

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

Applicant's Comments on Report on Implications for European Sites (RIES)

The Planning Act 2008



Applicant: Eggborough Power Limited
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GLOSSARY

Abbreviation	Description
Applicant	Eggborough Power Limited
DCO	Development Consent Order
EPL	Eggborough Power Limited
ExA	Examining Authority
HRA	Habitats Regulations Assessment
LSE	Likely significant effects
MW	Megawatts
NSIP	Nationally Significant Infrastructure Project
PA 2008	Planning Act 2008
Proposed Development	Eggborough CCGT Project
RIES	Report on the Implications for European Sites
SAC	Special Area of Conservation
SoS	Secretary of State
SPA	Special Protection Area
the Order	Eggborough CCGT (Generating Station) Order

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1.0 INTRODUCTION

- 1.1 This document (Document Ref. 9.15) 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') for the Eggborough CCGT Project (the 'Proposed Development'). The Application was submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy on 30 May 2017 and was accepted for examination on 27 June 2017.
- 1.2 The Proposed Development comprises 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'), including electrical and water connections, a new gas supply pipeline and other associated 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 Planning Act 2008 (the 'PA 2008'). The DCO, if made by the SoS, would be known as the 'Eggborough CCGT (Generating Station) Order' (the 'Order').
- 1.4 The document sets out the Applicant's comments on the Report on the Implications for European Sites ('RIES') published by the Examining Authority ('ExA') on 25 January 2018.

2.0 APPLICANT'S COMMENTS ON THE RIES

2.1 The Applicant's comments on the RIES are set out below.

River Derwent Special Area of Conservation

2.2 The ExA raises an observation on the assessment of the River Derwent Special Area of Conservation ('SAC'). In paragraphs 2.1.7 and 2.1.8 of the RIES the ExA states that *"...there is no formal assessment or conclusions as to the LSE (likely significant effects) on the features of the site resulting from air quality or water quality impacts within the body of the HRA Report..."* and that *"...it is unclear if/how impacts to water and air quality at the at the River Derwent SAC have been addressed in terms of the HRA LSE screening process. The Applicant has also not provided the citation which accompanies the SAC designation."*

2.3 The Applicant scoped out the River Derwent SAC at the beginning of the Environmental Impact Assessment process (see Appendix 10C - ES Volume 3 - Application Document Ref. 6.4.10) as it was considered that there were no pathways by which the SAC could be affected by the Proposed Development. This is because this designated stretch of watercourse is upstream of the Site, so there is no surface water pathway by which the SAC could be affected. In addition, the SAC's designated features include river lamprey, sea lamprey, bullhead and otter and aquatic vegetation, none of which are directly susceptible to changes in air quality as a result of any emissions from the Proposed Development. The Applicant did not provide a citation for the River Derwent SAC as it was not scoped into the HRA.

Humber Estuary Special Area of Conservation/ Special Protection Area and Ramsar Site

2.4 The ExA also makes an observation regarding the assessment of the Humber Estuary SAC/Special Protection Area ('SPA') and Ramsar Site. In paragraphs 3.2.17 - 3.2.19 of the RIES the ExA states that *"Impacts to the Humber Estuary SAC from changes in air quality are not identified within Table 10H.3 of the GRA Report. Matrix D of Appendix G does also not consider air quality impacts during operation on this site."* and that *"...the Humber Estuary SPA and Ramsar sites... do not appear as sensitive receptors in ES Chapter 8, not does air quality appear as an impact in Table 10H.3 or matrix E or F (Appendix G) of the HRA Report."* and that *"...there is no explanation as to the potential pathways of effect from air quality impacts in the context of the primary reasons for site selection of the Humber Estuary SPA"*.

2.5 The Applicant considers that there are no potential pathways for LSE on the Humber Estuary SAC/SPA/Ramsar Site from air quality impacts. This is because the nearest terrestrial habitats (i.e. that could potentially be affected by changes in air quality) are significantly more than 15 kilometres from the Site and therefore significantly beyond the agreed screening distance for consideration of air quality impacts identified in published guidance and as agreed with Natural England and the Environment Agency. All other habitats associated with the designation are aquatic and therefore not susceptible to changes in air quality.

In-combination Effects

2.6 Throughout the RIES the ExA discusses the approach taken by the Applicant in the assessment of in-combination effects assessment. Concern is raised by the 'qualitative' approach taken by the Applicant. In addition, paragraph 3.1.11 states that *"...the HRA Report [REP5-006] focuses largely*

on in-combination effects arising from air quality matters and little or no further explanation of in-combination effects in terms of surface water quality”.

- 2.7 The Applicant understands that Natural England has undertaken further analysis on the information used for the in-combination assessment within the HRA signposting document. Table 10H.4 identifies that there are five projects that have a potential pathway for in-combination effects on Thorne Moor (excluding the Eggborough coal-fired power station). Even if the process contributions for all of these were at 1% of the Critical Load (rather than below it, which is more realistic), this would only result in a combined contribution of 6% of the Critical Load of $5 \text{ kg N ha}^{-1} \text{ y}^{-1}$. This would equate to a combined deposition rate of i.e. $0.3 \text{ kg N ha}^{-1} \text{ y}^{-1}$.
- 2.8 With reference to the Natural England Commissioned Report 210 for bogs, as cited in Sections 4.5 and 4.6 of the HRA signposting document, $0.3 \text{ kg N ha}^{-1} \text{ y}^{-1}$ is well below the level expected to cause a loss of species richness for bog habitats or any of the other habitats with the level of background pollution in this case. Table 21 shows that for background nitrogen deposition levels of $15 \text{ kg N ha}^{-1} \text{ y}^{-1}$ as at Thorne Moor, a contribution of $0.9 \text{ kg N ha}^{-1} \text{ y}^{-1}$ would be required to cause the point loss in species diversity at sand dunes. Sand dunes are considered to have a steep dose-response curve and thus sensitive to change at higher nitrogen deposition.
- 2.9 Therefore, even with the application of conservative assumptions for in-combination effects, the levels arising from in-combination effects are not predicted to give rise to any significant effects on the Thorne Moor designated site.