



PROPOSED CHANGES TO THE APPLICATION

Appendix 8 – Consultation Responses - Proposed Changes

Drax Bioenergy with Carbon Capture and Storage

Changes Application Report

Document Reference Number: 8.5.3.8

Applicant: Drax Power Limited

PINS Reference: EN010120



DATE: December 2022

DOCUMENT OWNER: WSP UK Limited

AUTHOR: Iain Roberts

APPROVER: Belinda Redpath

PUBLIC

Details of Comments Received and the Applicant's Responses

Ref.	Consultee	Consultee's Comment	Applicant's Response
Local Authorities			
U1	East Riding of Yorkshire Council	No information has been provided on the treatment and reinstatement of soil during and after construction.	The treatment of soil will be dealt with through the Soil Handling Management Plan that is required to form part of the CEMP by the DCO, by reference to the REAC. This will be approved by the LPA as planning authority following consultation with Natural England.
U2	East Riding of Yorkshire Council	No information has been provided as to how any field drainage will be identified prior to construction or how it will be reinstated post-construction.	The Applicant notes this comment and will ensure this is taken into consideration as the proposal is developed further. The Applicant commits to engaging with the consultee to find a mutually beneficial route forwards.
U3	East Riding of Yorkshire Council	<p>No information has been provided on the route or depth of the cables. Cables must be laid at a depth of at least 1.2m.</p> <p>The Applicant referred in its letter for the need to "provide Northern Powergrid with the appropriate rights to access and maintain the undergrounded line in the future". It is not clear what these rights are and they could prove onerous for the Council and its tenants, and could disrupt the efficient management of this land in the future.</p> <p>It is not yet known what the potential impact of undergrounding telecommunications lines (as</p>	<p>These are the subject of ongoing discussions with the relevant asset owners (Northern Powergrid and Openreach) to confirm the detailed design of the proposed works. The Applicant anticipates receipt of detailed design from the asset owners shortly, following the submission of the C4 design and cost estimate request to both asset owners. Until such details are known, it is difficult to confirm precise cable routes.</p> <p>At this stage, this Proposed Changes Application Report, alongside the appended Statement of Reasons and DCO updates, sets out what is anticipated to be the maximum area of land that could be affected by proposed works and the rights that are required for each plot. However, the scale of works may reduce once asset owners provide their detailed designs.</p>

		opposed to power lines) will be, should this be required.	
U4	East Riding of Yorkshire Council	The scale and duration of works compounds on Council land is unclear. Further clarification is required on how access to the land is to be gained during construction if any of the compounds temporarily obstructs the main access track.	The Applicant notes this comment. Further information (as to the extent that it is able to be known at this stage of design) is provided in this Proposed Changes Application Report, alongside the appended Statement of Reasons and DCO updates.
Statutory consultees			
V1	Humberside Fire Authority	The Fire Service provided information on its standard requirements for new developments.	The Applicant notes the comment, and where the standards are applicable to the works being undertaken, they will be applied as part of standard good practice.
X1	JBA Consulting (on behalf of Goole and Airmyn IDB)	Consents would be required if the proposed works lie within the boundaries of Goole and Airmyn Internal Drainage Board (IDB). It is unclear as to the distance of the proposed works within the right hand bank of the watercourse.	<p>The Applicant notes that there are IDB drains within the vicinity of the Overhead Lines (OHL) works by the roundabout nearest to Goole, however the proposed works are over 9m from the IDB drains. Additionally, existing access routes will be used so no new crossings or impermeable surfaces will be introduced.</p> <p>There may be the potential for temporary discharge (i.e. surface water runoff) during the construction period to the IDB drains, however if this is the case a limit will be set to the requested discharge levels. Appropriate pollution measures will be set out in a Construction Environmental Management Plan (CEMP) to mitigate any risk of pollution to watercourses as is already required by the REAC.</p>
Y1	Natural England	Based on the noise and vibration information supplied,	The Applicant notes the comment. The Applicant has completed an extended

