

The Eggborough CCGT Project

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The Eggborough CCGT (Generating Station) Order

Land at and in the vicinity of the Eggborough Power Station site,
near Selby, North Yorkshire, DN14 0BS

Statement of Common Ground with The Coal Authority

The Planning Act 2008



Applicant: Eggborough Power Limited
Date: October 2017

DOCUMENT HISTORY

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GLOSSARY

Abbreviation	Description
AGI	Above Ground Installation
Applicant	Eggborough Power Limited
CCGT	combined cycle gas turbine
DCO	Development Consent Order
EIA	Environmental Impact Assessment
EP UK	EP UK Investments Ltd
EPH	Energetický A Prumyslový Holding
EPL	Eggborough Power Limited
ES	Environmental Statement
kV	kilovolt
m	metres
MW	megawatts
NSIP	Nationally Significant Infrastructure Project
NTS	National Transmission System
NYCC	North Yorkshire County Council
PA 2008	The Planning Act 2008
PEI	Preliminary Environmental Information
PINS	The Planning Inspectorate
SDC	Selby District Council
SoCG	Statement of Common Ground
SoS	Secretary of State
TCA	The Coal Authority
the Order	Eggborough CCGT (Generating Station) Order
the Site	The Proposed Development Site

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1.0 INTRODUCTION

Overview

- 1.1 This Statement of Common Ground has been prepared on behalf of Eggborough Power Limited ('EPL' or the 'Applicant') in respect of its application (the 'Application') for a Development Consent Order (a 'DCO').
- 1.2 The Application has been submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy, under Section 37 of 'The Planning Act 2008' (the 'PA 2008'). It seeks consent for the construction, operation and maintenance of a new gas-fired electricity generating station with a gross output capacity of up to 2,500 megawatts ('MW') and associated works (the 'Proposed Development') on land at and in the vicinity of the existing Eggborough coal-fired power station, near Selby, North Yorkshire.
- 1.3 A DCO is required for the Proposed Development as it falls within the definition and thresholds for a 'Nationally Significant Infrastructure Project' (a 'NSIP') under Sections 14 and 15(2) of the PA 2008.
- 1.4 The DCO, if made by the SoS, would be known as the 'Eggborough CCGT (Generating Station) Order' (the 'Order').

EPL

- 1.5 EPL owns and operates the existing Eggborough coal-fired power station (the 'coal-fired power station'), near Selby, including a significant proportion of the land required for the Proposed Development.
- 1.6 EPL was acquired by EP UK Investments Ltd (EP UK) in late 2014; a subsidiary of Energetický A Průmyslový Holding ('EPH'). EPH owns and operates energy generation assets in the Czech Republic, Slovak Republic, Germany, Italy, Hungary, Poland and the United Kingdom.

The Site

- 1.7 The Proposed Development Site (the 'Site') is located at and in the vicinity of Eggborough coal-fired power station south of Selby. The River Aire is located just to the north with the A19 immediately to the west. Eggborough Village is situated to the south-west.
- 1.8 The entire Site lies within the administrative boundaries of Selby District Council ('SDC') and North Yorkshire County Council ('NYCC').
- 1.9 The coal-fired power station was officially opened in 1970 and comprises four coal-fired boilers units, which together are capable of generating up to 2,000 MW of electricity. The coal-fired power station also includes a turbine hall and boiler house, an emissions stack (chimney) of approximately 198 metres ('m') in height, eight concrete cooling towers of approximately 113 m in height, an administration and control block, coal stock yards and a dedicated rail line for the delivery of coal, in addition to ancillary buildings, structures and infrastructure and utility connections.
- 1.10 The Site itself extends to approximately 102 hectares and comprises land within the operational area of the existing coal-fired power station for the new generating station and electrical

connection in addition to corridors of land outside this area for the water connections and gas supply pipeline. The generating station would be located on the existing main coal stock yard.

- 1.11 The land required for the generating station and electrical connection is owned by EPL, as well as the majority of the land for water connections. The land required for the majority of the gas supply pipeline is not owned by EPL.
- 1.12 The area surrounding the Site is predominantly flat and for the most part comprises agricultural land interspersed with small settlements and farmsteads. It is however crossed by transport infrastructure, notably the A19 and railway lines, including the East Coast Mainline, in addition to overhead electricity lines associated with coal-fired power station and other power stations within the wider area.

