



SCOPING OPINION:

Proposed Ferrybridge Next Generation Power Station

Case Reference: EN0110011

Adopted by the Planning Inspectorate (on behalf of the Secretary of State)
pursuant to Regulation 10 of The Infrastructure Planning (Environmental
Impact Assessment) Regulations 2017

18 November 2024

TABLE OF CONTENTS

1.	INTRODUCTION.....	1
2.	OVERARCHING COMMENTS.....	3
2.0	Description of the Proposed Development.....	3
2.1	EIA Methodology and Scope of Assessment	5
3.	ENVIRONMENTAL ASPECT COMMENTS.....	7
3.1	Air Quality.....	7
3.2	Noise and Vibration	11
3.3	Traffic and Transport.....	13
3.4	Biodiversity and Nature Conservation	16
3.5	Water Environment and Flood Risk.....	23
3.6	Geology, Hydrogeology and Land Contamination	26
3.7	Landscape and Visual Amenity	28
3.8	Cultural Heritage	30
3.9	Socio- economics	32
3.10	Climate Change.....	34
3.11	Population and Health	35
3.12	Materials and Waste.....	38
3.13	Major Accidents and Disasters Vulnerability	40
3.14	Matters to be scoped out	41
3.15	Cumulative and combined effects	43
APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED		
APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES		

1. INTRODUCTION

- 1.0.1 On 08 October 2024, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from SSE Hydrogen Developments Limited (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Ferrybridge Next Generation Power Station (the Proposed Development). The Applicant notified the Secretary of State (SoS) under Regulation 8(1)(b) of those regulations that they propose to provide an Environmental Statement (ES) in respect of the Proposed Development and by virtue of Regulation 6(2)(a), the Proposed Development is 'EIA development'.
- 1.0.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:
[EN0110011-000002-EN0110011 - Ferrybridge Next Generation Power Station - EIA Scoping Report.pdf](#)
- 1.0.3 This document is the Scoping Opinion (the Opinion) adopted by the Inspectorate on behalf of the SoS. This Opinion is made on the basis of the information provided in the Scoping Report, reflecting the Proposed Development as currently described by the Applicant. This Opinion should be read in conjunction with the Applicant's Scoping Report.
- 1.0.4 The Inspectorate has set out in the following sections of this Opinion where it has / has not agreed to scope out certain aspects / matters on the basis of the information provided as part of the Scoping Report. The Inspectorate is content that the receipt of this Scoping Opinion should not prevent the Applicant from subsequently agreeing with the relevant consultation bodies to scope such aspects / matters out of the ES, where further evidence has been provided to justify this approach. However, in order to demonstrate that the aspects / matters have been appropriately addressed, the ES should explain the reasoning for scoping them out and justify the approach taken.
- 1.0.5 Before adopting this Opinion, the Inspectorate has consulted the 'consultation bodies' listed in Appendix 1 in accordance with EIA Regulation 10(6). A list of those consultation bodies who replied within the statutory timeframe (along with copies of their comments) is provided in Appendix 2. These comments have been taken into account in the preparation of this Opinion.
- 1.0.6 The Inspectorate has published a series of advice notes on the National Infrastructure Planning website, including [Advice Note 7: Environmental Impact Assessment: Preliminary Environmental Information, Screening and Scoping \(AN7\)](#). AN7 and its annexes provide guidance on EIA processes during the pre-application stages and advice to support applicants in the preparation of their ES.
- 1.0.7 Applicants should have particular regard to the standing advice in AN7, alongside other advice notes on the Planning Act 2008 (PA2008) process, available from:

<https://www.gov.uk/government/collections/national-infrastructure-planning-advice-notes>

- 1.0.8 This Opinion should not be construed as implying that the Inspectorate agrees with the information or comments provided by the Applicant in their request for an opinion from the Inspectorate. In particular, comments from the Inspectorate in this Opinion are without prejudice to any later decisions taken (e.g. on formal submission of the application) that any development identified by the Applicant is necessarily to be treated as part of a Nationally Significant Infrastructure Project (NSIP) or Associated Development or development that does not require development consent.

2. OVERARCHING COMMENTS

2.0 Description of the Proposed Development

(Scoping Report Section 3)

ID	Ref	Description	Inspectorate's comments
201	Section 3.1	Carbon Capture Readiness (CCR)	The Scoping Report states that land will be set aside on site in accordance with the CCR obligation and that the Proposed Development will demonstrate that it can meet the other CCR requirements. A description of the associated carbon capture infrastructure has not been provided within the Scoping Report and it is unclear whether these elements are to be assessed within the EIA. For the avoidance of doubt, the ES should either provide details and assess the associated carbon capture infrastructure or provide a statement confirming why this is not required. The Applicant is requested to consider the provision of a standalone CCR report to support the ES.
202	Section 3.2	Combined Cycle Gas Turbine Unit (CCGT) – Exhaust gas treatment	The Scoping Report states that waste gases will be released into the atmosphere via a 90ft stack following appropriate treatment. No further information has been provided on the nature of this treatment. For the avoidance of doubt, the ES should provide full details on any measure(s) envisaged to avoid significant effects.
203	Section 3.2 and 3.3	Cooling technique	The Scoping Report states that the cooling techniques and water source will be determined through environmental and engineering studies and a Best Available Technique (BAT) assessment. If the appropriate cooling technique is not determined prior to production of the Environmental Statement (ES), then, for the avoidance of doubt, the ES should assess the environmental implications of all techniques where significant effects are likely to occur ensuring a worst-case scenario is justified and assessed.
204	Section 6.2.2	Demolition	It is indicated that demolition activities may be required on the Site. These should be described in the ES and impacts assessed accordingly.

ID	Ref	Description	Inspectorate's comments
205	Section 3.1	Hydrogen storage	<p>The Scoping Report makes no reference to any requirement for on-site hydrogen storage. The ES should clarify if this will be required to enable 'Hydrogen Readiness' and assess the impacts of such infrastructure accordingly.</p>
206	N/A	Agricultural land	<p>The ES should contain a clear tabulation of the areas of land in each Best Most Versatile (BMV) classification to be temporarily or permanently lost as a result of the Proposed Development, with reference to accompanying map(s) depicting the grades. Specific justification for the use of the land by grade should be provided.</p> <p>Consideration should be given to the use of BMV land in the Applicant's discussion of alternatives.</p>

2.1 EIA Methodology and Scope of Assessment

(Scoping Report Section 21)

ID	Ref	Description	Inspectorate's comments
21.1	Section 3.9	Decommissioning	<p>Scoping Report Section 3.9 describes the situation at the end of the Proposed Development's operating life.</p> <p>Potential impacts as a result of decommissioning the Proposed Development are to be scoped out for the majority of topics on the basis that the effects of decommissioning are likely to be similar to or no worse than the effects from construction, for each aspect topic area.</p> <p>Where the construction phase has been scoped in on the basis that significant effects could occur, this suggests that there is potential for significant effects to occur during the decommissioning phase. Where it is assumed that the effects of decommissioning are likely to be similar to or no worse than the effects from construction, this should be justified.</p> <p>The ES should provide a proportionate description of the activities and works which are likely to be required to decommission the Proposed Development or extend its operational life, and the anticipated duration. Where significant effects are likely to occur as a result of works to decommissioning the Proposed Development or extending its operational life, these should be described and assessed in the ES.</p>
212	N/A	Study area(s)	<p>The Scoping Report proposes study areas for the aspect chapters with little explanation/ justification for the areas chosen. The ES should provide evidence to support and justify the choice of study area(s), referencing relevant guidance where available. Study areas should be based upon the extent of significant effects. Agreement should be sought from relevant consultation bodies and this should be evidenced in the ES where possible.</p>
213	N/A	Significant effects	<p>Each aspect chapter in the ES should set out how a significant effect is determined.</p>

