



County Hall Beverley East Riding of Yorkshire HU17 9BA Telephone (01482) 887700

Paul Bell – Head of Economic Development and Communications

National Infrastructure Planning
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your ref:
Our ref: ALM/34005
Enquiries: Adam Milner
Direct Line: [REDACTED]
Email: [REDACTED]@eastriding.gov.uk
Date: Monday, 14th November 2022

Dear Sirs

Re Drax Power Station: Bioenergy with Carbon Capture and Storage

I write in connection with the Drax Bioenergy with Carbon Capture and Storage Project (“the Scheme”), on behalf of the East Riding of Yorkshire Council (“the Council”) in its capacity as a landowner potentially affected by the Scheme.

For the avoidance of doubt, the comments set out below are not made in any of the Council’s other statutory capacities, i.e. as a Local Planning Authority. It should also be noted that the comments submitted on behalf of the Council by e-mail on 21st October 2022 were equally made in the Council’s statutory capacity as a Local Planning Authority and in no other capacity.

It is understood that Drax Power Station initially submitted its application for a DCO earlier this year, under which the Council was not envisaged to be directly affected as a landowner. However, the applicant’s subsequent consultation with statutory undertakers in connection with the Scheme are believed to have revealed logistical difficulties concerning the existence of overhead power and telecommunications lines. In view of these difficulties, it is the statutory undertaker, Northern Powergrid’s, stated preference that those overhead lines be undergrounded, necessitating a change to the submitted DCO, which the applicant communicated to you as the Examining Authority in correspondence dated 12 September 2022.

If the proposed change to the DCO proceeds, then the Council will become a landowner affected by the scheme, as some of the overhead lines identified for undergrounding are situated on Council-owned land. While the Council may not fundamentally object to the principle of the Scheme, the aims of which may align with wider East Riding of Yorkshire Council objectives and priorities, the lack of additional information regarding the proposed change to the DCO means that the Council must now object to this proposal for the following reasons.

1. Cable Route and Depth

No information has been provided by the applicant as to the proposed route that the cables will take once undergrounded, or of the depth at which the cables are to be laid. As the proposed works are likely to affect productive agricultural land, the route and depth of cables is critical. In particular, cables must be laid at a depth of at least 1.2 metres below ground level in order not to interfere with normal farming operations. This depth has been agreed on similar schemes.

Alan Menzies
Director of Planning and
Economic Regeneration

2. Soil Management

No details are provided as to how the treatment and reinstatement of soil will be handled during and after construction. This is another major concern. Greater clarity is required on the detail of soil reinstatement, or the measures that will be put in place to bring the soil back to its condition and quality before the works took place, and especially the detail within the after-care plan.

3. Field Drainage

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. These details should be considered as part of the application for the DCO.

4. Future Rights

The applicant refers in its letter of 12 September to 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 but the as-yet unrestricted nature of them could prove unduly onerous for the Council and its tenants, and could disrupt the efficient management of this land in the future. Further clarification on this point is therefore needed.

5. Works Compounds & Access

It is noted that works compounds (“Driving Compounds”) are proposed to be located on the Council’s land during the construction period. The scale of these and the length of time for which they will be on site is not clear and the Council and its tenants require further clarification in this regard. In particular, how access to the land is to be gained during the construction period if any of the compounds temporarily obstructs the main access track.

6. Other Matters

In addition to the overhead power lines dealt with above, the applicant refers to the existence of overhead telecommunication lines and states that it is not yet known whether these will similarly need to be undergrounded. The extent and location of these lines is not clear and so it is not known whether the potential undergrounding of these lines will also affect Council-owned land. If that proves to be the case, then the foregoing objections will also apply to any subsequent changes required to the DCO in connection with those telecommunication lines.

The Council’s preference is that these various matters be dealt with by negotiation with the applicant, and it is hoped that substantive discussions can be entered into in this regard without delay (the conclusion of such discussions being subject to formal Council approval). In the meantime, or until the various concerns set out above can be satisfactorily addressed, please note the Council’s objections to this proposal.

The Council recognises that the window for making Relevant Representations has now closed. This notwithstanding, given that the above-mentioned change to the DCO was not proposed until after the closure of the window, it is hoped that this representation can be accepted under your discretionary power as Examining Authority.

Finally, given the circumstances, the Council requests that its status in connection with this matter be changed from that of a Statutory Party to an Interested Party. I should be grateful if you could amend your records accordingly. I should also be grateful if you would note the interest of the Council's Valuation & Estates Service on behalf of the Council as landowner and ensure that copies of all future correspondence in relation to this application are sent to us at the details below.

Yours faithfully



Adam L Milner MSc MRICS
Principal Rural & Estates Surveyor
Valuation and Estates Service
County Hall
Cross Street
Beverley

