



# **COVER LETTER (21)**

## **Drax Bioenergy with Carbon Capture and Storage**

**The Planning Act 2008, The Infrastructure Planning (Examination Procedure) Rules 2010**

**Document Reference Number: 8.2.20**

**Applicant: Drax Power Limited**

**PINS Reference: EN010120**



**REVISION: 01**

**DATE: 12 April 2023**

**DOCUMENT OWNER: WSP UK Limited**

**AUTHOR: I Pennington**

**APPROVER: C Fountain**

**PUBLIC**

Drax Power Station  
Selby  
North Yorkshire  
YO8 8HP



George Harrold  
Case Manager  
National Infrastructure Planning  
The Planning Inspectorate  
Major Applications and Plans Directorate  
Temple Quay House  
Temple Quay  
Bristol  
BS1 6PN

12 April 2023

Dear Mr Harrold,

**PINS Reference: EN010120**

**Document Reference: 8.2.20 Cover Letter (21) – Submission of Documents Requested for Deadline 5 of the Examination**

**Drax Power Station Bioenergy with Carbon Capture and Storage (BECCS)**

1. We write on behalf of Drax Power Limited ('the Applicant') to provide the documents requested by the Examining Authority ('ExA') for Deadline 5 of the Examination.
2. This is in accordance with the request set out in the Rule 6 letter dated 13 December 2022 and as updated and confirmed in the Rule 8 letter dated 24 January 2023 and the further letter dated 27 February 2023.
3. Accordingly, the following documents are enclosed with this submission:

<b>Application Document Reference</b>	<b>PINS Document Reference (Most up to date submitted version)</b>	<b>Document Details</b>	<b>Date</b>
<b>1.3</b>	REP4-032	Application Guide (Clean)	12 April 2023

<b>Application Document Reference</b>	<b>PINS Document Reference (Most up to date submitted version)</b>	<b>Document Details</b>	<b>Date</b>
1.3	REP4-021	Application Guide (Tracked)	12 April 2023
1.4	REP4-027	Application Document Tracker (Clean)	12 April 2023
1.4	REP4-029	Application Document Tracker (Tracked)	12 April 2023
2.7	AS-075	Crown Land Plan	12 April 2023
4.3	REP4-011	Book of Reference (Clean)	12 April 2023
4.3	REP4-013	Book of Reference (Tracked)	12 April 2023
4.3.1	REP4-008	Schedule of Changes to the Book of Reference	12 April 2023
5.5	REP2-020	Other Consents and Licences (Clean)	12 April 2023
5.5	REP2-021	Other Consents and Licences (Tracked)	12 April 2023
6.5	REP3-007	Register of Environmental Actions and Commitments (Clean)	12 April 2023
6.5	REP3-008	Register of Environmental Actions and Commitments (Tracked)	12 April 2023
6.6.1	AS-094	Outline Landscape and Biodiversity Strategy – Volume 1 – Main Text (Clean)	12 April 2023
6.6.1	AS-095	Outline Landscape and Biodiversity Strategy – Volume 1 – Main Text (Tracked)	12 April 2023
8.1.3	REP3-012	Statement of Common Ground between The North Yorkshire Council and Drax Power Limited	12 April 2023
8.1.4	REP-019	Statement of Common Ground between The Environment Agency and Drax Power Limited	12 April 2023
8.1.5	REP-020	Statement of Common Ground between Natural England and Drax Power Limited	12 April 2023
8.1.10	REP-024	Statement of Common Ground between National Grid Electricity Transmission and Drax Power Limited	12 April 2023
8.1.11	REP2-055	Statement of Common Ground between Goole and Airmyn Internal Drainage Board and Drax Power Limited	12 April 2023



<b>Application Document Reference</b>	<b>PINS Document Reference (Most up to date submitted version)</b>	<b>Document Details</b>	<b>Date</b>
<b>8.4</b>	REP4-010	Statement of Commonality	12 April 2023
<b>8.8</b>	REP3-018	National Policy Statement Tracker (Clean)	12 April 2023
<b>8.8</b>	REP3-019	National Policy Statement Tracker (Tracked)	12 April 2023
<b>8.10.4</b>	N/A (new document)	Applicant's Response to Submissions at Deadline 4	12 April 2023
<b>8.14</b>	N/A (new document)	Project Updates Arising from Government Publications on Energy Matters in March 2023	12 April 2023

In considering this documentation, please note the following:

4. The Application Document Tracker and Application Guide have been updated to reflect the latest status and list of documents submitted as part of the Examination process.
5. The Crown Land Plan has been reintroduced (although renumbered to Document 2.7 at Deadline 5) to reflect the discussions at CAH1 about the Crown Land position. Whilst, by operation of section 265 of the Highways Act 1980 and the De-trunking Order for the A614, it is considered that all interests within plot numbers 1-83 and 1-87 shown on the Land Plans have been transferred from the Secretary of State for Transport to East Riding of Yorkshire Council, it is recognised that section 27 of the Land Registration Act 2002 dictates that such a transfer by law does not 'operate at law' until land registration requirements are met. As the statutory transfer of land pursuant to the Highways Act 1980 has not yet been registered with the Land Registry, these plots have been reinstated and shown as Crown Land in new Document 2.7 whilst discussions with the Department for Transport progress to obtain Crown Land consent pursuant to section 135 of the Planning Act 2008. The DCO will be amended at its next submission to reintroduce the previously proposed Crown Rights article.
6. The Schedule of Negotiations and Powers Sought document has not been updated and is not submitted for Deadline 5. The Change Notification submitted on 6 April 2023 set out the intended changes arising from amendments to the design and methodology of works to overhead lines to facilitate AIL access to the Site. The Applicant is finalising the amended plans which will be discussed with affected parties at the earliest opportunity; and the Schedule will be submitted with the Changes Application to set out the engagement that the Applicant has undertaken in respect of those amendments.
7. The Book of Reference (4.3) has been updated to reflect the following:
  - An interest name has been amended from North Yorkshire County Council (NYCC) to the North Yorkshire Council (NYC) to reflect changes following the establishment of the new unitary authority of NYC which took effect from 1 April 2023;

- The interest of the Secretary of State for Transport has been reinstated to the Book of Reference because the land in plots 01-83 and 01-87 is still registered to this party; and
  - The qualifier for the aforementioned interest has been updated to include ‘East Riding of Yorkshire Council as highway authority’ due to the addition of the Secretary of State for Transport to the plots.
8. The Schedule of Changes to the Book of Reference (4.3.4) details these changes.
  9. The Other Consents and Licences document (5.5) has been updated in relation to the ISH4 Action Point 7: “*Update to other consents and licences document to provide anticipated timescales for rows 10-14.*”
  10. The Register of Environmental Actions and Commitments (6.5) and Outline Landscape and Biodiversity Strategy (6.6.1) have been updated in compliance with Action ISH3-AP3 set following Issue Specific Hearing 3 (ISH3) on Environmental Matters to ensure that there is clarity in how relevant design matters in the Design Framework are appropriately secured; and to ensure that the OLBS clearly aligns with the approach set out in DCO Requirement 7. Updates to the BNG Assessment will be submitted at Deadline 6.
  11. The updates to the Statements of Common Ground (SoCGs) listed above are to reflect the ongoing discussions with the applicable stakeholders. Please note that NYC is a new single council which was launched on 1 April 2023, replacing the current county council and seven district and borough councils in North Yorkshire, including Selby District Council (SDC) and NYCC. The SoCG with NYC therefore constitutes a further revision of the previous SoCG with SDC and NYCC.
  12. The Statement of Commonality has been updated to reflect the above updates to SoCGs and the position more generally.
  13. The Applicant has sent the draft section 106 agreement to NYC on 28 March 2023, with a minor proposed amendment to address further comments made by NYC at the hearings (as recorded in the Applicant’s oral summary of submissions made at ISH4 (REP4-030), in particular paragraphs 9.6 – 9.8 in respect of BNG). This amendment is currently being considered by NYC and as a result the Applicant did not consider it could helpfully submit a further draft of the agreement at this Deadline. It is still anticipated that agreement will be reached during the course of the Examination.
  14. The National Policy Statement Tracker (8.8) has been updated to account for the revised draft National Policy Statements for Energy published on 30 March 2023.
  15. The Applicant’s comments on Interested Parties’ submissions at Deadline 4 is provided in Document 8.10.4.
  16. Document 8.14 is a new document that has been prepared by the Applicant to consider the implications of the Government’s other policy and Track 1 announcements published on 30 March 2023 in terms of the timescales for the Proposed Scheme and the Needs and Benefits case for the Scheme. This has been produced in one document rather than submitting a variety of different addendums to application documents.
  17. Enclosed with this letter are the above documents via the file upload facility on the project application website<sup>1</sup>, as agreed with the Inspectorate via the Rule 6 letter on 13 December 2022.

---

<sup>1</sup> <https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/drax-bioenergy-with-carbon-capture-and-storage-project>

18. We trust the above and enclosed are helpful. However, please do not hesitate to contact the undersigned should you have any queries regarding these documents.

Yours sincerely



Jim Doyle

Planning and Consents Manager