ID	Ref	Description	Inspectorate's comments
214	N/A	Transboundary	<p>The Inspectorate on behalf of the Secretary of State (SoS) has considered the Proposed Development and concludes that the Proposed Development is unlikely to have a significant effect either alone or cumulatively on the environment in a European Economic Area State. In reaching this conclusion the Inspectorate has identified and considered the Proposed Development's likely impacts including consideration of potential pathways and the extent, magnitude, probability, duration, frequency and reversibility of the impacts.</p> <p>The Inspectorate considers that the likelihood of transboundary effects resulting from the Proposed Development is so low that it does not warrant the issue of a detailed transboundary screening. However, this position will remain under review and will have regard to any new or materially different information coming to light which may alter that decision.</p> <p>Note: The SoS' duty under Regulation 32 of the 2017 EIA Regulations continues throughout the application process.</p> <p>The Inspectorate's screening of transboundary issues is based on the relevant considerations specified in the Annex to its Advice Note Twelve, links for which can be found in paragraph 1.0.7 above.</p>

3. ENVIRONMENTAL ASPECT COMMENTS

3.1 Air Quality

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
31.1	Table 8	Human health and biodiversity effects from dust soiling – operation and decommissioning	<p>The Scoping Report proposes to scope these matters out during operation but does not provide justification as to why significant effects are not likely to occur. The Inspectorate has noted this, however given the nature, scale and location of the Proposed Development the Inspectorate considers that significant human health and biodiversity effects from dust soiling are not likely to occur and agrees that this matter can be scoped out for operation.</p> <p>The Applicant's attention is drawn to ID 2.1.1 regarding the assessment of the decommissioning phase.</p>
31.2	Sections 6.2.3 and 19.1 and Table 8	Vehicle emissions – operation and decommissioning	<p>The Scoping Report proposes to scope out operational vehicle emissions through applying the relevant screening criteria in order to determine the potential for likely significant effects.</p> <p>In the absence of evidence of the traffic numbers during operation, the Inspectorate does not agree that this matter can be scoped out of the assessment at this time. The ES should present the worst-case scenario for traffic movements and either demonstrate that these are below the relevant threshold which would trigger the requirement for further assessment or, where these movements are above the relevant threshold, provide a detailed assessment of air quality impacts. This should be agreed with the relevant consultation bodies. The Applicant's attention is drawn to ID 2.1.1 regarding the assessment of the decommissioning phase.</p>
31.3	Section 6.2.4 and Table 8	Decommissioning phase air quality assessment	<p>The Scoping Report proposes to scope out a decommissioning phase assessment of air quality on the basis that with appropriate controls implemented through the</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>Decommissioning Environmental Management Plan (DEMP) the effects of decommissioning are likely to be similar to, or no worse than the effects from construction. The Inspectorate considers that a decommissioning phase atmospheric impact assessment for the main point source emissions can be scoped out of the ES, noting that generation plant will not be running.</p> <p>The Applicant's attention is drawn to comments at ID 2.1.1.</p>
314	Section 6.2.3	Operational emissions – pollutant species	<p>The Inspectorate agrees that emissions of sulphur dioxide and particulates from natural gas fired power stations are likely to be negligible and therefore no assessment of these pollutant species is required, and this matter can be scoped out.</p>

ID	Ref	Description	Inspectorate's comments
315	Section 6.1.4	Air quality baseline	<p>The Inspectorate notes that project specific air quality surveys are not currently proposed. Background air quality at the site is to be determined from data obtained from representative automatic monitoring stations, supplemented with published local authority air monitoring data, Department for the Environment, Food and Rural Affairs (DEFRA) background air quality maps, and where appropriate, data published by the UK Air Pollution Information System (APIS) for ecological sites. The Scoping Report also states that where possible existing background data from other recently consented projects will be utilised.</p> <p>This approach should be discussed and agreed with the relevant consultation bodies and the ES should explain how the air quality monitoring data is representative of the baseline. Regarding the utilisation of existing background data from other recently consented projects, the Inspectorate considers that the ES should include an explanation of why such data is considered applicable and (where not updated) considered to remain representative of the current state of the environment. This</p>

ID	Ref	Description	Inspectorate's comments
			should be supported by evidence of agreement with relevant consultation bodies on this point.
31.6	Section 6.2.3	Stacks	<p>The Scoping Report states that a dispersion modelling study will be used to determine the most appropriate height for the CCGT and Open Cycle Gas Turbine (OCGT) stacks.</p> <p>The ES should describe any uncertainties or assumptions used within the model for determining the height of the stack(s).</p>
31.7	Sections 1.1, 3.5 and 6.2.3	Air quality assessment - operation	<p>Scoping Report Section 3.1 states that the Proposed Development will be designed to run on 100% hydrogen fuel from the outset of operations. However, the new power station may be required to run on natural gas or a blend of hydrogen and natural gas until a resilient hydrogen supply becomes available. Scoping Report Section 3.5 further states that Selective Catalytic Reduction (SCR) infrastructure may be required which creates the potential for additional emissions of ammonia (NH₃) to occur.</p> <p>The air quality assessment should clearly set out the worst-case scenario for each use of fuel option (ie natural gas, or hydrogen, and blending of natural gas and hydrogen). Additionally, the dispersion modelling should assess the emissions from a CCGT only system, an OCGT only system and a CCGT and OCGT system during the operation phase. Where there is potential for SCR infrastructure the air quality modelling should include a scenario with and without SCR.</p> <p>The air quality assessment should consider the associated emissions resulting from the identified worst-case scenario and assess any potential impacts from these emissions to sensitive receptors where significant effects are likely to occur.</p>
31.8	Sections 6.1.1.1 and 2.4.2	Effects on non-statutory designated ecological sites - operation	Scoping Report Section 6.1.1.1 does not propose a study area for non-statutory designated sites. Scoping Report Section 2.4.2 identifies the Bank of River Aire, Fairburn – Brotherton Site of Importance for Nature Conservation (SINC) in proximity to the main site. From the information provided within the Scoping Report it's unclear

ID	Ref	Description	Inspectorate's comments
			<p>whether non-statutory designated sites have been scoped into air quality assessment.</p> <p>For the avoidance of doubt, the Inspectorate considers that non-statutory designated ecological sites should be scoped in as sensitive receptors for the air quality assessment where there is potential for likely significant effects to occur. The study area should be discussed and agreed with the relevant consultation bodies.</p> <p>The ES should ensure appropriate cross referencing between different aspect chapters to ensure consistency</p>
31.9	Sections 3.5, 6.2.1 and 6.2.2	Non-road mobile machinery emissions	<p>The Scoping Report does not establish whether emissions from non-road mobile machinery (NRMM) will be considered within the air quality assessment. The Inspectorate notes that information regarding the location of any required NRMM and any relative sensitive receptors has not been provided. The Inspectorate also notes that back-up generators have the potential to result in air quality effects during the operational phase.</p> <p>The ES should provide an assessment of this matter for the construction and operation phase where significant effects are likely to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.</p>
31.10	Section 6.2.3	Doncaster Air Quality Management Area (AQMA)	<p>The Scoping Report does not refer to the Doncaster AQMA (AQMA 6). The AQMA should be included as a receptor in the air quality assessment and appropriately assessed within the ES.</p> <p>The Applicant's attention is drawn to comments from the City of Doncaster Council (Appendix 2 of this Opinion) in this regard.</p>