		<p>the results should also be considered in the context of potential disturbance impacts to birds using functionally linked land associated with the relevant Special Protection Areas (SPAs), Sites of Special Scientific Interest (SSSIs) and Ramsar sites.</p>	<p>phase 1 habitat survey of the locations of the PC-01 and PC-02 (as reported in the Environmental Appraisals for the Proposed Changes, see document reference 8.5.1). Following this survey work the applicant has concluded that there is negligible potential for land in and adjacent to the Proposed Changes to provide functionally-linked land for qualifying interests of statutory designated sites. As such, no disturbance of SPA/SSSI/Ramsar qualifying interest bird species is anticipated.</p>
Y2	Natural England	<p>We advise that Natural England’s previous advice on protected species for the Drax BECCS project should be taken into account. We also advise that further information should be provided regarding the statement for PC-01 that “no protected and notable species were identified during previous ecological surveys and assessments of this area”. For example, details of the extent and results of previous surveys in this area and relevance to the proposed changes. Further information should also be provided on whether surveys have been carried out in the relevant areas for PC-02, and justification provided if not.</p>	<p>The Applicant notes the comment and the previous advice Natural England has given. The Applicant has completed an extended phase 1 habitat survey of the locations of the PC-01 and PC-02 (as reported in the Environmental Appraisals for the Proposed Changes, see document reference 8.5.1). The Applicant has identified the potential for common and widespread birds and reptiles to use areas within or adjacent to the Proposed Changes. Although no evidence was recorded, there is also potential that land within the proposed Order Limits for PC-01 and PC-02 could be used by foraging badgers. There is also limited potential for land within and adjacent to PC-01 (Floodplain Compensation Area) to be used on occasion by great crested newts, with ponds confirmed to be used by this species present more than 250 m away from the proposed Order Limits for PC-01. Potential impacts on great crested newts would continue to be addressed through reliance on the Natural England North Yorkshire District Level Licence.</p>
Y3	Natural England	<p>Although, as stated, the proposed Flood Compensation Area (FCA) and works</p>	<p>The Applicant notes the comment.</p>

		<p>associated with PC-02 are not in immediate proximity to any statutory designated sites, we advise that the potential for changes to the assessment of off-site impacts from a number of potential impact pathways should be assessed in more detail, including:</p> <p>Potential water quality impacts on Humber Estuary SAC/SSSI associated with PC-01 - There appears to be a hydrological connection between the proposed FCA and the River Ouse, which is a Humber Estuary lamprey migration route. Therefore, potential changes to the assessment of water quality impacts during construction and operation on the relevant designated sites should be considered.</p> <p>Potential impacts from loss of functionally linked land and/ or construction/operational disturbance impacts on functionally linked land associated with the Lower Derwent Valley SPA/Ramsar, Humber Estuary SPA/Ramsar, and relevant underpinning SSSIs, for PC-01 and PC-02.</p> <p>Please refer to Natural England's responses to previous consultations on the Drax BECCS project (dated 10 December 2021, 23 September 2022) for more detailed advice on these and other impact pathways. We advise that the</p>	<p>The Applicant has provided an assessment of the effects of PC-01 and P-02 on the Water Environment (see document reference 8.5.1). This has determined that with existing and updated mitigation measures included in the REAC (document reference 8.5.1), significant adverse effects on the water environment would continue to be avoided.</p> <p>The Applicant has completed an extended phase 1 habitat survey of the locations of the PC-01 and PC-02 (as reported in the Environmental Appraisals for the Proposed Changes, see document reference 8.5.1). Following this survey work the applicant has concluded that there is negligible potential for land in and adjacent to the Proposed Changes to provide functionally-linked land for qualifying interests of statutory designated sites. As such, no disturbance of SPA/SSSI/Ramsar qualifying interest bird species is anticipated.</p>
--	--	--	---

