

**The Planning Inspectorate**

Submitted via the Planning Inspectorate  
'make a submission' web page.

**Our Ref: Michael Reynolds**  
**Your Ref: EN010120**

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Dear Sirs

**Drax Bio-Energy and Carbon Capture Storage**  
**Deadline 9**  
**Post Hearing Submissions**

Please see attached response to R17 written questions.

Also in response to Deadline 8 submissions the following is submitted as a statement in relation to operational noise impacts and the landscape issues.

Noise

The outstanding matters relating to noise concern operational noise effects at night-time and the suitability of requirement 17 of the dDCO. North Yorkshire Council (NYC) have provided comments on these matters at written deadlines 1, 2, 3, 4, 5 and 6, as well as at ISH3 on environmental matters, and would refer the ExA to these previous comments. It is agreed that at receptors R6 and R14 that there is an indication of adverse operational impact at night-time depending on context. NYC are requesting that the rating levels in dDCO requirement 17 are lowered to remove potential impact for adverse operational impact on receptors R6 and R14 at night time. However, NYC acknowledge the Applicant's case for contextual considerations and that the assessment methodology provides for a deflated background noise level against an inflated rating level, and that the ExA will balance this against the likelihood for adverse impact and the need for the proposed development, in determining whether they consider the rating levels in dDCO requirement 17 should be lowered or not. NYC are not suggesting that consent should be refused on the matter of operational noise effects, rather NYC are requesting that the rating levels in dDCO requirement 17 are lowered to remove potential impact for adverse operational impact on receptors R6 and R14 at night time, or that the ExA satisfy themselves that the contextual considerations would reduce likelihood for adverse impact and that on balance, taking account of the need for the proposed development, they are satisfied with operational noise effects. Although NYC have, in discussions with the Applicant, made a suggestion of removing rating levels from dDCO requirement 17 (to be agreed at a later date), this is not the preferred option of NYC as it would leave the matter for resolution at a later date (outside of the examination process).

Landscape

The Authorities concerns with the landscape have been submitted into the examination at Deadline 4 and during written questions as well as in the Local Impact Report. The Authority has welcomed the changes to the outline landscape and biodiversity strategy and the current position relating to the extent of protection and reinstatement of landscape features within the order limits is set out in the Statement of Common Ground.

Yours faithfully

**Michael Reynolds**  
**Senior Policy Officer (Infrastructure)**  
**North Yorkshire County Council**

Response to R17 Written Questions

<b>ExQ2</b>	<b>Question:</b>	<b>NYC Answer:</b>
<b>General</b>		
R17 QB.3	In its response to R17QA.21 [REP8-029] the Applicant explains it is now seeking that it has seven years within which to commence the authorised development and exercise its compulsory acquisition powers. Given that a seven-year commencement date is different to the Applicant's previous position that there would be a two-year delay to the anticipated timescales originally given in Table 2.1 of the ES [APP-038], would there be any implications to baselines, survey work undertaken and/ or conclusions drawn as a result of this extended commencement period?	<p>The applicant has shared its response to the R17QB2.</p> <p>The Authority is content with the response. Given the requirements in place for pre commencement surveys, monitoring and mitigation measures we consider the dDCO and associated documents to be sufficiently flexible to accommodate the a delay of that length.</p>
R17QB.9	EA, NE and NYC: b) Please provide comment on the Applicant's suggested requirement as set out in the Applicant's response to R17AQ.21 [REP8-029] which would, amongst other things, prevent the authorised development commencing until development consent for the pipeline, the licence for the storage and the EP for Work No.1 was in place.	<p>The Authority is happy with the draft submitted.</p> <p>The Authority has always understood that there was an interrelationship with the pipeline and would not expect the substantive part of the development to proceed without the necessary pipeline assurances in place. The Authority also understand that there are pre commencement works associated with the application.</p>