3.2 Noise and Vibration

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
321	Section 7.2 and Table 7.3	Construction Traffic Vibration	The Scoping Report does not provide justification to demonstrate that significant effects from construction traffic vibration can be ruled out. As such, the Inspectorate does not agree to scope this matter out. The ES should provide a statement, supported by evidence such as the location of sensitive receptors and vehicle movements, detailing why effects from construction traffic vibration would not be significant. An assessment should be provided where significant effects are considered likely.
322	Table 7.3	Operational Vibration	The Scoping Report does not provide justification to demonstrate that significant effects from operational vibration can be ruled out. As such, the Inspectorate does not agree to scope this matter out. The ES should provide a statement, supported by evidence such as the location of sensitive receptors and operational vibration sources, detailing why operational vibration would not result in significant effects on nearby receptors. An assessment should be provided where significant effects are considered likely.
323	Section 7.2 and Table 7.3	Operational Traffic Noise and Vibration	The Scoping Report states that due to the low volume of operational transport movements required, it is considered unlikely that trip generation would result in significant effects. Insufficient information has been provided to scope this matter out as noted above. The ES should contain a statement, supported by the transport data, confirming that significant effects are unlikely to occur.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
324	Section 7.2 and Table 7.3	Decommissioning phase Noise and Vibration assessment	<p>The Scoping Report proposes to scope out a decommissioning phase assessment of noise and vibration on the basis that with appropriate controls implemented through the Decommissioning Environmental Management Plan (DEMP), the effects of decommissioning are likely to be similar to, or no worse than the effects from construction.</p> <p>The Applicant's attention is drawn to comments at ID 2.1.1.</p>

ID	Ref	Description	Inspectorate's comments
325	Section 7.2	Computer noise modelling	The Scoping Report states that computer noise modelling software implementing the methodology set out in ISO 9613-2 will be used to model the operational noise impact of the Proposed Development. The ES should provide further details on the software and the methodology used.
326	Section 7.2	Noise and Vibration Receptors	The Scoping Report states that the assessment will consider sensitive receptors such as residential properties and schools. For the avoidance of doubt, the ES should also include consideration of vibration effects on the banks of the River Aire.

3.3 Traffic and Transport

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
331	Section 8.2 and Table 11	<p>Operation and decommissioning phase road traffic assessment including:</p> <ul style="list-style-type: none"> • Severance of communities • Driver delay • Pedestrian delay • Non-motorised user amenity • Fear and intimidation • Road user and pedestrian safety • Road Safety Audits • Hazardous/large loads 	<p>The Scoping Report proposes to scope out an operational traffic assessment based on the assumption that operational traffic movements would be below screening thresholds specified in the Institute of Environmental Management and Assessment (IEMA) Guidelines – Environmental Assessment of Traffic and Movement (2023).</p> <p>In the absence of evidence of the traffic numbers during operation, the Inspectorate does not agree that this matter can be scoped out of the assessment at this time. The ES should present the worst-case scenario for traffic movements and either demonstrate that these are below the relevant threshold which would trigger the requirement for further assessment or, where these movements are above the relevant threshold, provide a detailed assessment. This should be agreed with the relevant consultation bodies.</p> <p>The Applicant's attention is drawn to ID 2.1.1 regarding the assessment of the decommissioning phase.</p>
332	Section 8.2 and Table 11	Road user and pedestrian safety - construction	The Scoping Report proposes to scope this matter out on the basis that the Proposed Development is not expected to result in changes which could significantly affect accidents and safety during construction because it is an explicit requirement of the

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>highway authorities that any planning application proposal does not unacceptably increase safety risks. Road safety would be considered in the Transport Assessment as appropriate and reported in that separate document.</p> <p>The Inspectorate does not consider that sufficient justification has been provided at this time to scope out this matter during construction. The ES should provide an assessment of this matter where there is potential for significant effects to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect, noting measures being implemented.</p>
333	Section 8.2 and Table 11	Decommissioning phase road traffic assessment	The Applicant's attention is drawn to comments at ID 2.1.1. The Applicant should consider the production of a decommissioning traffic management plan.

ID	Ref	Description	Inspectorate's comments
334	Section 8.2	Data collection	<p>The Scoping Report notes the intention to utilise existing data from the Department of Transport, the local highway authority, National Highways, and/or recent applications in the area which include traffic surveys.</p> <p>The Applicant should seek agreement on the data set with the relevant consultation bodies and consider whether sensitivity testing should be undertaken in justifying its relevance. The Applicant should take account of data from similar developments when identifying potential trip generation.</p>
335	Section 8.1.5	Alternative transport options	The Scoping Report identifies the potential for utilising Goole Docks as a location for transporting goods part-way to the site via water. The ES should include consideration and assessment of non-road based options (such as use of waterborne freight during construction). The Applicant's attention is drawn to comments from the Canal and River Trust (Appendix 2 of this Opinion) regarding the usage of the Aire and Calder Navigation and Ferrybridge Wharf.

ID	Ref	Description	Inspectorate's comments
336	Section 3.2	Navigation safety	<p>The Applicant's attention is drawn to comments from the Canal and River Trust (Appendix 2 of this Opinion) regarding impacts of abstraction (or any discharge) to navigational safety.</p> <p>The ES should include an assessment of any impacts to navigation which are likely to result in significant effects. The assessment methodology and any necessary mitigation measures should be discussed and effort made to agree them with relevant consultation bodies.</p>
337	N/A	Transport Assessment	<p>The Transport Assessment to inform the ES should identify any Heavy Goods Vehicles (HGV) traffic or haulage routes associated with the construction and operation of the site that may use railway assets such as bridges and level crossings during the construction and operation of the site.</p>

