

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 Yorkshire Wildlife Trust

The Planning Act 2008



Applicant: Eggborough Power Limited
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GLOSSARY

Abbreviation	Description
ACC	Air cooled condenser
AGI	Above Ground Installation
BAT	Best Available Technique
CCGT	Combined Cycle Gas Turbine
CCR	Carbon capture readiness
CHP	Combined heat and power
DCO	Development Consent Order
EA	Environment Agency
EPH	Energetický A Průmyslový Holding
EPL	Eggborough Power Limited (the Applicant)
EPR	Environmental Permitting Regulations 2010
ES	Environmental Statement
FRA	Flood Risk Assessment
HDD	Horizontal directional drilling
kV	Kilovolts
m	Metres
mAOD	metres Above Ordnance Datum
MW	Megawatts
NTS	National Transmission System
NYCC	North Yorkshire County Council
PA 2008	Planning Act 2008
PEI	Preliminary Environmental Information
SDC	Selby District Council
SoCG	Statement of Common Ground
SoS	Secretary of State

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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 boiler 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 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. The area 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 the 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 an electrical output capacity of up to 2,500 MW located on the main coal stock yard area of the coal-fired power station, 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 fuelled by natural gas with a combined electrical output 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 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;
 - raw and towns water supply connection works, comprising works to the existing towns water pipelines and ground water boreholes and pipelines;
 - an underground gas supply pipeline connecting 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 this Statement of Common Ground

- 1.16 The purpose of this SoCG is to set out the agreement that has been reached between EPL and the Yorkshire Wildlife Trust (the 'YWT') in respect of biodiversity provision and enhancement associated with the Proposed Development.
- 1.17 Section 2 records consultation with the YWT by EPL; Section 3 of the SoCG sets out the areas of agreement in relation to the above matters and any areas of disagreement.

2.0 RELEVANT MATTERS

Consultation with the YWT

- 2.1 The consultation that has taken place with the YWT in respect of the Proposed Development is summarised within Table 2.1.

Table 2.1: Consultation with the YWT

Date	Details
January 2017	<p>YWT consulted in accordance with Section 42 of PA 2008 (Duty to consult) and provided with consultation documents including Preliminary Environmental Information Report ('PEIR'). YWT response on 16 February 2017 stated that it was happy with the scope of surveys completed, which show the biodiversity value of the site.</p> <p>The YWT expressed concerns with regard to the loss of habitat within the application site, and the difficulty of fully mitigating this within the site due to the limited space available for habitat creation. Recommendations for off-site biodiversity enhancements were made, such as along the Lower Aire Valley Corridor.</p>
April 2017	<p>Meeting held with the YWT on 20 April 2017 to discuss changes in the Proposed Development since issue of the PEIR and discuss the degree of landscape and biodiversity enhancement associated with the proposed scheme.</p>
August 2017	<p>The YWT issued a Relevant Representation to the Planning Inspectorate ('PINS') confirming that surveys for habitats and protected species have been carried out to a good standard. However, the Representation raised concerns that the proposed levels of habitat and biodiversity enhancement associated with the Biodiversity Strategy that accompanied the DCO application were insufficient. Additional efforts were requested to connect the development site to the wider area.</p>
October 2017	<p>Meeting held with YWT on 12 October 2017 to discuss the relevant representation and what additional enhancement measures were being sought by the YWT. It was agreed that a SoCG would be developed between the two parties.</p>
November/December 2017	<p>Discussions between the Applicant and the YWT regarding possible off-site biodiversity enhancement. Draft Section 106 development consent obligation submitted at Deadline 3 of the Examination. An updated draft was submitted at Deadline 4 of the Examination.</p>

Biodiversity enhancement

- 2.2 It is agreed that the Proposed Development would result in the loss of some habitats within the existing coal-fired power station site, including plantation woodland and a former emergency process water lagoon. It is also agreed that some replacement and enhancement provision is

required to offset this loss. It is agreed that the surveys for habitats and protected species have been carried out to a good standard to enable consideration of the value of the habitats to be lost.

