



# 5.5 OTHER CONSENTS AND LICENCES

## Drax Bioenergy with Carbon Capture and Storage

The Planning Act 2008

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 – Regulation 5(2)(q)

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# 1. INTRODUCTION

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- 1.1.1. This document has been prepared by Drax Power Limited ('Drax' or the 'Applicant') to support an Application for a Development Consent Order ('DCO') (the 'Application') to install Bioenergy with Carbon Capture and Storage (BECCS) at Drax Power Station in North Yorkshire (the 'Proposed Scheme').
- 1.1.2. The Application made by the Applicant for the Proposed Scheme will be made to the Secretary of State ('SoS') for Business, Energy and Industrial Strategy ('BEIS') under Section 37 of the Planning Act (2008) (the 'PA2008').
- 1.1.3. The Proposed Scheme will involve the installation of post combustion carbon capture technology to capture carbon dioxide from up to two existing 660 megawatt electrical ('MWe') biomass power generating units at Drax Power Station (Unit 1 and Unit 2). The Proposed Scheme is designed to remove approximately 95% of the carbon dioxide from the flue gas from those two units. Units 1 and 2 are located in the centre of the Drax Power Station Site. The carbon dioxide captured will undergo processing and compression before being transported via a proposed new pipeline for storage under the southern North Sea. Transport and storage infrastructure will be consented through separate applications. See Chapter 2 (Site and Project Description) (APP-038) of the Environmental Statement ('ES') submitted with the Application for further details.
- 1.1.4. This document provides an indicative list of other consents, licences or permits that the Applicant will or may need to obtain to enable the construction, operation and maintenance of the Proposed Scheme, which cannot be obtained as part of a DCO.
- 1.1.5. A **Glossary** (AS-069) has been submitted as a standalone document with the Application which incorporates all terms used within submission documents.

## **2. OTHER CONSENTS AND LICENCES**

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- 2.1.1. Information on the other consents and licences that it is considered are or may be required under other legislation for the construction and operation of the Proposed Scheme is set out in Table 2.1.

**Table 2.1 – Other Consents and Licences**

No.	Consent / Licence	Relevant Consenting / Authorising Body	Comments / Agreements	Anticipated Submission Date / Timescales
1	Environmental Permit ('EP'). The Environmental Permitting (England and Wales) Regulations 2016	Environment Agency ('EA')	An EP variation will be required to establish stack discharge parameters and associated emission limit values ('ELVs') for the release of different pollutants (e.g. amines, nitrosamines) associated with BECCS and/or changes to ELVs for existing pollutants included in the existing permitted processes.	Submission of an application for a staged variation to the existing Environmental Permit (EPR/VP3530LS), for the Drax Power Station was submitted to the Environment Agency on 22 August 2022. On 3 April 2023 the Applicant submitted additional information to the EA following their request for further information to support the process of achieving duly made status for the application to vary the Environmental Permit. <a href="#">The variation to the application was duly made on 18 May 2023.</a> <a href="#">The EA will now consider the application for a variation to the Environmental Permit as set out above.</a> <a href="#">Determination of the</a>

No.	Consent / Licence	Relevant Consenting / Authorising Body	Comments / Agreements	Anticipated Submission Date / Timescales
				<p><a href="#">application is not expected before March 2024.</a></p> <p>The Applicant continues to develop the application submission in line with agreed staged timelines and meet with the EA to seek to resolve queries around the variation to enable progress to be made in this regard.</p>
2	Greenhouse Gas Permit. Greenhouse Gas Emissions Trading Scheme Regulations 2012/3038	EA	The EA has confirmed that a Greenhouse gas permit is required.	Application for a variation to the existing permit to be prepared 12 months prior to full commissioning of the Proposed Scheme.
3	Fire Notice. The Regulatory Reform (Fire Safety) Order 2005	Local fire and rescue authority (the Health and Safety Executive ('HSE') has enforcement responsibility on construction sites)	A fire safety risk assessment is required in respect of work on construction sites and an action plan is to be produced in relation to such assessment.	<p>Will be sought after the DCO has been made by the SoS in advance of construction activities in consultation with local fire and rescues authority and the HSE.</p> <p>Prior to start of construction of the Proposed Scheme.</p>

No.	Consent / Licence	Relevant Consenting / Authorising Body	Comments / Agreements	Anticipated Submission Date / Timescales
4	Permit for Transport of Abnormal Loads. Road Vehicles (Authorisation of Special Types) (General) Order 2003 or under the Road Traffic Act 1988	Vehicle Certification Agency ('VCA') (the Executive Agency of the Department for Transport); National Highways; local highway authority (the highway authority will be whoever holds the position now that North Yorkshire County Council ('NYCC') and Selby District Council ('SDC') have become a unitary authority (North Yorkshire Council)); East Riding of Yorkshire Council ('ERoYC') dependent on what administrative area the final agreed route passes through; and / or the police and bridge owners (if any) as appropriate.	Only if required.	As required and in advance of any Abnormal Indivisible Loads (AIL) needing to be transported during the construction of the Proposed Scheme.