3.4 Biodiversity and Nature Conservation

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
34.1	Table 13	Permanent and temporary habitat loss and disturbance – operation and decommissioning	The Scoping Report proposes to scope this matter out but does not set out a justification as to why significant effects are not likely to occur. Given the nature of the Proposed Development, the Inspectorate considers that permanent and temporary habitat loss and disturbance during operation and decommissioning is unlikely to result in significant effects. This matter can be scoped out of further assessment for the operation and decommissioning phases assuming that any impact would occur during the construction period.
34.2	Section 9.2 and Table 13	Emission and deposition of nitrogen and other relevant pollutants on sensitive habitats and nature conservation designations - decommissioning	<p>The Applicant proposes to scope this matter out on the basis that with appropriate controls implemented through the DEMP the effects of decommissioning are likely to be similar to, or no worse than the effects from construction.</p> <p>In the absence of detail relating to the emissions and deposition of nitrogen and other relevant pollutants on sensitive habitats and nature conservation designations during decommissioning, the Inspectorate does not consider that this matter can be scoped out.</p> <p>The Applicant's attention is drawn to comments at ID 2.1.1.</p>
34.3	Section 9.1.1, 9.2 and Table 13	Disturbance and displacement of protected and notable terrestrial and aquatic species, including consideration of indirect noise and lighting	<p>The Applicant proposes to scope this matter out on the basis that with appropriate controls implemented through the DEMP the effects of decommissioning are likely to be similar to, or no worse than the effects from construction.</p> <p>The Inspectorate notes the potential change in baseline for migratory fish from construction due to the 'Developing the Natural Aire project'. Noting the change in baseline the Inspectorate does not consider that the construction phase assessment</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		effects – decommissioning	<p>would serve as a suitable proxy for the decommissioning phase and does not agree to scope this matter out.</p> <p>The Applicant's attention is drawn to comments at ID 2.1.1.</p>
344	Table 13	Injury or mortality of fish as a result of cooling water abstraction and/or discharge – construction and decommissioning	<p>The Applicant proposes to scope this matter out but has not provided a justification as to why significant effects are not likely to occur. It is however noted that cooling water abstraction or discharge would occur during operation, the Inspectorate considers that this matter can be scoped out for the construction and decommissioning phases.</p>
345	Section 19.2, Table 12 and 13	Bat surveys (foraging)	<p>Bat activity surveys (foraging) are proposed to be scoped out on the basis that the main site comprises largely previously developed land and any impacts to bat habitats will be minimised and negligible along the proposed pipeline corridors.</p> <p>In the absence of further evidence and detailed mitigation measures, the Inspectorate does not agree to scope out the need for bat activity surveys. The Applicant should seek to agree the approach to and the need for bat activity surveys with the relevant consultation bodies. Where there is potential for likely significant effects on foraging bats, this should be assessed in the ES.</p>
346	Section 19.2, Table 12	Great crested newt surveys	<p>Additional surveys for great crested newts (GCNs) are proposed to be scoped out on the basis that presence/absence surveys were completed in 2024 and are considered sufficient to inform the ES.</p> <p>Noting this, the Inspectorate is content to scope out additional surveys for GCN on this basis. Any surveys relied upon in reaching these conclusions should be evidenced within the ES.</p>
347	Section 19.2 and Table 12	Reptiles and terrestrial Invertebrates	<p>Additional surveys for reptiles and terrestrial invertebrates are proposed to be scoped out on the basis that the Preliminary Ecological Appraisal (PEA) has demonstrated that the site does not contain suitable habitat for these species.</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>Noting this, the Inspectorate is content to scope out additional surveys for GCN on this basis. Any surveys relied upon in reaching these conclusions should be evidenced within the ES.</p>
34.8	Section 19.2 and Table 12	White clawed crayfish	<p>White clawed crayfish are proposed to be scoped out on the basis that there are no known records of the species in the lower reaches of the River Aire and that species absence is likely given the widespread occurrence of the non-native signal crayfish in the Aire catchment.</p> <p>The Inspectorate is content to scope out impacts to white clawed crayfish on this basis.</p>
34.9	Section 19.2 and Table 12	Breeding bird surveys	<p>Breeding bird surveys in relation to the proposed pipeline corridors are proposed to be scoped out on the basis that considerations in relation to statutory BNG regimes necessitate that all available options be taken to avoid impacts to habitats of likely importance for breeding birds. The Scoping Report further states that mitigation can be defined based on the assumption of presence without a need to recourse to survey. Desk study data has been obtained and reviewed in support of this position and is provided as Appendix A.1 (Bird Technical Note) to the Scoping Report.</p> <p>The Inspectorate does not consider that reliance on statutory BNG regimes is suitable as a mitigation measure for the avoidance of impacts to habitats of likely importance for breeding birds. Therefore, the Inspectorate does not agree to scope this matter out. The need for additional surveys for breeding birds and any mitigation measures relied upon should be agreed with the relevant consultation bodies and secured within the draft Development Consent Order (dDCO).</p>
34.10	Section 19.2 and Table 12	Wintering and passage birds surveys	<p>Wintering and passage bird surveys are proposed to be scoped out on the basis that the main site does not provide suitable habitat. In relation to the proposed pipeline corridors, the Scoping Report states that the desk study data (Appendix A.1 to the Scoping Report) has been reviewed and indicates that wintering and passage water birds are not likely to be dependent on or occur in notable numbers in association within</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>the affected landscape. The Scoping Report further states data is not needed to understand the relevant issues for ecological impact assessment and definition of suitable mitigation.</p> <p>The Inspectorate is content to scope out additional surveys for wintering and passage bird species on this basis subject to evidence of the agreement with Natural England. Any data and survey relied upon should be evidenced within the ES.</p>
34.11	Section 9.2.1	Habitats Regulations Assessment	<p>Scoping Report Section 9.2.1 seeks to scope out a Habitats Regulations Assessment. The Applicant is reminded that Regulation 10(1) of the Environmental Impact Assessment (EIA) Regulations allows a person who proposes to make an application for an order granting development consent to ask the Secretary of State to state in writing its opinion as to the scope and level of detail of the information to be provided in the ES. The Habitats Regulation Assessment process sits separately to the EIA Regulations.</p> <p>As such, the Inspectorate will not comment on the Habitats Regulations Assessment process within this Scoping Opinion.</p>

ID	Ref	Description	Inspectorate's comments
34.12	Table 12	Survey approach	<p>Scoping Report Table 12 summarises the existing ecological data and proposed further ecological surveys. The area likely to be affected by the Proposed Development should be thoroughly surveyed by an ecologist at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should be carried out in optimal survey time periods and to current guidance. The Applicant's attention is drawn to comments from the Environment Agency (Appendix 2 of this Opinion) regarding a fish survey programme.</p>

ID	Ref	Description	Inspectorate's comments
34.13	Section 9.2	Impacts to water quality	Scoping Report Section 9.2 does not scope in potential impacts to water quality and fish associated with run-off and pollution from construction. The Inspectorate considers that this matter should be scoped in for assessment during construction where there is potential for likely significant to effects to occur.
34.14	Section 3.7	Potential impacts - trenchless crossings	Where HDD will be employed, the ES should assess impacts, such as from drilling fluid breakout and/ or noise and vibration, where significant effects are likely to occur. Should this have the potential to imp sensitive ecological receptors, such as otters, fish and other freshwater species or sensitive habitats, appropriate mitigation should be described in the ES and appropriately secured through the dDCO or other legal mechanism.
34.15	N/A	Piling	Where piling works are required, the ES should include details on the piling method to be used, information on the pile size, number of piles, expected installation duration and timing of the piling work. The ES should assess any potential impacts from piling on ecological receptors where significant effects are likely to occur.
34.16	Section 2.4.2	Relevant statutory designations	<p>Scoping Report Section 2.4.2 states that there are no European internationally designated sites within a 20km radius of the main site. Section 9.2.1 further states that there are no European designated sites within 15km of the main site and that no adverse impacts are therefore anticipated, due to there being no likely source-receptor pathways by which impacts might occur.</p> <p>The Applicant's attention is drawn to the Environment Agency's comments (Appendix 2 of this Opinion) which lists European designated sites within 20km of the redline boundary and identifies a functional linkage with the River Aire and the River Derwent (Special Area of Conservation) SAC and Humber Estuary SAC presenting an impact impact-pathway to these SACs.</p>

