



# **STATEMENT OF COMMON GROUND BETWEEN NATIONAL HIGHWAYS AND DRAX POWER LIMITED**

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

The Planning Act 2008 (as amended)

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Applicant: Drax Power Limited

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**CONFIDENTIAL**

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## **EXECUTIVE SUMMARY**

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A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO). It is prepared jointly by the applicant and another party, to assist the Examining Authority in examining the DCO Application by providing an understanding of the status of discussions or negotiations between the applicant and the other party.

This SoCG has been prepared between National Highways (formerly Highways England) and Drax Power Limited (the 'Applicant') (jointly referred to as the Parties) to show where agreement has been reached to date in relation to the Applicant's application (the Application) for a DCO for their Bioenergy with Carbon Capture and Storage (BECCS) project (referred to as the Proposed Scheme). The SoCG represents an accurate and up to date reflection of matters discussed between the Parties. It is a document which will evolve during the examination, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the examination.

National Highways is interested in the Proposed Scheme as the highway, traffic and street authority for England's motorways and certain major A-roads known as the strategic road network (SRN).

Throughout this document, points of agreement and disagreement between the Parties are clearly indicated.

# **1. INTRODUCTION AND PURPOSE**

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## **1.1. PURPOSE OF THE STATEMENT OF COMMON GROUND**

1.1.1. A Statement of Common Ground (SoCG) is a written statement produced during the application process for a Development Consent Order (DCO) and is prepared jointly by the applicant and another party.

1.1.2. Paragraph 58 of the Department for Communities and Local Government's (DCLG, now Ministry of Housing, Communities and Local Government) guidance entitled 'Planning Act 2008: examination of applications for development consent' (26 March 2015) (DCLG, 2015) hereafter referred to as DCLG Guidance) describes a SoCG as follows:

*"A statement of common ground is a written statement prepared jointly by the applicant and another party or parties, setting out any matters on which they agree. As well as identifying matters which are not in real dispute, it is also useful if a statement identifies those areas where agreement has not been reached. The statement should include references to show where those matters are dealt with in the written representations or other documentary evidence."*

1.1.3. The aim of a SoCG is to assist the Examining Authority in examining the DCO by providing an understanding of the status of discussions or negotiations between the applicant and the other party. The effective use of SoCGs aids an efficient examination process.

1.1.4. A SoCG is updated as necessary or as requested during the examination.

## **1.2. DESCRIPTION OF PROPOSED SCHEME**

1.2.1. A full description of the Proposed Scheme description is included in Chapter 2 (Site and Project Description) of the ES submitted with the DCO Application (APP-038), as amended by the Change Request - 8.5.1 Proposed Changes Application Report (AS-045) and Change Request - 8.15 Second Change Application Report - Rev 1 (AS-126).

## **1.3. THIS STATEMENT OF COMMON GROUND WITH NATIONAL HIGHWAYS**

1.3.1. This SoCG has been prepared between National Highways and the Applicant (jointly referred to as the Parties) in relation to the DCO Application.

1.3.2. It addresses topics of interest to National Highways. National Highways is interested in the Proposed Scheme as the highway, traffic and street authority for England's motorways and certain major A-roads known as the strategic road network (SRN).

1.3.3. Section 3 summarises the topics of relevance to this SoCG and Section 4 then details whether matters are agreed, not agreed or under discussion between the Parties.

- 1.3.4. In respect of environmental topics covered in the Environmental Statement submitted with the Application but not referred to in this SoCG, National Highways has no comments to make.
- 1.3.5. Following the Applicant's consultation on the Proposed Changes to the Application (both Applicant's change requests dated 5 December 2022 and 21 April 2023), and the acceptance of them into the Examination by the Examining Authority, National Highways agrees that the statements in this SoCG apply to the application inclusive of those Proposed Changes.
- 1.3.6. The SoCG is a document which will evolve during the examination, and conclude with a version which confirms the Parties' positions on relevant matters before the close of the Examination.
- 1.3.7. This SoCG has been prepared in accordance with the DCLG Guidance.

## 2. RECORD OF ENGAGEMENT UNDERTAKEN TO DATE

### 2.1. RECORD OF ENGAGEMENT

2.1.1. The tables below set out a summary of the key meetings and correspondence between the Parties in relation to the Proposed Scheme.