		ES and HRA should be updated accordingly.	
Y4	Natural England	Natural England highlights that the additional areas included in the proposed changes should be included in the BNG baseline metric calculations. Although some of the impacts may be temporary or involve re-instating existing habitat, this does not preclude applicants from providing a 10% net gain on the existing habitats, as the proposed changes alter the order limits.	The Applicant notes the comment and can confirm that subject to acceptance of PC-01 and PC-02 by the Examining Authority, these would be included in the BNG baseline metric calculations.
Y5	Natural England	Based on the information provided, an Agricultural Land Classification (ALC) of the additional sites subject to development has not been undertaken.	The Applicant notes the comment. An ALC survey was completed for PC-01 in November 2022 which classified the land as Grade 3b (non-BMV). The Applicant understands the agricultural land within PC-02 is mapped in post-1988 mapping as Grade 2 (BMV). Please see response to Y8 for further information regarding PC-02.
Y6	Natural England	The land subject to PC-01 Replacement floodplain compensation area (FCA) is mapped as Provisional ALC Grade 2.	The Applicant notes the comment. An ALC survey was completed for PC-01 in November 2022 which classified the land as Grade 3b (non-BMV).
Y7	Natural England	The FCA is proposed to undergo engineering operations to lower the ground level, which requires the following considerations: The ground lowering required for the FCA may increase the extent of the 1 in 100 and 1 in	The Applicant notes the comment. To inform consideration of this, a ground investigation comprising six trial pits was undertaken on 18 October 2022 to determine ground conditions (please see 8.5.3.1). The ground investigation reported similar ground conditions across

		<p>200 year flood risk. The potential impact of this increased flooding regarding ALC grade needs to be considered in the assessment as this could result in a loss of Best and Most Versatile (BMV) agricultural land.</p> <p>Flood extent, duration, frequency and timing may give rise to soil management problems after the event, depending upon the types of soil present. ALC guidance for the assessment of flood risk (MAFF, 1988) says 'The after-effects of inundation depend in part on soil –type and will generally be more serious on impermeable soils, which remain saturated for longer periods than impermeable soils' and also states that 'Further downgrading may be justified where flooding affects soils of low permeability'.</p> <p>a. The excavated soil is proposed to be placed on the southern area of the field. This will alter the soil profile of not only the FCA but also the receiving land. This may impact the ALC Grade following construction works of both the donor and receptor site. The potential impact of these changes to the soil profile regarding ALC grade needs to be</p>	<p>the FCA area. Made Ground was identified at each discrete location, underlain locally by superficial deposits of Alluvium, and widely by laminated clay of the Hemingbrough Glaciolacustrine Formation. A review of historical mapping indicated the FCA was historically within an area indicated to be liable to flooding. Mapping indicates the Site topographical profile was created in late 1980s or early 1990s associated with the expansion of Drax Power Station with the placement of Made Ground materials, likely from the area adjacent to the west.</p> <p>An ALC survey undertaken in November 2022 classified the soils within the proposed FCA as Grade 3b (non BMV). A Soil Handling Management Plan will be produced (as already committed to in Ref ID GC2 in the REAC (AS-027)) which will detail clear guidance on the methods of recovering, storing and reinstating the soils whilst minimising a loss in quality and function during construction.</p> <p>With regard to the extent, duration, frequency and timing of any flooding is that the FCA is proposed to address the impacts of climate change. It would be required should the Environment Agency not maintain the flood defences to keep pace with the impacts of climate change. In which case the FCA would be expected to be used for the 1 in 100 year flood event.</p> <p>The FCA is currently used for sheep grazing, however upon completion of the works, the FCA would be reinstated as grassland and form part of the updated</p>
--	--	--	--

