

**The Planning Inspectorate**

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**Your Ref: EN010120**

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Dear Sirs

**Drax Bio-Energy and Carbon Capture Storage**  
**Deadline 3**

**The Authorities response to the issues raised by the Applicant on the Landscape Chapter of the Authorities' Local Impact Report**

The Authorities' Local Impact Report raised a number of landscape and visual related issues that were responded to in detail in the Applicants response to Issues raised at deadline 1 [REP2-067], specifically paragraphs 2.3 to 2.32. Following discussion with the Applicant, the Authorities consider the best way to deal with the apparent distance between the parties is to set out its position here rather than to respond back and forth on those points.

The Authorities wish to reiterate that they have been pleased with the work carried out to date to develop the Design Framework [APP-195]. The Authorities do not wish to propose any new landscaping requirements outside of the order limits but instead work within the parameters set out by the Design Framework.

**Environmental Impact Assessment Regulations**

As per the draft Statement of Common Ground between the Authorities and the Applicant [REP-018], the Authorities agree that in EIA terms there are no significant adverse landscape and visual effects (during the operational period of the Proposed Scheme - moderate or greater level of effect). However, there are a notable number of minor adverse landscape and visual effects as listed in the ES Volume 3 – Appendix 9.5 (APP-152). The Authorities would wish to reiterate the need for an appropriate landscape strategy to comply with local plan policy and to reduce other less significant adverse effects, where reasonable and possible.

The Authorities argue that in other cases, where an application that does not meet the threshold for an EIA, a landscape strategy for such a development would be expected as part of the application to comply with local plan policy. In EIA cases such as this DCO application, it would be perverse to only

develop a strategy mitigating significant adverse effects, leaving lesser effects to go unchecked, effectively circumventing local plan policy on good design

### **Existing Policy**

The Design Framework sets out in section 5 the need for good design in National Policy in NPPS EN1, EN-3, the NPPF and the emerging NPPS EN-1.

Local policy setting out the requirements for good design including landscape are set out in section 5.4 of the Design Framework including policies SP15, SP18 and SP19 of the Selby District Core Strategy Local Plan.

### **Design Principles**

The Authorities agree with the design principles set out in section 4 of the Design Framework and would like to see how in practice these principles will be applied to the detailed design stage of the application. The Authorities do not agree that principles of good design represent ‘enhancement’ not to be considered where significant adverse effects are not identified in the EIA. The Authorities consider these are required to make the Proposed Scheme acceptable in policy terms and to demonstrate good design. The EIA makes it clear that “The Design Framework is intended to be used as a basis of reference for the detailed design phases of the Proposed Scheme, including any changes to Drax Power Station in the future” (APP-045 para. 9.10.3).

The Authorities’ overarching concern is that, since the original landscape design (also referenced in the Design Framework), the site has been subject to general erosion of the landscape features. It is important that no further erosion of the landscape features take place and where possible good landscape and design principles are applied as any and all applications come forward on the site.

The Authorities need to see that the landscape principles set out in the Design Framework are correctly applied to this application and that some comfort is offered now, that detailed design will incorporate the principles set out and where possible where and how those principles will be incorporated.

### **Proposals**

The Authorities would wish to see the following:

1. The Plan titled Outline Landscape and Biodiversity Strategy Vol 2 Figure 3 Existing Retained Vegetation [APP-183] includes an area coloured light green indicated as ‘*area to accommodate carbon dioxide construction compound (detailed design will avoid the unnecessary removal of existing vegetation).*’ This should be amended to either say that existing vegetation will not be removed (the Authorities preference) or that any vegetation that is required to be removed will be reinstated. If existing vegetation is to be removed and reinstated, it should be made clear why this is necessary and what alternative options have been considered and discounted which would not result in vegetation removal. This principle should be applied to any aspects where existing vegetation is threatened.
2. A plan setting out where and how the principles set out in the Design Framework will be applied to the Proposed Scheme.

3. The Design Framework to be specifically secured to the DCO document itself. This would most likely be as an addition to requirement 7. The DCO needs to make it clear that any landscape scheme that comes forward to the Authorities for approval must incorporate the principles set out in the Design Framework for it to be considered for approval, including a detailed narrative as to how these principles have been considered.

The Authorities consider these requests to be reasonable and practical steps that can be taken within the examination period to ensure policy compliance and demonstrate good design. These would give the Authorities some comfort that good design will be at the heart of the landscape scheme that comes forward at the detailed design stage.

### **Landscape and Biodiversity Strategy**

The Authorities note the Applicants position set out at paragraph 2.34 of Applicants response to Issues raised at deadline 1 [REP2-067]. However, the Authorities position remains as set out in the Local Impact Report.

Yours faithfully

**Michael Reynolds**  
**Senior Policy Officer (Infrastructure)**  
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