**Table 2.1 – Schedule of Meetings and Correspondence during the Pre-application Stage**

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
<b>22 February 2021</b>	<u>Email</u> From WSP <sup>1</sup> to National Highways.	North Yorkshire County Council (NYCC), National Highways, and East Riding of Yorkshire (ERYC) provided comments on the proposed transport assessment parameters set out in a Transport Scoping Note, which had been provided to them by the Applicant. The approach was generally accepted by the highway authorities, but further discussions are required to reach final agreement ahead of the completion of the ES.  The Transport Scoping Note issued covered all transport related parameters including baseline conditions, predicted trip generation, trip distribution, assessment scenarios, proposed growth factors, and other general items ahead of a scheduled meeting with consultees.
<b>02 March 2021</b>	<u>Online Meeting</u> NYCC Highways; ERYC; National Highways; Drax; WSP Transport.	Inception call to introduce Drax BECCS to highway authorities, scheme overview, transport scoping note content, Abnormal Indivisible Loads strategy, and approach to future engagement.
<b>25 March 2021</b>	<u>Online Meeting</u> NYCC (Highways); ERoY;	Call with highway authorities to discuss approach to AIL routes.  National Highways to liaise with the DfT and seek confirmation and Approval in Principle for

<sup>1</sup> WSP acting on behalf of the Applicant



	National Highways; Drax; WSP Transport.	the Port of Goole 'Road Option' (as per the agreed approach for AIL movements associated with Drax Repower).
<b>25 March 2021</b>	<u>Email</u> From WSP to National Highways.	Request from WSP for contacts to liaise with the DfT and seek confirmation and Approval in Principle for the Port of Goole 'Road Option' (as per Drax Repower).
<b>20 April 2021</b>	<u>Email</u> From National Highways to WSP.	Confirmation received from National Highways that National Highways are happy with the proposed approach (in relation to the movement of AIL).
<b>04 May 2021</b>	<u>Email</u> From National Highways to WSP.	National Highways response to WSP Drax BECCS Transport Scoping Note v2.0 received.
<b>25 June 2021</b>	<u>Email</u> From National Highways to WSP.	National Highways shared M62 J36 Classified Turning Count and Queue data for review by the BECCS project team.
<b>01 November 2021</b>	<u>Email</u> From WSP to National Highways.	Issue of the Section 42 Notice, Section 48 Notice and PEIR.
<b>22 December 2021</b>	<u>Email</u> From WSP to National Highways.	Applicant email to National Highways noting Statutory Consultation period has ended. National Highways confirmed receipt of the information and would review and provide comment.
<b>26 January 2022</b>	<u>Technical Memorandum</u> From JSJV <sup>2</sup> to WSP.	National Highways provided a response to the PEIR (WSP, 2021) received in form of a Technical Memorandum, as prepared by JSJV on behalf of National Highways.

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<sup>2</sup> JSJV acting on behalf of National Highways.

**Table 2.2 – Schedule of Meetings and Correspondence during the Pre-Examination and Examination Stages**

<b>Date</b>	<b>Form of Contact</b>	<b>Summary</b>
<b>25 August 2022</b>	<u>Online Meeting</u> National Highways; JSJV; Drax; WSP Highways.	Discussed the impact of the Proposed Scheme on the M62 Junction 36.
<b>26 August 2022</b>	<u>Email</u> WSP to National Highways.	Following the Online Meeting on 25 August 2022, WSP provided the Junctions 10 Model of the M62 Junction 36, traffic counts provided to WSP by National Highways and an excel copy of the traffic flow diagrams.
<b>02 September 2022</b>	<u>Technical Memorandum</u> From JSJV (on behalf of National Highways) to WSP.	National Highways provided a response to the ES (WSP, 2022) received in the form of a National Highways Letter and accompanying Technical Memorandum, as prepared by JSJV on behalf of National Highways.
<b>28 September 2022</b>	<u>Email</u> From JSJV to WSP.	JSJV reviewed and provided comments on the Junctions10 model WSP provided to JSJV following the Online Meeting on the 25 August 2022.
<b>28 October – 3 November 2022</b>	<u>Emails</u> Between WSP and JSJV.	Agreement of Revision 01 of the Statement of Common Ground.
<b>November 2022</b>	<u>Report</u> From the Applicant to PINS	Table 3.1 contained in the Applicant’s Responses to Relevant Representations and Additional Submissions (AS-038) sets out the Applicants response to each matter raised by National Highways.
<b>5 January – 2 February 2023</b>	<u>Emails</u> Between WSP and National Highways.	Agreement of Revision 02 of the Statement of Common Ground.



<b>February – March 2023</b>	Emails <u>Between WSP and National Highways.</u>	WSP issued Technical Note, appendices and supporting files on 10 February 2023 and are in discussions regarding their content.
<b>February – March 2023</b>	Emails <u>Between WSP and National Highways.</u>	WSP contacted National Highways to seek agreement to Revision 03 of the Statement of Common Ground.
<b>8 March 2023</b>	Call and Email <u>Between WSP and National Highways.</u>	Agreed National Highways would provide response on Technical Note w/c 13 March, discussion regarding upcoming hearing to seek agreement from both parties in advance, and update on Protective Provisions.
<b>15 March 2023</b>	Call <u>Between WSP and National Highways</u>	WSP and National Highways agreed all outstanding matters in advance of ISH 3, which included agreeing the contents of Requirements 15 and 19 of the dDCO, all remaining Statement of Common Ground ‘Under Discussion’ matters and Examiner’s Questions for ISH 3.
<b>15 March 2023</b>	<u>Emails</u> Between WSP and National Highways.	Agreement of Revision 03 of the Statement of Common Ground.
<b>5 May 2023</b>	<u>Emails</u> Between WSP and National Highways.	Acknowledgement the change to the programme and confirming that the agreed mitigation can remain unchanged
<b>May - June 2023</b>	<u>Emails</u> Between WSP and National Highways.	Agreement of Revision 04 of the Statement of Common Ground.

