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 CONSULTATION WITH YWT

2.1.1 The consultation that has taken place with YWT concerning the issues raised within this SoCG is presented in Table 1.

Table 1 - Consultation with YWT

Date	Form of contact or type of correspondence	Summary of that contact and key outcomes and points of discussion
February 2018	Face to face meeting on site	YWT representatives attended a site visit in February 2018. This consisted of a walkover of the existing site and location of where the proposed infrastructure will be located. The meeting included a brief overview of the Proposed Scheme and review of the exhibition boards which had been generated for public exhibitions which had taken place around the area.
27 February 2018	Written Response to consultation under section 42(1)(a) of the Planning Act 2008	YWT was satisfied with the level of survey work which was proposed for the Proposed Scheme. YWT welcomed that the impacts of the Proposed Scheme on climate change would not be scoped out. YWT was pleased to see that the impact of the Proposed Scheme on air quality would be thoroughly modelled.
October and November 2018	Email correspondence in relation to the SoCG	YWT have provided comments on the Draft SoCG. These comments are reflected in Section 3 of this document.
7 th November 2018	Telephone conversation	Telephone conversation to discuss YWT Written Representation.
8 th November 2018	Email correspondence from YWT in relation to Written Representation	YWT provided examples of off-setting figures in other unrelated developments.
30 th January 2019	Email correspondence in relation to revised Biodiversity Net Gain Figures and updating the SoCG	YWT endorsed the uplift in biodiversity net gain.

2.1.2 It is AGREED that Table 1 is an accurate record of the meetings and key correspondence between the Parties.

3 MATTERS AGREED AND MATTERS NOT AGREED

3.1 Air Quality

The following is AGREED between the Parties:

- 3.1.1 The assessment of air quality effects for the Proposed Scheme is set out at Chapter 6 of the ES (Examination Library Reference: APP-074). It is agreed that the modelling used in the air quality assessment is appropriate.
- 3.1.2 There are no outstanding matters to be resolved with regard to air quality.

3.2 Biodiversity

The following is AGREED between the Parties:

- 3.2.1 The assessment of the Proposed Scheme upon Biodiversity is set out in Chapter 9 of the ES (Examination Library Reference: APP-077). The survey methodology set out in section 9.5 is appropriate and agreed.
- 3.2.2 The biodiversity offsetting assessment presented in the revised Biodiversity Net Gain (BNG) Report and submitted at Deadline 6 (Examination Library Reference: REP6-004) is suitable and agreed, with the exception of the remaining points of clarification which are set out in the paragraphs below.
- 3.2.3 The level of gain delivered by the Proposed Scheme is broadly in line with the new BREEAM ecological assessment method, which states that delivery of 105% - 110% of biodiversity units compared to those lost is net gain, with 110% providing *significant* net gain. BREEAM is a nationally used framework, which the Applicant considers provides a best practice approach. The Proposed Scheme will deliver a minimum of ~7% net gain for area-based Biodiversity Units and ~8% net gain for Linear Units. This minimum is to be secured through the Outline Landscape and Biodiversity Strategy (re-submitted at Deadline 7 to reflect this, Examination Library Reference REP7-007). The Parties agree that a minimum of ~7% net gain for area-based Biodiversity Units and ~8% net gain for Linear Units represents a conservative assessment, and that once detailed design has been carried out the expectation is that the percentages will increase. Whilst YWT welcomes the increase in Biodiversity Net Gain as shown in the latest Biodiversity Net Gain report, YWT considers that the Applicant should continue to look for further opportunities to deliver additional net gain through the detailed design process. The Applicant will endeavour to increase these metrics higher in the range quoted by BREEAM. The Applicant will continue to look for further opportunities to increase the Biodiversity Net Gain associated with the Proposed Scheme.
- 3.2.4 With regard to coherent ecological networks, YWT has previously requested detail on how the final proposed biodiversity offsetting habitats would contribute to coherent ecological networks. The Applicant can confirm that revisions were made to the Outline Landscape and Biodiversity Strategy submitted with the Application and that the revised version of that Strategy, responding to the comments from YWT, was submitted at Deadline 2 (Examination Library Reference: REP2-026). Greater emphasis has been placed on how the proposed measures will contribute to supporting coherent ecological networks. It is agreed that the revised Strategy sufficiently outlines how the Proposed Scheme will support coherent ecological networks.