ID	Ref	Description	Inspectorate's comments
34.17	Section 2.4.2	Fairburn and Newton Ings Site of Special Scientific Interest (SSSI)	<p>The Applicant's attention is drawn to comments from Natural England and Leeds City Council (Appendix 2 of this Opinion) regarding an assessment of the Fairburn and Newton Ings SSSI.</p> <p>The ES should contain an assessment of the direct and indirect effects of the Proposed Development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. This should include consideration of any land that could be functionally linked to the designated site and used by mobile species populations that are interest features of the SSSI such as birds and bats. An assessment of the impacts due to air quality emissions during operation of the Proposed Development on the Fairburn and Newton Ings SSSI should also be provided.</p>
34.18	Section 9.2.1	Humber Estuary SAC and Ramsar site	<p>The Humber Estuary SAC and Ramsar site has not been referred to within the Scoping Report. The Applicant's attention is drawn to comments from Natural England (Appendix 2 of this Opinion) regarding the River Aire being utilised by migrating Humber Estuary river and sea lamprey populations.</p> <p>The River Aire is considered to comprise functionally linked land to the Humber Estuary. Accordingly, an assessment of potential impacts to the Humber Estuary river and sea lamprey populations during migration should be carried out.</p>
34.19	Section 2.4	Ecological receptors	<p>The Applicant's attention is drawn to the list of receptors recommended for inclusion in the assessment provided by the Environment Agency and Wakefield Council (Appendix 2 of this Opinion). The Applicant should seek to agree the ecological receptors with the relevant consultation bodies.</p>
34.20	Section 9.2.2	Biodiversity Net Gain (BNG)	<p>Scoping Report Section 9.2.2 states that a BNG assessment will be provided that complies with the requirements specified for NSIPs if these have been published at the time of application. In the absence of specific guidance then the Applicant's proposed approach is to provide a BNG assessment which aligns with the BNG regime for Town and Country Planning Act 1990 (TCPA) planning applications.</p>

ID	Ref	Description	Inspectorate's comments
			Where BNG commitments are being relied upon as mitigation this will need to be appropriately secured within the DCO.
3421	N/A	Confidential Annexes	Public bodies have a responsibility to avoid releasing environmental information that could bring about harm to sensitive or vulnerable ecological features. Specific survey and assessment data relating to the presence and locations of species such as badgers, rare birds and plants that could be subject to disturbance, damage, persecution, or commercial exploitation resulting from publication of the information, should be provided in the ES as a confidential annex. All other assessment information should be included in an ES chapter, as normal, with a placeholder explaining that a confidential annex has been submitted to the Inspectorate and may be made available subject to request.

3.5 Water Environment and Flood Risk

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
35.1	Section 10.2.4 and Table 10.3	Decommissioning	The Scoping Report seeks to scope out a decommissioning phase assessment. It is noted that effects are expected to similar to or no worse than those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.

ID	Ref	Description	Inspectorate's comments
352	Section 10.2	Construction impacts on floodplain capacity	The Scoping Report does not reference impacts that construction may have on floodplain capacity and temporary reduction in storage capacity. The ES should provide an assessment of this matter for the construction phase where there is potential for likely significant effects to occur, or information demonstrating agreement with the relevant consultation bodies and the absence of a likely significant effect.
353	Section 10.2.2	Water supply	The Applicant's attention is drawn to comments from the Environment Agency (Appendix 2 of this Opinion) regarding the production of a water supply strategy for all water demands during construction and operation of the Proposed Development.
354	Section 10.1.2	Study area - receptors	The distance of the identified waterbodies from the Site is not stated. It would aid understanding of the baseline if this information was included in the ES.
355	Section 10.2.3 and 10.2.3.1	Assessment – cross-referencing	The Inspectorate welcomes that a Flood Risk Assessment (FRA) and a Water Framework Directive (WFD) Assessment will be submitted with the DCO application. Cross-references from the ES to these documents should explicitly identify the location therein of information relevant to the assessment of impacts on the water environment.

ID	Ref	Description	Inspectorate's comments
356	Section 10.2.1	Baseline – data provision	The Scoping Report states that information from previous assessments at the Proposed Development Site will be used to confirm potential receptors and establish the baseline. No additional water quality sampling and analysis is proposed on the basis that existing, public data is available. The Applicant should seek to agree this approach with relevant consultation bodies and it should be justified in the ES. The Applicant should ensure that the baseline is sufficiently robust to allow the assessment of significant effects to be undertaken.
357	Section 10.2.2	Assessment - effluent streams and discharges	The ES should clearly describe the effluent streams and discharges to water associated with construction and operation of the Proposed Development and any permits required. Effort should be made to agree the scope and methodology of assessment work, including water quality modelling, with relevant consultation bodies. Evidence of discussions and any agreements reached should be provided within the ES.
358	Section 10.1.4 and 10.1.4.2	Flood zone identification	The Scoping Report identifies Flood Zones across the Study Area however does not include sub-categories, such as an area of high probability (Flood Zone 3a) or functional floodplain (Flood Zone 3b). The ES should provide an accurate and consistent description of the baseline flood risk for each element of the Proposed Development and the description should clearly distinguish between Flood Zones, including Flood Zones 3a and 3b where relevant.
359	N/A	Flood modelling	The Applicant's attention is drawn to comments from the Environment Agency (Appendix 2 of this Opinion) regarding available flood modelling and the need for the Applicant to model Fryston Beck to appropriately understand and mitigate for the flood risk.
35.10	Section 10.1.5	Future climate change scenario	Scoping Report Section 3.9 states that the Proposed Development would have an operational lifespan of 25 years, after which it is expected that the Proposed Development would have some residual life remaining, and an investment decision would then be made based on the market conditions prevailing at that time.

ID	Ref	Description	Inspectorate's comments
			The Inspectorate notes that the Planning Practice Guidance states that for non-residential development the starting point for assessing climate change should be 75 years.

3.6 Geology, Hydrogeology and Land Contamination

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
361	Section 11.2 and Table 11.3	Effects on geology/mineral resource – operation	The Scoping Report does not provide a justification for scoping this matter out. The Scoping Report states that the study area intersects with a mineral safeguarding area, indicating that a risk of sterilisation exists. The ES should assess the risk of mineral sterilisation occurring as a result of the Proposed Development during its operational lifespan. As such, the Inspectorate does not agree to scope this matter out.
362	Section 11.2 and Table 11.3	Effects on geology/mineral resource - decommissioning	The Inspectorate agrees that decommissioning is unlikely to result in any significant effects on mineral resources, this matter can be scoped out of the ES.
363	Section 11.2 and Table 11.3	Effects from contamination on surface water and groundwater resources and human health/built environment – operation and decommissioning	The Scoping Report proposes to scope these matters out on the basis that any contamination present would be identified and remediated during the construction phase. The Inspectorate agrees that significant effects from contamination would be unlikely to occur during the operation and decommissioning of the Proposed Development. This matter can be scoped out from the ES.

ID	Ref	Description	Inspectorate's comments
364	Section 11.2	Mitigation	Examples of mitigation measures that will be set out in the ES include the potential need for remediation of contaminated land. Proposed remediation measures should

ID	Ref	Description	Inspectorate's comments
			<p>be clearly described in the ES for all relevant phases and it should set out the mechanism(s) by which these are secured. Cross-reference should be provided to relevant information on mitigation measures contained in other application documents such as, for example, the proposed framework Construction Environmental Management Plan, or a remediation strategy.</p>

3.7 Landscape and Visual Amenity

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
37.1	Section 12.2 and Table 17	Landscape and Visual Assessment - decommissioning	The Scoping Report proposes to scope out decommissioning landscape and visual effects on the basis that they will be no worse than that of the construction phase. The Applicant's attention is drawn to comments at ID 2.1.1.

ID	Ref	Description	Inspectorate's comments
372	Section 12.2	Study area	The Scoping Report states that the 10km study area for LVIA impacts is based on previous project experience and a stack height of 90m. The Applicant's attention is drawn to comments at ID 2.1.2.
373	Section 12.2	Zone of Theoretical Visibility (ZTV)	The Scoping Report states that the LVIA will be supported by figures, annotated baseline photographs, wireframes and photomontages. For the avoidance of doubt, the ES should contain a figure displaying the extent of the ZTV with the representative viewpoints and study area overlain. Furthermore, photomontages should encompass the existing baseline, the future baseline (specifically where demolition is required) in summer and winter.
374	Section 12.2	Mitigation	The ES should clearly describe any proposed planting and how the landscape and visual effects are expected to alter as any such planting matures.