### **3. SUMMARY OF TOPICS COVERED BY THIS STATEMENT OF COMMON GROUND AND RELEVANT DOCUMENTS**

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#### **3.1. TOPICS COVERED IN THIS STATEMENT OF COMMON GROUND**

3.1.1. The following topics discussed between the Parties are covered by this SoCG:

- Planning Policy;
- Traffic and Transport, including Cumulative Effects; and
- Other Consents and Licenses.

#### **3.2. RELEVANT DOCUMENTS FOR THIS STATEMENT OF COMMON GROUND**

3.2.1. Table 3.1 provides a list of documents of particular relevance to this SoCG. This list will be updated to keep a record of the most recent version of the relevant document.

**Table 3.1 – List of Relevant Application Documents for this SOCG**

<b>Document Reference</b>	<b>Document Name</b>
<b>APP-038</b>	6.1.2 Environmental Statement - Volume 1 - Chapter 2: Site and Project Description
<b>APP-041</b>	6.1.5 Environmental Statement - Volume 1 - Chapter 5: Traffic and Transport
<b>APP-062</b>	6.2.5.1 Environmental Statement - Volume 2 - Figure 5.1: Study Area (Traffic and Transport)
<b>APP-063</b>	6.2.5.2 Environmental Statement - Volume 2 - Figure 5.2: Public Rights of Way
<b>APP-064</b>	6.2.5.3 Environmental Statement - Volume 2 - Figure 5.3: National Cycle Routes
<b>APP-065</b>	6.2.5.4 Environmental Statement - Volume 2 - Figure 5.4: Traffic Survey Data Locations
<b>APP-066</b>	6.2.5.5 Environmental Statement - Volume 2 - Figure 5.5: HDV Routing
<b>APP-067</b>	6.2.5.6 Environmental Statement - Volume 2 - Figure 5.6: Abnormal Indivisible Load Routing

<b>Document Reference</b>	<b>Document Name</b>
<b>APP-120</b>	6.3.5.2 Environmental Statement - Volume 3 - Appendix 5.2: Framework Construction Worker Travel Plan
<b>APP-121</b>	6.3.5.3 Environmental Statement - Volume 3 - Appendix 5.3: Traffic Flow Diagrams
<b>APP-122</b>	6.3.5.4 Environmental Statement - Volume 3 - Appendix 5.4: Personal Injury Collision Data
<b>APP-123</b>	Limited 6.3.5.5 Environmental Statement - Volume 3 - Appendix 5.5: Schedule Planner
<b>APP-124</b>	6.3.5.6 Environmental Statement - Volume 3 - Appendix 5.6: Junction Modelling Outputs
<b>RR-097</b>	National Highways Relevant Representation
<b>AS-045</b>	Change Request - 8.5.1 Proposed Changes Application Report - Accepted at the discretion of the Examining Authority
<b>REP2-063</b>	Deadline 2 Submission - 8.9.3 WQ1 Appendix 3 – Highways Technical Note - Rev 1
<b>REP2-030</b>	Deadline 2 Submission - 6.3.5.2 Environmental Statement - Volume 3 - Appendix 5.2: Framework Construction Worker Travel Plan (Clean) - Rev 3
<b>REP2-028</b>	Deadline 2 Submission - 6.3.5.1 Environmental Statement - Volume 3 - Appendix 5.1: Outline Construction Traffic Management Plan (Clean) - Rev 5
<b>REP2-084</b>	Deadline 2 Submission - Written Representation
<b>AS-126</b>	Change Request - 8.15 Second Change Application Report - Rev 1

## 4. CURRENT POSITION

### 4.1. PLANNING POLICY

Table 4.1 – Planning Policy

Ref.	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
4.1.1	Legislation, Key Planning Policy, and Key Guidance Documents	Chapter 5 (Traffic and Transport) (APP-041) sets out the legislation and key planning policy and key guidance documents that have been taken into account.	National Highways agree with the legislation, key planning policy and key guidance documents included within the ES.  Key policies for National Highways are: <ul style="list-style-type: none"><li>• The National Highways document 'The Strategic Road Network: Planning for the future' (2015); and</li><li>• The DfT Circular 02/2013.</li></ul>	Agreed