		<p>considered in the assessment as this could result in a loss of Best and Most Versatile (BMV) agricultural land at both the receptor and receiver sites.</p>	<p>Outline Landscape and Biodiversity Strategy removing it from agricultural use. This would represent a permanent loss of approximately 2.2 hectares of non BMV land. However removing land from agricultural use and including it within the Landscape and Biodiversity Strategy presents opportunities for improved soil health (improved soil structure, carbon sequestration, soil biodiversity) as the land would not be exposed to degradation from ploughing, pesticides and herbicides and compaction from farm vehicles.</p>
Y8	Natural England	<p>The land subject to PC-02 Relocation of OHL; A645/A614 Rawcliffe Road roundabout is mapped as Provisional ALC Grade 2; whilst A614 Rawcliffe Road/Airmyn Road roundabout has post-1988 ALC information available (Agricultural Land Classification detailed Post 1988 ALC survey, Airmyn, New Wood (Goole Hook LP Site 12) - ALCL03791 (naturalengland.org.uk)).</p> <p>Where detailed data is not available, a detailed ALC and soil survey should be undertaken to inform the baseline and inform soil handling and suitability for re-use, including depth of topsoil strip.</p>	<p>The Applicant notes the comment.</p> <p>For the A614 Rawcliffe Road/Airmyn Road roundabout the estimated area of potentially impacted Grade 2 ALC land is 1600m². For the A645/A614 Rawcliffe Road the estimated area of potentially impacted Grade 2 ALC land is 3,250m².</p> <p>The total estimated area of BMV agricultural soils which may be impacted by the proposed works is 4,850m² (approximately 0.5ha).</p> <p>Works are short term and temporary (estimated at 10 days of work per line) with the land proposed to remain in agricultural use with no loss of BMV. A Soil Handling Management Plan would be produced (as already committed to in Ref ID GC2 in the REAC (AS-027)) which would detail clear guidance on the methods of recovering, storing and reinstating the soils whilst minimising a loss in quality and function during construction.</p>

			Therefore it is not anticipated that there would be any new or significant effects on agricultural soils or soil function as a result of Proposed Change PC-02.
Y9	Natural England	Changes to potential cumulative impacts cannot be ruled out at this stage and the assessment of cumulative effects should be revisited once further information has been provided on the above points.	The Applicant notes the comment. The Applicant has completed an assessment of potential changes to the assessment of cumulative effects has been completed for PC-01 and PC-02, and determined there is negligible potential for additional cumulative effects beyond those considered in the Environmental Statement for the DCO application. This is on the basis of the very limited extent and short duration of the Proposed Changes.
Land interests			
W1	AOL	What are the prospects of the load currently passing across our site being increased as we are about to sell significant areas to businesses that will more than likely require more kilovolt-ampere (kVA) than is currently available?	The Applicant advises this consultee to get in touch with Northern Powergrid as the Applicant is unable to provide for more than what is required for its own project.
Z1	JRS Services (Leeds) Limited	The area for the proposed OHL would encroach on land that we own, and this land has the benefit of a planning consent for commercial development. Therefore, this proposed change is unacceptable to us.	The Applicant has taken on board this comment and has reviewed the consultee's planning application to understand where the potential overlap positions are. Discussions are being progressed with the asset owner of OHL2 on the design of a solution for undergrounding works and will seek to minimise the impact on these land interests. In this regard the Applicant is in further detailed discussions with Northern Powergrid to investigate design options to minimise impact.

			<p>The Applicant will endeavour to minimise impact on the interested party's proposed development site, and welcomes ongoing engagement with the interested party to keep them updated on discussions with Northern Powergrid regarding the design options for the undergrounding works to OHL2.</p> <p>A C4 request for a detailed design and cost estimate of necessary works to underground OHL2 (and OHL1) has been requested from Northern Powergrid, and the parameters for the design requested were revised following the receipt of the interested party's comments and a review of the proposed site layout for the application referred to by the interested party. The updated illustrative design parameters included with the updated request to Northern Powergrid are shown in Plates 6-2 and 6-3.</p> <p>We understand that East Riding of Yorkshire Council has delegated approval for an employment development on land south of Rawcliffe Road (A614), subject to the signing of a legal agreement. We understand that the Decision Notice for the proposed employment development had not yet been issued pending the finalising of the legal agreement at the date of writing this response.</p> <p>The Applicant, and the Applicant's land agent will progress engagement with the interested party to address the issues raised in the detailed design of the proposed works to OHL2.</p>
--	--	--	---