ID	Ref	Description	Inspectorate's comments
375	Section 12.2	Visual receptors	The Scoping Report states that recreational users of the River Aire will be included within the assessment. For the avoidance of doubt, the ES should also include consideration of boat users of the River Aire.
376	Section 12.2	Landscape Character Assessment	<p>The ES should utilise the methodologies set out for Landscape Character Assessments, based on good practice guidelines produced by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA).</p> <p>This should include consideration of the potential impacts to nearby Landscape Character Types (LCTs) and Landscape Character Areas (LCAs) such as Wooded Farmland LCT/Ledsham to Lotherton LCA and Degraded River Valley LCT/Lower Aire Valley LCA. See comments from Leeds City Council and Natural England for further information.</p>
377	Section 12.2 and Figure 7	Viewpoints	It is noted on Scoping Report Figure 7 that viewpoint 8 is located near to the River Aire, however it is unclear whether this relates to the cycle path or to the navigation. For the avoidance of doubt, viewpoint 8 should allow for judgements to be made regarding both boat users and cyclist/pedestrians using the footpath. See comments from the Canal and River Trust for further information.
378	Section 12.2	Landscape and Visual impacts from water abstraction	The ES should consider the Landscape and Visual Impacts from the removal of vegetation and installation of infrastructure associated with the water abstraction plant. This should include consideration of an additional viewpoint from the riverside path looking towards the plant. See comments from the Canal and River trust for further information.

3.8 Cultural Heritage

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
381	Table 13.3	Physical impacts – Operation and decommissioning	The Inspectorate notes that the operation of the Proposed Development is unlikely to result in significant physical impacts to heritage assets. The Inspectorate is content to scope this matter out. The Scoping Report does not provide a justification to rule out significant effects during decommissioning. The Applicant's attention is drawn to comments at ID 2.1.1.
382	Section 13.2.2 and Table 13.3	Setting effects from the construction of the Pipeline Corridors and Gas Transmission System - construction	This matter is proposed to be scoped out on the basis that the pipeline would be installed below ground with restoration of the easement area. The Inspectorate agrees that the installation of the pipeline is unlikely to result in any significant effects on the setting of heritage assets. This matter can be scoped out of the ES.
383	Sections 13.2.2, 13.2.3 and Table 13.3	Main Site setting effects – all phases	Section 13.2.2 states that temporary and permanent additions associated with the construction of the Proposed Development such as new chimneys and stacks will be scoped into the ES. However, Section 13.2.3 states that, due to the existing industrialised nature and use of the Main Site, Assessment of permanent effects from the change to the setting of heritage assets as a result of the operation of the Proposed Development is scoped out. The approach here is unclear and the Inspectorate is therefore unable to scope these matters out. The ES should assess impacts to the setting of heritage assets across all phases.
384	Table 13.3	Operational activities beyond the Site, including BNG –	The Inspectorate agrees that these matters can be scoped out of the ES.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		construction and decommissioning	

ID	Ref	Description	Inspectorate's comments
385	Paragraph 13.1.2	Study Area	The Scoping Report states that the study area was established by undertaking a high-level appraisal to identify potentially affected designated heritage assets. It is noted that the Landscape and Visual Assessment includes a study area of 10km from the main site, indicating that significant visual impacts are possible within this distance. It is the Inspectorates opinion that the Landscape and Visual assessment should also be used to inform the Cultural Heritage study area, including reference to the Proposed Developments ZTV. The Applicant's attention is drawn to comments at ID 2.1.2.
386	N/A	Heritage receptors	The ES should also consider the potential impacts to the Ledsham Village Conservation area, Grade I Listed Ledston Hall and the Grade II* Ledston Hall Registered Park and Garden. See comments from Leeds City Council for further information on these receptors.

3.9 Socio- economics

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
391	Table 20 and paragraph 14.3.1	Creation of direct and indirect employment - decommissioning	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.
392	Table 20 and paragraph 14.3.1	Potential impacts on community infrastructure and businesses in proximity to the Proposed Development - decommissioning	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.
393	Table 20 and paragraph 14.3.1	Potential impacts on leisure and tourism receptors in proximity to the Proposed Development - decommissioning	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.
394	Table 20 and paragraph 14.3.1	Potential impact on land use (such as effects on other planned or proposed	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		developments) - decommissioning	
395	Table 20 and paragraph 14.3.1	Potential disruption on the local and strategic road networks - decommissioning	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to or no worse than those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.
396	Table 20 and paragraph 14.3.1	Potential disruption to PRoW - decommissioning	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to or no worse than those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.

ID	Ref	Description	Inspectorate's comments
397	Paragraph 14.2.1	Study area	The paragraph seeks to define the definitions of receptor level but it is unclear as to whether the first two bullet points combine to represent 'local' as this term is not referenced again. The ES should clearly define and justify the categories used in the assessment. The Applicant's attention is also drawn to comments at ID 2.1.2.
398	Section 14.3	Scope of the assessment	The Scoping Report notes that a number of other assessments with the potential to give rise to a socio-economic effect are being undertaken in other aspect chapters of the ES. The ES should provide sufficient cross referencing to ensure a robust assessment.

3.10 Climate Change

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.10.1	Table 23	Preliminary studies and assessments, Stakeholder engagement and site surveys during the pre-construction stage	The Scoping Report notes that these activities which make up the pre-construction stage are to be scoped out as ' <i>In comparison with the other elements of the Proposed Development, the preconstruction stage will represent an insignificant proportion of the GHG emissions</i> '. The Inspectorate deems that this matter can be scoped out if it can be shown that these activities do not give rise to significant effects. The Inspectorate does not deem a matter should be scoped out on the rationale that it is less than another effect in another phase of the development.

ID	Ref	Description	Inspectorate's comments
3.10.2	Table 24	Appropriate cross referencing	The Inspectorate notes the approach as set out in Scoping Report Table 24 in relation to documents supporting the ES. The ES should ensure sufficient cross reference between these documents and the Climate Change Aspect Chapter.

3.11 Population and Health

(Scoping Report Section 16)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.1	Table 27	Access to healthcare - decommissioning	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to or no worse than those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.
3.11.2	Table 27	Community safety - decommissioning	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to or no worse than those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.
3.11.3	Table 27	Community identity and social participation	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to or no worse than those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.
3.11.4	Table 27	Radiation - decommissioning	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to or no worse than those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.
3.11.5	Table 27	Wider Societal infrastructure and resources	The Scoping Report seeks to scope this matter out during decommissioning. It is noted that effects are expected to similar to or no worse than those during construction. The Applicant's attention is drawn to comments at ID 2.1.1.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.11.6	Table 27	Diet and Nutrition – all phases	Section 19.3 of the Scoping Report sets out that this matter has been scoped out on the basis that the Proposed Development will not have any effect on these determinants. The Inspectorate agrees that significant effects are not likely.
3.11.7	Table 27	Risk taking behaviour – all phases	Section 19.3 of the Scoping Report sets out that this matter has been scoped out on the basis that the Proposed Development will not have any effect on these determinants. The Inspectorate agrees that significant effects are not likely.
3.11.8	Table 27	Housing – all phases	Section 19.3 of the Scoping Report sets out that this matter has been scoped out on the basis that the Proposed Development will not have any effect on these determinants. Figures are not provided to justify this. The Applicant's attention is drawn to the consultation response from the UK Health Security Agency in relation to local rental markets. The ES should ensure that the potential for significant effects is scoped into the EIA.
3.11.9	Table 27	Relocation – all phases	Section 19.3 of the Scoping Report sets out that this matter has been scoped out on the basis that the Proposed Development will not have any effect on these determinants. The Inspectorate agrees that significant effects are not likely.