- 3.2.5 The Proposed Scheme will contribute to local ecological networks by following the principles set out in Making Space for Nature¹ aiming to make habitats better, bigger, making more of them and joining them up. As a result, the Proposed Scheme is focused on retaining and enhancing existing habitats where practicable, making them better and bigger, ensuring that the habitats lost are restored and enhanced so that they support similar communities of species (often called 'like for like or better').
- 3.2.6 There are no outstanding matters left to be resolved with regard to biodiversity.

3.3 Landscape and Visual Amenity

The following is AGREED between the Parties:

- 3.3.1 ES Volume 1, Chapter 10 "Landscape and Visual Amenity" (Examination Library Reference: APP-078) considers the landscape and visual effects of the Proposed Scheme. Chapter 10 includes a review of landscape character and visual receptors within a 15-km radius of the Proposed Scheme and is supported by zones of theoretical visibility, representative viewpoints and photomontages.
- 3.3.2 It is agreed that there would be significant adverse effects on landscape character, including on Landscape Character Types (LCT) 23 Levels Farmland, LCT 24 River Floodplains, LCT 4 River Corridors including LCA 4A Derwent Valley, LCA 4B River Ouse Corridor and Landscape Character Area (LCA) 4D River Aire Corridor, local landscape character and the Lower Derwent Important Landscape Area. Such effects would be more pronounced within 3 km of the Site and would diminish with distance. For local landscape features, and subject to proposed mitigation, some effects would diminish once planting has matured (by 15 years post Stage 3).
- 3.3.3 It is agreed that there would be significant adverse effects on visual amenity and more specifically on visual receptors within a 3 km of the Proposed Scheme, namely local residents, users of the Trans Pennine Trail and National Cycle Network as well as users of education facilities /places of worship and local road users who would have a direct view of the Proposed Scheme. Effects on other visual receptors would be less based on proximity, orientation, intervening vegetation and built form.
- 3.3.4 The revised Outline Landscape and Biodiversity Strategy submitted at Deadline 6 (REP6-009) addresses the key landscape and visual effects as far as reasonably practicable and in accordance with NPS EN-1. This is agreed between the Parties. YWT is of the opinion that further mitigation is required probably outside the application boundary. YWT has worked with NYCC to provide potential projects which would provide landscape mitigation, and also green infrastructure, biodiversity and flood reduction benefits.

3.4 Climate

The following is AGREED between the Parties:

- 3.4.1 The assessment of the Proposed Scheme's greenhouse gas emissions is set out in Chapter 15 of the ES (Examination Library Reference: APP-083).
- 3.4.2 It is agreed that the ES has identified an increase in absolute emissions as a result of a greater generation capacity.

- 3.4.3 It is agreed that if CCS technology is shown to be technologically feasible and economically viable in future, a portion of the operational emissions of the Proposed Scheme could be captured and stored and therefore a proportion of their contribution to climate change avoided.
- 3.4.4 NPS EN-1 provides the government's policy for determining applications for development consent in respect of energy infrastructure, and applications must be decided in accordance with the NPS policies subject to the exceptions under section 104 of the Planning Act 2008. EN-1 recognises the need to decarbonise electricity generation to meet national and international commitments, while ensuring security of supply and affordability. The UK government's policy, set out in the NPS EN-1, includes the need for greater electricity generation and accepts that a proportion of this may need to continue to come from fossil fuel sources.
- 3.4.5 Subject to issues of methane leakage, gas can be more efficient and result in lower greenhouse gas emissions than other fossil fuels such as coal and oil. As such, the Proposed Scheme may result in lower greenhouse gas emissions per unit of electricity than the existing coal-fired units, if it is assumed that the coal units would be able to operate past the planned unabated coal phase-out from 2025 below the limit of 450 gCO₂e/kWh. As set out below, YWT contests the validity of this assumption.