## 4.2. TRAFFIC AND TRANSPORT

Table 4.2 – Traffic and Transport

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
4.2.1	Baseline (Study Area)	The study area is set out in Section 5.6 of Chapter 5 (Traffic and Transport) (APP-041) and shown on Figure 5.1 (Study Area (Traffic and Transport) (APP-062).	<p>National Highways agree with the Traffic and Transport Study Area included in the ES.</p> <p>It is agreed that the study area to be considered should include:</p> <ul style="list-style-type: none"> <li>• M62 Junction 36 Dumbbell Roundabout (Ref: Junction 4a / 4b);</li> <li>• M62 eastbound mainline from Junction 36 (Ref: Link 6); and</li> <li>• M62 westbound mainline from Junction 36 (Ref: Link 9).</li> </ul>	Agreed
4.2.2	Baseline (Traffic Flows)	<p>At the pre-application stage, the Applicant proposed to use March 2018 baseline traffic flows across the study area. However, National Highways provided October 2018 traffic flows for the M62 Junction 36.</p> <p>The Applicant reviewed the October 2018 data provided by National Highways which confirmed that flows are higher than the March 2018 flows</p>	National Highways agree with this approach and consider the October 2018 surveys to be robust because traffic flows have reduced from 2018 to 2022. National Highways also note that the daily traffic profile has not materially changed from 2018 to 2022.	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		<p>surveyed at Junction 36. As such, the October 2018 data was used in the ES.</p> <p>The baseline traffic flows are set out in Section 5.7 of Chapter 5 (Traffic and Transport) (APP-041).</p>		
4.2.3	Baseline (Personal Injury Collision Data)	<p>The Applicant undertook a revised highway safety analysis at the request of National Highways in their Relevant Representation response (RR-097). The analysis is presented in Section 3 of the Highways Technical Note (REP2-063).</p> <p>The analysis covers the five-year period 1 January 2015 – 31 December 2019 inclusive, to ensure the analysis is unaffected by the Covid-19 pandemic and was extended to cover the M62 Junction 36 and the M62 mainline east and west of the junction.</p>	National Highways agrees with the revised highway safety analysis undertaken by the Applicant.	Agreed
4.2.4	Baseline (TEMPro Factors)	Traffic growth predictions for the assessment years considered within in Section 5.7 of Chapter 5 (Traffic and Transport) (APP-041) were taken	National Highways consider the proposed background growth factors to be acceptable. The proposed factors are not materially different to those derived	Agreed



Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		from the Trip End Model Program (TEMPro) v7.2c.	by JSJV and we support the use of the alternative assumptions function.	
4.2.5	Methodology (Sensitive Receptors)	<p>At the request of National Highways, the Applicant has provided further justification within Section 2 of the Highways Technical Note (REP2-063) to explain the proposed sensitivity of the M62 mainline.</p> <p>The M62 mainline was assigned a low sensitivity on the basis that there are no sensitive locations adjacent to the M62 mainline, such as hospitals, churches, schools or historical buildings and on the basis that pedestrians, cyclists and horse riders are prohibited from using motorways.</p> <p>In the event that the M62 mainline was assigned a very high sensitivity, the level of traffic associated with the Proposed Scheme in relation to the Annual Average Daily Traffic on the mainline would be very low, and would have negligible impact on the operational performance of the mainline flow.</p>	National Highways agree with the M62 Mainline Sensitivity chosen by the Applicant, subject to appropriate mitigations secured through the Construction Traffic Management Plan, Construction Worker Travel Plan and Decommissioning Traffic Management Plan.	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
4.2.6	Methodology (Construction Phase – Option 2)	<p>The Applicant has assessed Option 2 as the worst case for traffic and transport within Chapter 5 (Traffic and Transport) (APP-041).</p> <p>At the request of National Highways in their Relevant Representation response (RR-097), the Applicant has undertaken a revised junction analysis using revised worst-case peak periods, which is presented in Section 6 of the Highways Technical Note (REP2-063).</p>	National Highways agrees with the revised junction analysis and results undertaken by the Applicant using the worst-case peak periods.	Agreed
4.2.7	Methodology (Operational Workforce and need for operational assessment)	<p>The Applicant requires a total workforce of 50 full time staff for the operational phase of the Proposed Scheme.</p> <p>The assessment of the operational phase has been limited to reviewing the change in traffic flows on the links and junctions within the study area.</p>	<p>Based on previous agreements at the pre-application stage and details contained with the ES, National Highways agree that the trip generation associated with the operational phase of the Proposed Scheme is unlikely to have a significant impact on the operation of the SRN during the AM &amp; PM peak hour periods.</p> <p>National Highways agree that the trip generation associated within the operational phase of development is</p>	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
			<p>unlikely to generate a significant impact on the operation of the SRN during the AM &amp; PM peak hour periods.</p> <p>Whilst National Highways agree, they state that the Applicant has provided insufficient evidence to justify the stated number of workers. However, given that 50 staff are forecast to generate 24 two-way trips at M62 Junction 36, if the number of staff were to be doubled to 100 then the impact at M62 junction 36 would be in the order of 48 two-way trips. On this basis, and considering the previous agreements at the pre-application stage, JSJV would agree that the trip generation associated with the operational phase of development is unlikely to generate a significant impact on the operation of the SRN during the AM &amp; PM peak hour periods.</p>	
4.2.8	Methodology (Decommissioning Phase – Assessment and DCO Drafting))	<p>The Applicant considers that the decommissioning phase will be no worse than those during the construction phase.</p> <p>A Decommissioning Traffic Management Plan (DTMP) for the</p>	National Highways support this approach subject to a DCO Requirement being included which secures a DTMP.	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		works will also be submitted, approved and implemented at the appropriate time and be consulted upon with National Highways, secured by DCO Requirement.		
4.2.9	Methodology (Assessment Scenarios)	The Applicant has set out the Assessment Scenarios in Section 5.5 of Chapter 5 (Traffic and Transport) (APP-041).	National Highways are in agreement with the Assessment Scenarios assessed. Further discussions are required regarding the worst case traffic flows and this is discussed under item 4.2.16. <ul style="list-style-type: none"> <li>Existing: 2018 Baseline</li> <li>Year of submission: 2022</li> <li>Peak construction year (under discussion – covered later in this table)</li> </ul>	Agreed
4.2.10	Assessment of impacts of construction (including AILS) on the SRN (Trip Generation – Workers)	Section 5.9 of Chapter 5 (Traffic and Transport) (APP-041) states that during the peak month of construction, the vehicle trip generation is proposed to be 858 two-way trips in August 2026, based on 1000 workers, 400 vehicle trips at 2	National Highways consider the proposed vehicle trip generation to be acceptable. This is agreed but noting the need to assess the worst-case.	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		per vehicle and 29 minibuses at 7 per vehicle.		
4.2.11	Assessment of impacts of construction (including AILS) on the SRN (Trip Generation – HDV)	<p>Section 5.9 of Chapter 5 (Traffic and Transport) (APP-041) proposes that the volume of HDVs on the network during the peak month of construction (in 2026) is to be a maximum of 270 two-way daily HDV movements (135 in and 135 out).</p> <p>The Applicant has set out the Assessment Scenarios in Section 5.5 of Chapter 5 (Traffic and Transport) (APP-041) proposes that HDV deliveries are to be spread evenly over the 12-hour working day from 07:00 – 19:00.</p>	<p>National Highways consider the level of HGV trip generation to be in line with that contained in the proposed schedule planner and is, therefore, considered to be robust.</p> <p>National Highways consider the proposed HDV profile to be acceptable. This is agreed but noting the need to assess the worst-case.</p>	Agreed
4.2.12	Assessment of impacts of construction (including AILS) on the SRN (Trip Distribution)	<p>The Applicant has set out the trip distribution within Section 5.9 of Chapter 5 (Traffic and Transport) (APP-041) which is consistent with previous assessments undertaken for Drax Power Station.</p> <p>The trip distribution was based on a gravity model weighted on population and distance that the informed the</p>	<p>Through EIA scoping for the development, National Highways agreed that the gravity model could be used to distribute workers associated with the Proposed Scheme. Consequently, the proposed construction worker trip distribution is acceptable.</p> <p>National Highways also note that they support the assumption that 100% of the</p>	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		traffic analysis for the Drax Repower DCO.	HDV trip generation will use M62 Junction 36 as this represents a worst-case scenario.	
4.2.13	Assessment of impacts of construction (including AILS) on the SRN (Trip Assignment)	Based on the revised junction analysis using revised worst-case peak periods, which is presented in Section 5 of the Highways Technical Note (REP2-063), a total of 188 development trip PCUs (LDV and HDV) are predicted to travel through the junction in the AM peak (07:30 – 08:30) and a total of 148 PCUs in the PM peak (16:30 – 17:30).	National Highways agrees with the revised junction analysis and results undertaken by the Applicant using the worst-case peak periods. The analysis is presented in the Highways Technical Note (REP2-063).	Agreed
4.2.14	Assessment of impacts of construction (including AILS) on the SRN (Modal Split)	Section 5.9 of Chapter 5 (Traffic and Transport) (APP-041) states that the Applicant anticipates that 80% of the workforce would be based locally and travel from home and 20% of the workforce would be transient and travel from local accommodation.  It has been assumed in the ES that workers travelling from home will travel by private car as a driver or passenger, with an average vehicle occupancy of two workers per	National Highways supports the proposed assumptions for construction trip generation.	Agreed



Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		vehicle, with the remaining 20% travelling by minibus, with an average occupancy of seven workers per vehicle.		
4.2.15	Assessment of impacts of construction (including AILS) on the SRN (Passenger Car Unit (PCU))	<p>The Applicant has incorporated the following PCU values into all assessments:</p> <ul style="list-style-type: none"> <li>• Car – 1.0</li> <li>• LGV – 1.0</li> <li>• Rigid – 1.5</li> <li>• Articulated – 2.3</li> <li>• PSV – 2.0</li> <li>• MCL – 0.4</li> <li>• PLC – 0.2</li> </ul> <p>The traffic surveys provided (including the PCU conversion factors) was considered to be acceptable by National Highways during the pre-application stage, therefore no adjustments were made subsequently.</p> <p>These PCU values are typical PCU values to be used in traffic modelling</p>	National Highways agree will the PCU values that have been incorporated into all assessments undertaken in the Highways Technical Note (REP2-063).	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		<p>software within the 'Traffic Signs Manual – Chapter 6 – Traffic Control', published by the Department for Transport and 'Traffic Modelling Guidelines Version 4.0', published by Transport for London.</p> <p>Based on the above, the Applicant considers that the use of PCU values presented to date in the ES to be appropriate and reasonable (and agreed previously with National Highways) and therefore it is considered appropriate to continue using these values in all assessment scenarios.</p>		
4.2.16	Assessment of impacts of construction (including AILS) on the SRN (Peak Periods)	<p>The Applicant used the peak hour periods 07:15 – 08:15 and 16:30 – 17:30 in all peak hour assessments undertaken, which are presented in Section 5.9 of Chapter 5 (Traffic and Transport) (APP-041). These peak periods were selected as they had the highest hourly PCU total in the AM peak and PM peak periods.</p> <p>WSP have undertaken a review of the traffic surveys provided to the</p>	National Highways agree that the worst-case peak period has been used in all assessments undertaken and presented in the Highways Technical Note (REP2-063).	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		<p>Applicant by National Highways and can confirm that:</p> <ul style="list-style-type: none"> <li>• The AM and PM network peaks are from 07:30 – 08:30 and 16:30 – 17:30;</li> <li>• The AM and PM peak periods are still between 07:30 – 08:30 and 16:30 and 17:30, even with the addition of disaggregated committed development trips; and</li> <li>• Even with the addition of the Proposed Scheme development trips in to the 2026 Do Minimum scenario, the AM and PM peak periods are still between 07:30 – 08:30 and 16:30 and 17:30.</li> </ul>		
4.2.17	Assessment of impacts of construction (including AILS) on the SRN (Cumulative)	The Applicant has set out the approach to committed developments in Section 5.7 of Chapter 5 (Traffic and Transport) (APP-041).	National Highways consider the approach to committed developments to be acceptable.	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
4.2.18	Assessment of impacts of construction (including AILS) on the SRN (Environmental Impacts)	<p>The environmental effects considered within Chapter 5 (Traffic and Transport) (APP-041) are:</p> <ul style="list-style-type: none"> <li>• Severance</li> <li>• Pedestrian Amenity</li> <li>• Fear and Intimidation</li> <li>• Highway Safety; and</li> <li>• Driver Delay.</li> </ul>	National Highways agree with the traffic and transport environmental effects on the SRN, subject to appropriate mitigations secured through the Construction Traffic Management Plan, Construction Worker Travel Plan and Decommissioning Traffic Management Plan.	Agreed
4.2.19	Assessment of impacts of construction (including AILS) on the SRN (Junction Capacity Assessments)	The Highways Technical Note (REP2-063) sets out all the junction capacity assessments that have been undertaken.	National Highways agrees with the revised junction analysis and results undertaken by the Applicant. The analysis is presented in the Highways Technical Note (REP2-063).	Agreed
4.2.20	Assessment of impacts of construction (including AILS) on the SRN (M62 Junction 36)	<p>The traffic impact of the Proposed Scheme onto the M62 Junction 36 was modelled using Junctions10.</p> <p>At a meeting between the Applicant and National Highways on the 25/08/22, the Applicant provided the</p>	National Highways agree with the conflict entry angle that has been included in the model and therefore, consider the Junctions 10 model to be acceptable.	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
	Junction 10 Model)	<p>Junctions10 model to JSJV for review.</p> <p>The error associated with the missing conflict entry angle has been resolved and has been incorporated into all assessments presented in the Highways Technical Note (REP2-063).</p> <p>A sensitivity test was undertaken to address National Highways comments in relation to removing U-turning movements, limiting the westbound queue to 28 vehicles and 44 vehicles for eastbound vehicles.</p> <p>The results are presented in Section 7 of the Highways Technical Note (REP2-063) which found that while the junction itself would operate over capacity in the future scenarios, the sensitivity test suggests that blocking is unlikely to occur between each dumbbell roundabout.</p>	National Highways agree with Junctions 10 model and results of the sensitivity test requested.	
4.2.21	Mitigation (M62 Junction 36 Improvement)	During a meeting between National Highways and the Applicant on the 25/08/2022, the Applicant requested	National Highways agree with Junctions 10 model and LinSig model, along with	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		<p>details of the proposed improvement scheme to the M62 Junction 36.</p> <p>The Applicant received the Junctions 10 model and LinSig model from National Highways consultants for the proposed highway improvement scheme.</p> <p>At the request of National Highways, all assessments scenarios and sensitivity tests have also been undertaken in the Junctions 10 model and LinSig model for the proposed highway improvement scheme. The results are presented in Section 8 and Section 9 of the Highways Technical Note (REP2-063).</p>	<p>the results of models for the proposed highway improvement scheme.</p>	
4.2.22	Mitigation (Design, Mitigation and Enhancement Measures)	<p>The following Tertiary Mitigation Measures have been identified to safeguard the environment and will be considered within the EIA:</p> <ul style="list-style-type: none"> <li>• Construction Traffic Management Plan (CTMP) (OD-009);</li> </ul>	<p>National Highways agree with the use of Tertiary Mitigation Measures as proposed.</p> <p>However, should significant impacts remain, then consideration may need to be given to capacity enhancements to mitigate for development traffic increases.</p>	Agreed



Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		<ul style="list-style-type: none"> <li>Construction Worker Travel Plan (CWTP) (APP-120).</li> </ul>	This is agreed, noting the following two sections of this table.	
4.2.23	Mitigation (CTMP – Additional Detail and the DCO)	The Applicant has updated the CTMP to incorporate National Highways Relevant Representation (RR-097) comments. The latest version of the CTMP is available on PINS (REP2-028).	National Highways agrees with updated version of the CTMP (REP2-028), which incorporates National Highways Relevant Representation (RR-097) comments and requires that the CTMP be secured by DCO requirement.	Agreed
4.2.24	Mitigation (CWTP – Measures)	The Applicant has added Section 7.11 to the CWTP (REP2-030) which provides further details on the proposed budget and financial commitments to deliver the CWTP.	National Highways agrees with updated version of the CWTP (REP2-030), which incorporate further details in relation to the proposed budget and financial commitments to deliver the CWTP and requires that the CWTP be secured by DCO requirement.	Agreed
4.2.25	Mitigation (CWTP – Monitoring)	Section 6.10 of the CWTP (APP-120) states that:  “National Highways have requested the monitoring of construction worker traffic. The TPC and senior management will agree the arrangements for the monitoring of construction worker traffic with	National Highways agrees with updated version of the CWTP (REP2-030), which incorporate further details in relation to the monitoring of construction worker traffic and car parks.	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		<p>National Highways and review the data at the proposed TPSG to understand and agree if additional measures are required to support the management of the construction phase traffic impacts”.</p> <p>Since the submission of the CWTP (APP-120) as part of the DCO Application, the following additional details in relation to the monitoring of traffic flows has been added:</p> <p>“At this stage, in order to monitor the travel patterns associated with the Proposed Scheme, the TPC will undertake or commission staff travel surveys, monitor the use of the construction staff car park, undertaken vehicle occupancy surveys and ask staff whether they travelled via the M62 Junction 36, as set out in Smart Measure 3.</p> <p>Monitoring of the car park will be through a gatehouse, camera, spot surveys on favourable parking locations to ensure they are being used correctly and the installation of</p>		

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		<p>an Automatic Traffic Count at the car park access. This will allow the arrival / departure patterns to be monitored and if absolutely necessary, arrival / departure patterns could be programmed outside of the Strategic Road Network peak periods to mitigate the impact of vehicle trips during the construction phase at the M62 Junction 36. This would also apply to the local highway network.”</p>		
4.2.26	Mitigation (CWTP – Car Parking)	<p>Construction workers will park within the existing 500 carparking spaces available within the Drax Power Station Site.</p> <p>However, provision for 300 overflow car parking spaces would be provided within the East Construction Laydown Area.</p> <p>The combined capacity of 800 carparking spaces across the two areas will not be required throughout the entire construction programme but is included to ensure operational resilience throughout the construction phase as the existing operational</p>	<p>National Highways agrees with updated version of the CWTP (REP2-030), which incorporate further details in relation to measures included to control car parking during construction of the Proposed Scheme.</p>	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		<p>units will still require maintenance and dealing with outages.</p> <p>Since the submission of the CWTP (APP-120) as part of the DCO Application, the following additional details in relation construction worker parking have been added to the latest version of the CTMP (REP2-030):</p> <p>“Construction workers will park within the existing 500 car parking spaces available within the Drax Power Station Site and the 300 overflow car parking spaces within the East Construction Laydown Area. The combined capacity of 800 carparking spaces across the two areas will not be required for construction workers, with the number of spaces available capped at 450 and a permit system will be implemented. The overflow car park has been included to ensure operational resilience throughout the construction phase and to allow the Applicant to continue to meet the operational requirements of Drax</p>		