ID	Ref	Description	Inspectorate's comments
3.11.10	Section 16.2	Appropriate cross referencing	The Inspectorate notes the approach as set out in Scoping Report Table 24 in relation to documents supporting the ES. The ES should ensure sufficient cross reference between these documents and the Climate Change Aspect Chapter.
3.11.11	N/A	Electromagnetic Fields	The Applicant should consider whether there is a potential for significant effects on health from electromagnetic fields and scope this matter in accordingly.

ID	Ref	Description	Inspectorate's comments
3.11.12	N/A	Mental health and wellbeing	The Applicant's attention is drawn to comments from the UK Health Safety Agency in relation to ensuring a consideration of wider wellbeing and mental health effects. Where there is the potential for significant effects, this should be scoped into the EIA.
3.11.13	N/A	Approach to assessment	The Scoping chapter providing little discussion and justification for the scoping in and out of matters. Where matters are scoped out, the ES should include a clear justification and where possible, demonstration of agreement with relevant consultation bodies.

3.12 Materials and Waste

(Scoping Report Section 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.121	Page 163 and Table 28	Changes to safeguarded mineral sites - decommissioning	The bullet points on page 163 of the Scoping Report lists changes to safeguarded mineral site as a matter to be scoped out. Scoping Report Table 2/8 scopes this matter in for construction and operation. Section 19.5 seeks to scope the matter out in full. As such, it is not clear as to the approach or the reason for seeking to scope this matter out during decommissioning. Section 19.5 references that there are no mineral safeguarding sites within the Proposed Development site, however as it is unclear as to whether this is correct, as such the Inspectorate is unable to agree to scope this matter out at this time.
3.122	Page 163 and Table 28	Changes to safeguarded waste site – all phases	The bullet points on page 163 set out that there are no safeguarded waste sites within the Proposed Development. Noting this, the Inspectorate is content to scope this matter out.
3.123	Page 163 and Table 28	Changes in available landfill void capacity – operation and decommissioning	The bullet points on page 163 set out that negligible quantities of waste are expected to be generated during operation and therefore the Inspectorate agrees this matter can be scoped out for operation. The Scoping Report does not however provide justification for scoping this matter out for decommissioning and therefore the Inspectorate is unable to agree to scope this matter out for decommissioning at this time. The Applicant's attention is drawn to comments at ID 2.1.1.
3.124	Page 162 and Table 28	Changes in availability of maintenance materials - operation	The Inspectorate notes, as set out in the bullet points on page 162, that the nature and scale of maintenance materials required during operation are to be negligible and therefore the Inspectorate agrees to scope this matter out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.125	Table 28	Changes in available waste management facility capacity (liquid waste only) – construction and decommissioning	The Scoping Report does not provide commentary of this matter beyond that set out in Table 28 therefore, whilst the Inspectorate deems as a result of the nature and scale of the Proposed Development, significant effects are unlikely, the Inspectorate is unable to agree to scope this matter out at this time.

ID	Ref	Description	Inspectorate's comments
3.126	Table 28	Summary of the scope of the assessment	The Inspectorate has only providing comments on matters where Table 28 specifically seeks to scope the matter out and not where it is assumed the Applicant is seeking to scope a stage out by having used a '-' symbol without explanation.
3.127	Table 28 and section 19.5	Waste arising from extraction, processing and manufacture of construction components and products	This matter is not included in Table 28 but is dealt with in the text and in Scoping Report section 19.5. The Inspectorate notes these processes are taking place offsite and likely controlled and assessed by those undertaking the activity. As such, the Inspectorate is content to scope this matter out.
3.128	Section 19	Other environmental impacts associated with the management of waste from the Proposed Development	It is stated that this matter relating to impacts on water resources air quality, noise of traffic will be covered by the relevant assessments. The ES should ensure sufficient cross referencing to ensure a robust assessment.

3.13 Major Accidents and Disasters Vulnerability

(Scoping Report Section 18)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.13.1	Paragraph 18.2.1 and Table 32	Major accidents and disasters - decommissioning	It is noted that effects during decommissioning are predicted to be similar to or no worse than construction and a Decommissioning Environmental Management Plan to be undertaken to provide appropriate controls. The Applicant's attention is drawn to comments at ID 2.1.1.

3.14 Matters to be scoped out

(Scoping Report Section 19)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.14.1	Section 19.6	Agricultural Land – all phases	The Scoping Report seeks to scope this matter out noting the temporary construction works and reinstatement of land along the proposed pipeline corridors, and the need for a limited area of hardstanding for the Above Ground Installations (AGIs). The Scoping Report notes the presence of Grade 3 land but does not set out whether this is grade 3a or 3b. The ES should clarify this matter and explain the location of the hard standing in the context of the agricultural land grading. Noting these comments, the Inspectorate is unable to scope this matter out at this time.
3.14.2	Section 19.7	Decommissioning	The description here appears to be slightly different to the explanation for the scoping out of decommissioning set out in Scoping Report Section 3.9. The Inspectorate comments however set out in ID 2.1.1 remain relevant.
3.14.3	Section 19.8	Electronic interference – all phases	It is noted that interference with television, radio (both analogue and digital) and mobile phone reception is considered negligible. The Inspectorate therefore is content to scope this matter out.
3.14.4	Section 19.9	Aviation – all phases	The Scoping Report sets out that heights of structures within the Proposed Development are likely to be comparable to those present on the wider stacks. The Inspectorate encourages discussions with the Civil Aviation Authority but providing no significant effects are identified, this matter can be scoped out.

ID	Ref	Description	Inspectorate's comments
3.14.5	N/A	N/A	The comments in this chapter relate only to those matters/aspects covered in Scoping Report Section 19 but not elsewhere in the Scoping Opinion.

3.15 Cumulative and combined effects

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
3.15.1		N/A	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
3.15.2	Section 20	Study area	A 2km study area for Town and Country Planning Act developments and a 10km study area for NSIPs has been applied for the purposes of scoping. No study areas have been defined for the purposes of the assessment. The Inspectorate considers that other existing or approved development beyond this distance could give rise to cumulative effects on the same receptors. The ES must clearly state and justify the study area applied for each aspect. Effort should be made to agree the scope of the cumulative assessment with relevant consultation bodies. The Applicant's attention is drawn to comments at ID 2.1.2.
3.15.3	Section 20	Combined effects	The Scoping Report does not define the scope of any combined effects, listing just one example. The ES should be clear as to which combinations of effects it is assessing, and clearly justify the approach taken.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES

Bodies prescribed in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (as amended) (the 'APFP Regulations (as amended)')

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Secretary of State for Defence	Ministry of Defence
The relevant parish council or, where the application relates to land in Wales or Scotland, the relevant community council	Brotherton Parish Council
	Beal Parish Council
	Gateforth Parish Council
	Byram cum Sutton Parish Council
	Whitley Parish Council
	Kellington Parish Council
	Eggborough Parish Council
	Hillam Parish Council
	Hambleton Parish Council
	Burn Parish Council
	Brayton Parish Council
	Cridling Stubbs Parish Council
	Chapel Haddlesey Parish Council
	Fairburn Parish Council
	Burton Salmon Parish Council
Thorpe Willoughby Parish Council	
Ledsham Parish Council	