- 2.3 It is recognised by both parties that the land to be set aside for the Carbon Capture Readiness provision (the 'CCR Land') should be managed so that the land does not become a valuable ecological resource, such that it could potentially prevent the installation of CCS technology in the future. As such, the use of the CCR land for habitat creation is not appropriate. However, it is agreed - and included within the Indicative Landscape and Biodiversity Strategy (Application Document Ref. 5.10) - that areas of the CCR Land that are not to be hardstanding will be seeded with a suitable seed mix to support biodiversity.
- 2.4 Both parties recognise that biodiversity offsetting calculations are a tool to inform the level of enhancement that is appropriate for a proposed development. However, the parties also agree that this is only a guide and that there is some subjectivity in ascribing values to any particular habitat or offset. It is considered by the YWT that the degree of enhancement offered by the proposed woodland enhancement and surface water attenuation pond development is limited, primarily because of the need to maintain a closed canopy within the woodland for visual screening purposes. The YWT also considers that the value of the attenuation pond for biodiversity is limited given its primary purpose for surface water management.
- 2.5 It is agreed by both parties that the on-site measures proposed within the Indicative Landscape and Biodiversity Strategy are appropriate given what can be achieved on-site. Furthermore, that the on-site measures would be adequately secured by Requirement 6 'Landscaping and biodiversity protection, management and enhancement' of the draft DCO. Requirement 6, as set out in the draft DCO (Revision 4.0) submitted for Deadline 5 of the Examination is reproduced below:
- "(1) No part of the authorised development must be commenced until a landscaping and biodiversity protection plan for that part has been submitted to and, after consultation with North Yorkshire County Council and the Yorkshire Wildlife Trust, approved by the relevant planning authority.*
- (2) The plan submitted and approved pursuant to sub-paragraph (1) must include details of—*
- (a) measures to protect existing shrub and tree planting that is to be retained; and*
- (b) biodiversity and habitat mitigation and impact avoidance.*
- (3) The plan submitted and approved pursuant to sub-paragraph (1) must be implemented as approved throughout the construction of the authorised development unless otherwise agreed with the relevant planning authority.*
- (4) No part of the authorised development must be commissioned until a landscaping and biodiversity management and enhancement plan for that part has been submitted to and, after consultation with North Yorkshire County Council and the Yorkshire Wildlife Trust, approved by the relevant planning authority.*
- (5) The plan submitted and approved pursuant to sub-paragraph (4) must include details of—*
- (a) all new shrub and tree planting;*
- (b) measures to enhance existing shrub and tree planting that is to be retained;*

- (c) *measures to enhance biodiversity and habitats;*
 - (d) *an implementation timetable; and*
 - (e) *annual landscaping and biodiversity management and maintenance.*
- (6) *Any shrub or tree planted as part of the approved plan that, within a period of five years after planting, is removed, dies or becomes, in the opinion of the relevant planning authority, seriously damaged or diseased, must be replaced in the first available planting season with a specimen of the same species and size as that originally planted unless otherwise agreed with the relevant planning authority.*
- (7) *The plan submitted and approved pursuant to sub-paragraph (4) must be in accordance with the principles of the indicative landscaping and biodiversity strategy.*
- (8) *The plan must be implemented and maintained as approved during the operation of the authorised development unless otherwise agreed with the relevant planning authority.”*

2.6 While it is agreed by both parties that the on-site measures proposed within the Indicative Landscape and Biodiversity Strategy are appropriate, the YWT considers that these measures alone are insufficient to offset the loss of habitats and associated faunal interest as a result of the Proposed Development. The YWT has therefore requested additional off-site enhancement in the local area, notably the Lower Aire Valley Corridor, in order to deliver no net loss of biodiversity.

2.7 The YWT has provided details of potential off-site opportunities that exist for biodiversity enhancement and has suggested a number of potentially suitable schemes to the Applicant. Following a review of those schemes, the Applicant has committed to providing funds to deliver biodiversity enhancement measures proposed within the Lower Aire Valley. This scheme would be delivered by the YWT in partnership with the Environment Agency.

2.8 The Applicant proposes to secure the required funding through a Section 106 development consent obligation to which Selby District Council and the YWT would be party. A draft of the Section 106 development consent obligation (Application Document Ref. 9.8 - Revision 2.0) has been agreed between the parties and is awaiting signature. The Section 106 would secure a contribution of £151,000 (the ‘Lower Aire Valley Contribution’) toward the following purposes:

- walkovers, surveys and mapping of opportunities for natural flood management and wetland creation;
- landowner engagement;
- wetland habitat creation and improvement;
- management of newly created or improved wetland habitat; and
- funding employment of an officer by YWT.

Areas of disagreement

2.9 There are no areas of disagreement between the two parties.

Signed..... [REDACTED]

Print name and position..... *PETER BATCHELOR DIRECTOR OF FINANCE
& CENTRAL SERVICES*

On behalf of the Yorkshire Wildlife Trust

Date..... 23.02.18

Signed..... [REDACTED]

Print name and position..... Geoff Bullock, Partner

On behalf of Eggborough Power Limited

Date..... 28.02.18