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		Power Station, such as maintenance outages and day to day operations.		
4.2.27	Mitigation (CWTP – Hours of Operation)	<p>During the construction phases it is proposed that the standard working periods would be Monday to Friday, 07:00 to 19:00, with all personnel working within a nine-hour period. It is also proposed that start-up and shutdown activities would take place during the one-hour period either side of standard working hours.</p> <p>For the purposes of the assessment, it has been proposed that all construction worker related trips would arrive between 06:00 and 10:00 and depart between 16:00 and 20:00 (Mondays to Fridays). On Saturdays, it is proposed that working hours would be 07:00 and 14:30.</p>	Measures set out in the CTMP and CWTP that aim to reduce the number of arrival and departure trips in the AM and PM peak hours on the SRN are welcomed and can be reinforced prior to the commencement of construction when the Final versions of these documents are agreed with National Highways.	Agreed
4.2.28	Mitigation (CEMP)	The Applicant considers that with the measures proposed to be included in the CTMP and the Travel Plan, there is no requirement for transport matters related to National Highways to be included also in a CEMP.	National Highways agrees with this approach.	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
4.2.29	Other (AIL Strategy)	AIL Strategy – The Applicants preferred option is by road from Port of Goole to Drax Power Station. An option to upgrade Drax jetty was considered but has now been ruled out.	National Highways is happy with the proposed approach. In April 2021, National Highways provided confirmation that both DfT and National Highways are in agreement with the proposed AIL approach in principle.	Agreed
4.2.30	Other (AIL Route – Highway Condition Survey)	The Applicant states that a highway condition survey will be carried out along the whole route ahead of the first AIL delivery, and after the final AIL. Any road maintenance issues or damage deemed to be attributable to the AIL will be rectified, and the road will be returned to its former condition.	<p>National Highways support the approach to undertaking a highway condition survey.</p> <p>National Highways state that the surveys should be provided to National Highways, include a commitment to make good any defects and for the Applicant to work closely with National Highways before undertaking any surveys.</p> <p>National Highways note that no works to the SRN should be undertaken prior to an agreement with National Highways.</p>	Agreed
4.2.31	Other – Timescales for the Proposed Scheme	The Applicant does not consider that there would be any change to the conclusions of the Environmental Statement as submitted in May 2022 based on the changed timescales for implementation described in 8.1.4	National Highways consider the existing agreed measures set out in the Construction Traffic Management Plan (CTMP) (REP2-028) and Construction Worker Travel Plan (CWTP) (REP2-030) are appropriate to mitigate the	Agreed

Ref	Description of Matter	Applicant – Current Position	National Highways – Current Position	Position
		Project Updates Arising From Government Publications on Energy Matters 2023 – Rev 1 (REP5-029).	impact of the development with the updated timescales for the project and agrees that the conclusions of the ES do not change.	
4.2.32	Other - Second Change Application – Changes to Order Limits	The Applicant has, following discussions with the affected asset owners (Northern Powergrid and BT Openreach), been able to refine the details of the proposed diversion and undergrounding works in respect of two electrical overhead lines (OHL1 and OHL2) and a telecommunications line (TCL1) which cross the access route to the site at A614 (Rawcliffe Road) and the A645, to allow for the delivery of Abnormal Indivisible Loads ('AILs') to the main Drax Power Station Site. The Applicant considers that the Second Change Application would not result in any change to the significance of effects at the SRN.	National Highways agree with the Applicants position.	Agreed

### 4.3. OTHER CONSENTS AND LICENCES

**Table 4.3 - Other Consents and Licences**

Ref	Consent / Licence	Applicant – Current Position	Anticipated Submission Date / Timescales	National Highways – Current Position	Position
4.3.1	Permit for Transport of Abnormal Loads. Road Vehicles (Authorisation of Special Types) (General) Order 2003 or under the Road Traffic Act 1988	This permit will only be applied for if required.	As required and in advance of any AIL needing to be transported during the construction of the Proposed Scheme.	The Applicant anticipates that there is no impediment to it being able to consider and determine this consent in its usual fashion.	Agreed
4.3.2	National Highways Protective Provisions	The Applicant is actively discussing the protective provisions with National Highways' legal team. The provisions are based upon National Highways' standard requirements. Agreement is anticipated during the course of the Examination.	National Highways submitted their proposed Protective Provisions as a Written Representation (REP2-084) at Deadline 2. These are being negotiated by the parties and agreement is anticipated before the end of the Examination.	National Highways agree with the Applicant's summary of the current position.	Under discussion



## 5. SIGNATURES

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**Table 5.1 – Signatures**

<b>Ref</b>	<b>National Highways</b>	<b>Drax Power Ltd (the Applicant)</b>
<b>Signature</b>		
<b>Printed Name</b>		
<b>Title</b>		
<b>On behalf of</b>	National Highways	Drax Power Ltd
<b>Date</b>		