No.	Consent / Licence	Relevant Consenting / Authorising Body	Comments / Agreements	Anticipated Submission Date / Timescales
5	Temporary Traffic Regulation Order ('TTRO')	Local highway authority (North Yorkshire Council and EROYC)	<p>Only if required and to the extent the nature of restrictions is not covered by article [12] of the DCO.</p> <p>May be required to allow traffic management e.g. in respect of creating new access to the East Laydown Area or to minimise queuing / prevent certain vehicle movements / introduce waiting restrictions during the construction period. The need will be determined by the appointed contractor.</p>	TTRO would be sought once the number and nature of TTRO's is established following appointment of the contractor.
6	Building Regulations Approval. Building Regulations 2000 (as amended)	North Yorkshire Council	<p>Required in respect of buildings and structures forming part of the Proposed Scheme.</p> <p>Detailed design to be completed before Building Regulations application(s) can be made.</p>	This will follow the DCO being made by the SoS. Likely to be Q4 2023 or later.
7	Protected species licence (for badgers) under The Protection of Badgers Act 1992	Natural England ('NE')	<p>Required for any components of the Proposed Scheme that affect protected species.</p> <p>Consent to close badger setts if required and if a buffer zone</p>	If required, this will follow the DCO being made by the SoS.



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			<p>around the sett cannot be established. It is noted that a badger sett can typically only be closed under licence from NE between July and November inclusive.</p> <p>Resurvey for badger would be required prior to site clearance activities, to confirm whether or not a licence is required.</p>	
8	<p><a href="#">North Yorkshire Council (formerly Selby District Council)</a> District Level Licence ('DLL') for great crested newts ('GCN')</p>	NE	<p>Required in relation to the anticipated impacts of the Proposed Scheme on terrestrial habitats that may be used by GCN, where this is within 500 m of ponds known to contain GCN. Use of the DLL would remove the need for the Proposed Scheme to obtain a site-specific derogation licence in relation to great crested newts, under the Conservation of Habitats and Species Regulations (2017, as amended).</p> <p>Use of the DLL would be secured by making an</p>	<p>If required, this will follow the DCO being made by the SoS.</p> <p>A provisional GCN DLL Impact Assessment and Conservation Payment Certificate was signed by the Applicant on 30 January 2023 <del>and is now awaiting NE's signature</del> <a href="#">and the counter-signed certificate was received from NE on 9 June 2023. Once consent has been granted for the Proposed Scheme the Applicant will be able to</a></p>

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			appropriate payment to the <a href="#">SDC NYC</a> DLL scheme.	<a href="#">apply to NE for the full GCN DLL.</a>
9	Section 61 Construction Noise Consent. Control of Pollution Act 1974	North Yorkshire Council	May be required during the construction of the Proposed Scheme for certain activities.	Apply for during construction, if required.
10	Surface Water Abstraction Licence (construction phase activities)	Environment Agency	Surface water abstraction licence from the EA and / or discharge permit from the EA for the discharge.	Application(s) or notification(s) to be made prior to construction.
11	Groundwater Abstraction Licence (construction phase activities)	Environment Agency and Selby Area IDB	Groundwater abstractions from temporary excavations or trenches.	Application(s) or notification(s) to be prior to construction.
12	Surface Water Discharge Permit (construction phase activities)	Environment Agency and Selby Area IDB	Surface water discharge permit	Application(s) or notification(s) to be prior to construction.
13	Standard Rules Environmental Permits	EA	May be required for certain elements during construction, e.g. temporary discharges to water courses, waste management activities.  As identified through the detailed design stages of the Proposed Scheme.	Application(s) or notification(s) to be made prior to and during construction.

No.	Consent / Licence	Relevant Consenting / Authorising Body	Comments / Agreements	Anticipated Submission Date / Timescales
14	Pipeline Safety Notification under The Pipeline Safety Regulations 1996	HSE	Other HSE-related notifications / consents may also be required.	Application(s) or notification(s) to be made prior to commissioning.
15	Hazardous Substances Consent ('HSC') The Planning (Hazardous Substances) Act 1990 and the Planning (Hazardous Substances) Regulations 2015	North Yorkshire Council	May be required for storage of chemicals/ hazardous materials in relation to the BECCS units.	Requirement for any application is to be established at least 12 months prior to operation of BECCS units.
16	Energy Licence Modification Application (Electricity Act (1989))	National Grid Electricity Systems Operator ('NG ESO')	Submission of a Modification Application to increase import capability to support the BECCS start up and transient events.	Application submitted September 2022.