The Proposed Development

- 1.13 The main components of the Proposed Development are summarised below:
- an electricity generating station fuelled by natural gas with a gross output capacity of up to 2,500 MW, comprising:
 - a combined cycle gas turbine ('CCGT') plant, comprising up to three CCGT units, including turbine and heat recovery steam generator buildings, emissions stacks, cooling towers and cooling water treatment plant, administration/control building, ancillary buildings, plant and equipment;
 - a peaking plant and black start plant with a combined generating capacity of up to 299 MW, emissions stacks and ancillary buildings, plant and equipment; and
 - other ancillary buildings, enclosures, plant, equipment and infrastructure connections and works;
 - electrical connection works, comprising up to 400 kilovolt ('kV') underground cables to the existing National Grid 400 kV substation at the coal-fired power station site and works within the substation;
 - cooling water connection works, comprising works to the existing cooling water supply and discharge pipelines and intake and outfall structures within the River Aire;
 - ground and towns water supply connection works, comprising works to the existing ground and towns water supply pipelines and boreholes;
 - an underground gas supply pipeline to the National Transmission System ('NTS') for gas of up to 1,000 millimetres (nominal bore) in diameter and approximately 4.7 km in length running north, under the River Aire, to a connection point with the NTS to the south-west of Burn Village; and
 - an 'Above Ground Installation' ('AGI') to the south-west of Burn Village for the connection of the gas supply pipeline to the NTS.
- 1.14 The Proposed Development also includes a temporary construction laydown area for the accommodation of plant and materials and contractors compounds and facilities during the construction phase, which would last for approximately three years. This would be provided on land within the operational area of the coal-fired power station, north of the main coal stock yard.

- 1.15 In addition, land would be set aside adjacent to the new generating station to accommodate any future carbon capture plant, should the deployment of such technology become viable in the future. It is proposed that this 'reserve' land would be provided on the area to be used for temporary construction and laydown area during construction of the Proposed Development.

The purpose of the Statement of Common Ground

- 1.16 The purpose of the Statement of Common Ground ('SoCG') is to set out the agreement that has been reached between EPL and The Coal Authority in respect of the following matters relating to the Proposed Development:
- the impact on coal assets; and
 - land stability in respect of the Proposed Development.

2.0 RELEVANT MATTERS

Consultation with The Coal Authority

- 2.1 The Coal Authority ('TCA') was first consulted on the Proposed Development by The Planning Inspectorate ('PINS') in August 2016 in response to EPL's request for an Environmental Impact Assessment ('EIA') Scoping Opinion.
- 2.2 Further to this, TCA was consulted on the Proposed Development by EPL as part of its Stage 1 'non-statutory' consultation in September/October 2016 and subsequent to this, as part of its Stage 2 'statutory consultation' in January/February 2017. The Stage 2 consultation documents provided to TCA included EPL's Preliminary Environmental Information Report ('PEIR'), which in effect represented a draft Environmental Statement for the Proposed Development.
- 2.3 TCA provided responses to the PINS' EIA scoping consultation (dated 13 September 2016) and to EPL's Stage 2 'statutory consultation' (dated 17 February 2017). TCA's responses raised two main issues:
 - the impact on coal assets; and
 - land stability in respect of the Proposed Development

Impact on coal assets

- 2.4 TCA's response to the PINS's EIA scoping consultation (dated 13 September 2016), which can be found at **Appendix 1**, stated:

"The site is ...located outside of any area of surface coal resource, and therefore we do not expect the applicant to afford due consideration to the potential for prior extraction of coal resources as part of this development."

- 2.5 It is therefore agreed between EPL and TCA that the Proposed Development would not impact on coal assets and that prior extraction of coal resources is not required.

Land stability

- 2.6 TCA's response to EPL's Stage 2 'statutory consultation' (dated 17 February 2017), at **Appendix 2**, states:

"...the proposed development, whilst falling within the defined coalfield, would be located within the Development Low Risk Area, meaning that there are no recorded coal mining legacy risks at shallow depth. However, the site does fall within the licence area of the former Kellingley Colliery, which ceased deep coal mining activities in December 2015. The longwall method of mining employed can potentially result in surface subsidence for several years following cessation of deep mining activities."

The Coal Authority is therefore pleased to note that due consideration has been afforded to this potential land stability risk as part of Chapter 12 of the Preliminary Environmental Information Report – Volume 1 (January 2017). Table 12.7 summarises the initial consultation responses received and within that acknowledges the Coal Authority's comments of 13 September 2016 regarding the above issue. Confirmation is provided within the table and paragraphs 12.4.19 to 12.4.23 that ongoing assessment is being made regarding settlement rates and that, based on this

monitoring, mitigation measures will be identified during the detailed design, if necessary. Accordingly, a conclusion is reached at paragraph 12.4.23 that the sensitivity of the geology is moderate, due to the past underground coal mining activity."

- 2.7 In its Relevant Representation dated 7 August 2017, TCA provided an updated response to its Stage 2 response to refer to the relevant paragraphs of the Environmental Statement ('ES') dealing with land instability, as follows:

"Confirmation is provided within the table and paragraph 12.4.18 to 12.4.22 that ongoing assessment is being made regarding settlement rates and that, based on this monitoring, mitigation measures will be identified during the detailed design, if necessary. Accordingly, a conclusion is reached at paragraph 12.4.22 that the sensitivity of the geology is moderate, due to the past underground coal mining activity."