The following matters are NOT AGREED between the Parties:

Baseline

- 3.4.6 YWT considers that decommissioning is the appropriate baseline scenario given the lack of any evidence that the coal units could be operated economically at an emissions limit of 450 gCO₂e/kWh and the Applicant's failure to explain how it would achieve this.
- 3.4.7 The Applicant's position is that it has identified 3 routes for a baseline of 450g CO₂/kWh; co-firing of biomass, CCS (as a future alternative to co-firing with biomass) and also that any replacement capacity would likely be thermal fossil plant in nature and would have a carbon intensity of around 450 g CO₂/kWh and these scenarios were discussed during the issue specific hearings. Furthermore, the Applicant notes that National Grid, in its response to the Examining Authority's Further Written Question ANC2.3 (REP6-022), supports the Applicant's position, confirming that "*it is a fair assumption to assume that if the level of renewables remained constant and Drax was no longer operating, a plant with a similar efficiency and CO₂ intensity would replace it.*" YWT does not agree that National Grid's response supports the Applicant's baseline: first, the level of renewables is not expected to remain constant; secondly, a carbon intensity of 450 g CO₂/kWh is not the same as that of the Applicant's proposed gas-fired capacity (or that of other new-build gas-fired capacity); and thirdly, National Grid does not consider the future decarbonisation of the power sector over the life of the Proposed Scheme.

¹ <https://www.gov.uk/government/news/making-space-for-nature-a-review-of-englands-wildlife-sites-published-today>

- 3.4.8 The Applicant notes that the ES states the Proposed Scheme will provide a significant positive effect on climate with regards to greenhouse gas emissions intensity compared with the baseline/do nothing scenario, with 55 % lower emissions per unit of electricity output than the current coal-fired units. YWT contests this on the basis that an inappropriate baseline has been applied as explained above. It is the Applicant's position that its baseline assumptions are realistic and likely, which is supported by National Grid. As explained above, YWT also does not agree that the Applicant's baseline is supported by National Grid's response to the Examining Authority's Further Written Question ANC 2.3.

Unconventional Gas

- 3.4.9 YWT has requested detail on whether the Proposed Scheme will lead to increased use of unconventional gas such as shale gas in the Yorkshire region. The Applicant notes that the Proposed Scheme is not dependent on unconventional gas or any specific gas production in the Yorkshire region. The assessment of GHG emissions for the Proposed Scheme includes well to tank (WTT) emissions for consumption of average UK natural gas for electricity generation, including for fugitive losses of methane (Examination Library Reference: APP-083 Paragraph 15.6.7). The Proposed Scheme will obtain natural gas directly from the National Grid. Where National Grid sources its gas is its National Grid's responsibility and the Applicant will have no control over the origin of the gas.
- 3.4.10 YWT considers that it cannot be ruled out that the Proposed Scheme will result in increased demand for unconventional gas such as shale gas in the Yorkshire region and that this is a relevant consideration in the examination of the Proposed Scheme. As stated above, the Applicant notes that National Grid sources its gas for its customers, which not only include Drax but every generator and gas distributor and consumer in the country. The Applicant considers that UK Government decisions on planning policy and potential projects to deliver gas (such as fracking) will be subject to appropriate consideration and environmental and sustainability assessments, and that consideration is outside the scope of the Examination of this Application as it was for other relevant NSIPs such as Eggborough. Unconventional gas developments will therefore be subject to their own assessment and determination. YWT note that this does not make the Proposed Scheme's effects on demand for unconventional gas irrelevant to the Secretary of State's decision on the present Application.

4 AGREEMENT ON THIS SOCG

4.1.1 This SoCG has been jointly prepared and agreed by

Name:

Signature:

Position:

On behalf of:

Date:

[Redacted]
[Redacted]
ENVIRONMENT + GOVERNANCE SECTION HEAD.
DRAX POWER LTD.
20th March 2019. (20/3/19)

Name:

Signature:

Position:

On behalf of:

Date:

[Redacted]
[Redacted]
DIRECTOR OF FINANCE
YORKSHIRE WILDLIFE TRUST
20/3/19

Name:

Signature:

Position:

On behalf of:

Date:

[Redacted]
[Redacted]
DIRECTOR OF FUNDRAISING AND ENGAGEMENT.
YORKSHIRE WILDLIFE TRUST
20/3/2019