- 2.8 As confirmed above, coal mining activity is considered at Chapter 12, paragraphs 12.4.18 to 12.4.22 of the ES. Table 12.7 (Chapter 12) confirms that on-going assessment of the rates of potential settlement being experienced across the coal stock yard (the proposed location for the new generating station) is still being undertaken and that, if required, mitigation measures will be identified during the detailed design. These detailed mitigation measures will be raised with TCA and EPL will undertake any additional measures that may be identified by TCA. Paragraph 12.4.22 concludes that the sensitivity of the geology at the Site is moderate, based on the previous coal mining activity.

- 2.9 It is therefore agreed between EPL and TCA that sufficient and suitable consideration is given to the potential land stability risk as a result of past coal mining activity and this is taken into consideration in respect of the Proposed Development.

Areas of disagreement

- 2.10 There are no areas of disagreement between the parties.

Signed:

Print name and position:

On behalf of The Coal Authority:

Date:

Signed:

Print name and position:

On behalf of Eggborough Power Limited:

Date:

APPENDIX 1: LETTER FROM THE COAL AUTHORITY DATED 13 SEPTEMBER 2016



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] EIA and Land Rights Advisor
The Planning Inspectorate

[REDACTED]

Your Ref: EN010081

13 September 2016

Dear [REDACTED]

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) – Regulations 8 and 9

The Eggborough CCGT Project Development Consent Order – EIA Scoping Consultation

Thank you for your letter of 19 August 2016 seeking the views of the Coal Authority on the EIA Scoping Opinion for the above proposal.

The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy and Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response:

I have reviewed the proposals and confirm that, whilst the proposed development would be located within the defined coalfield, it would fall outside of the defined Development High Risk Area, meaning that there are no recorded coal mining legacy hazards at shallow depth that could pose a risk to land stability.

The site is also located outside of any area of surface coal resource, and therefore we would not expect the applicant to afford due consideration to the potential for prior extraction of coal resources as part of this development.

However, the site does fall within the licence area of Kellingley Colliery, which ceased deep underground coal mining activity in December 2015. The Coal Authority is therefore pleased

to note that this is identified in Section 6.65 of the EIA Scoping Report (dated August 2016), together with appropriate acknowledgement that the longwall method of mining employed can potentially result in surface subsidence for several years following cessation of mining activities. It is assumed that this potential land instability risk will therefore be afforded due consideration as part of the design process for this development and the accompanying Environmental Statement.

Please do not hesitate to contact me if you would like to discuss this matter further.

Yours sincerely

[Redacted signature]

[Redacted name]

Principal Manager - Planning & Local Authority Liaison

APPENDIX 2: LETTER FROM THE COAL AUTHORITY DATED 17 FEBRUARY 2017



The Coal
Authority

200 Lichfield Lane

Mansfield

Nottinghamshire

NG18 4RG

Dalton Warner Davis LLP
on behalf of Eggborough Power Limited

17 February 2017

Dear Sir/Madam

The Eggborough CCGT Project, land within and to the North of the Eggborough Power Station site, near Selby, North Yorkshire, DN14 0BS

Section 42 of the Planning Act 2008 and Regulation 11 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

Thank you for your letter of 11 January 2017 seeking the views of the Coal Authority on the above proposal and the Preliminary Environmental Information Report.

The Coal Authority is a non-departmental public body sponsored by the Department for Business, Energy and Industrial Strategy. As a statutory consultee, the Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

The Coal Authority Response:

I have reviewed the proposals and confirm that the proposed development, whilst falling within the defined coalfield, would be located within the Development Low Risk Area, meaning that there are no recorded coal mining legacy risks at shallow depth. However, the site does fall within the licence area of the former Kellingley Colliery, which ceased deep coal mining activities in December 2015. The longwall method of mining employed can potentially result in surface subsidence for several years following cessation of deep mining activities.

The Coal Authority is therefore pleased to note that due consideration has been afforded to this potential land stability risk as part of Chapter 12 of the Preliminary Environmental Information Report – Volume 1 (January 2017). Table 12.7 summarises the initial consultation responses received and within that acknowledges the Coal Authority's comments of 13 September 2016 regarding the above issue. Confirmation is provided within

the table and paragraphs 12.4.19 to 12.4.23 that ongoing assessment is being made regarding settlement rates and that, based on this monitoring, mitigation measures will be identified during the detailed design, if necessary. Accordingly, a conclusion is reached at paragraph 12.4.23 that the sensitivity of the geology is moderate, due to the past underground coal mining activity.

Yours faithfully