SCHEDULE 1 DESCRIPTION	ORGANISATION
	Allerton Bywater Parish Council
	Ledston Parish Council
	Featherstone Parish Council
	Ackworth Parish Council
	Darrington Parish Council
	Normanton Parish Council
	East Hardwick Parish Council
The Environment Agency	The Environment Agency
Natural England	Natural England
The Forestry Commission	The Forestry Commission
The Historic Buildings and Monuments Commission for England (known as Historic England)	Historic England
The relevant internal drainage board	Selby Area Internal Drainage Board
	Danvm Drainage Commissioners
The Canal and River Trust	The Canal and River Trust
The relevant Highways Authority	North Yorkshire Highway Development Service
	Wakefield District Highways and Engineering
	National Highways
Integrated Transport Authorities (ITAs) and Passenger Transport Executives	West Yorkshire Combined Authority
The Civil Aviation Authority	The Civil Aviation Authority
The Health and Safety Executive	The Health and Safety Executive

SCHEDULE 1 DESCRIPTION	ORGANISATION
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency
NHS England	NHS England

TABLE A2: RELEVANT STATUTORY UNDERTAKERS

‘Statutory Undertaker’ is defined in the APFP Regulations (as amended) as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The Coal Authority	The Coal Authority
The Crown Estate Commissioners	The Crown Estate
The relevant police authority	West Yorkshire Combined Authority
	York and North Yorkshire Combined Authority
The relevant ambulance service	Yorkshire Ambulance Service NHS Trust
The relevant fire and rescue authority	North Yorkshire Fire and Rescue Service
	West Yorkshire Fire and Rescue Service
The relevant Integrated Care Board	NHS Humber and North Yorkshire Integrated Care Board
	NHS West Yorkshire Integrated Care Board

STATUTORY UNDERTAKER	ORGANISATION
NHS England	NHS England
The relevant NHS Trust	Yorkshire Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
	National Highways Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
Civil Aviation Authority	Civil Aviation Authority
Universal Service Provider	Royal Mail Group
Homes and Communities Agency	Homes England
The relevant Environment Agency	The Environment Agency
The relevant water and sewage undertaker	Yorkshire Water
The relevant public gas transporter	Cadent Gas Limited
	Northern Gas Networks Limited
	Scotland Gas Networks Plc
	Southern Gas Networks Plc
	CNG Services Ltd
	Energy Assets Pipelines Limited
	ES Pipelines Ltd
	ESP Connections Ltd

STATUTORY UNDERTAKER	ORGANISATION
	ESP Networks Ltd
	ESP Pipelines Ltd
	Fulcrum Pipelines Limited
	GTC Pipelines Limited
	Harlaxton Gas Networks Limited
	Independent Pipelines Limited
	Indigo Pipelines Limited
	Inovyn Enterprises Ltd
	Last Mile Gas Ltd
	Leep Gas Networks Limited
	Mua Gas Limited
	Quadrant Pipelines Limited
	Stark Works
	National Gas
The relevant electricity distributor with CPO Powers	Northern Powergrid (Yorkshire) plc
	Advanced Electricity Networks Ltd
	Aidien Ltd
	Aurora Utilities Ltd
	Eclipse Power Network Limited
	Energy Assets Networks Limited
	ESP Electricity Limited
	Fulcrum Electricity Assets Limited
	Harlaxton Energy Networks Limited
	Independent Distribution Connection Specialists Ltd

STATUTORY UNDERTAKER	ORGANISATION
	Independent Power Networks Limited
	Indigo Power Limited
	Last Mile Electricity Ltd
	Leep Electricity Networks Limited
	Mua Electricity Limited
	Optimal Power Networks Limited
	Stark Infra-Electricity Ltd
	The Electricity Network Company Limited
	UK Power Distribution Limited
	Utility Assets Limited
	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
	National Grid Electricity System Operation Limited

TABLE A3: LOCAL AUTHORITIES AS DEFINED IN SECTION 43(3) OF THE PA2008

LOCAL AUTHORITY
Lancashire County Council
Ribble Valley Borough Council
Pendle Borough Council
Lancaster City Council
Yorkshire Dales National Park
North York Moors National Park Authority
City of York Council
City of Doncaster Council

LOCAL AUTHORITY
Barnsley Metropolitan Borough Council
Wakefield Metropolitan District Council
Bradford Metropolitan District Council
Westmorland and Furness
North Yorkshire Council
Durham County Council
Kirklees Metropolitan Council
Darlington Borough Council
East Riding of Yorkshire Council
Middlesbrough Borough Council
Leeds City Council
Redcar and Cleveland Borough Council
Stockton-on-Tees Borough Council

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Barnsley Metropolitan Council
Cadent Gas
Canal and River Trust
City of Doncaster Council
The Coal Authority
Durham County Council
Environment Agency
Forestry Commission England
Health and Safety Executive
Historic England
Leeds City Council
Middlesborough Council
Defence Infrastructure Organisation
National Gas Transmission
National Highways
Natural England
North Yorkshire Council
North Yorkshire Council
North Yorkshire Fire and Rescue Service
Northern Gas Networks
Redcar and Cleveland Borough Council
Royal Mail

UK Health Security Agency
Wakefield Council

From: [Smith, Matthew \(GROUP LEADER- DEV MANAGEMENT\(OUTER AREA\)\)](#)
To: [Ferrybridge NGP](#)
Subject: RE: Ferrybridge Next Generation Power Station - Your ref: EN0110011
Date: 05 November 2024 16:25:14

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To Katherine King,

RE: Ferrybridge Next Generation Power Station - Your ref: EN0110011

With regards to your letter, dated 9th October 2024 in connection with the above, I can confirm that we do not have any comments to make at this stage.

Matthew

Matthew Smith
Group Leader (Outer Team)
Development Management
Barnsley MBC
Planning and Transportation
PO Box 604
Barnsley
South Yorks
S70 9FE
Tel: [REDACTED]

Please be aware that the Development Management Team are currently experiencing temporary resourcing pressures. Unfortunately, this means we may not respond as to correspondence as quickly as we would like. This situation is expected to last for a temporary period whilst a recruitment exercise is undertaken. I would like to thank you for your continued patience at this time.

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From: [Feirn, Toby](#)
To: [Ferrybridge NGP](#)
Subject: RE: [EXT] EN0110011 - Ferrybridge Next Generation Power Station - EIA Scoping and Consultation and Regulation 11 Notification
Date: 10 October 2024 06:43:13
Attachments: [image001.png](#)
[image002.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image003.png](#)

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Hi.

Following a review of the proposed scheme site, I understand the project falls outside Cadent's operational area and we have no impacted assets.

If you believe there are Cadent assets please let me know. We have no further comments on the project.

Kind regards

Toby

From: Ferrybridge NGP <ferrybridgengp@planninginspectorate.gov.uk>
Sent: 09 October 2024 15:49
To: Feirn, Toby [REDACTED]@cadentgas.com>
Cc: .box.Landservicesworkrequest.GD16 <LandServices@cadentgas.com>
Subject: [EXT] EN0110011 - Ferrybridge Next Generation Power Station - EIA Scoping and Consultation and Regulation 11 Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed Ferrybridge Next Generation Power Station.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **06 November 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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DPC:76616c646f72



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**Canal &
River Trust**

Making life better by water

Your Ref EN0110011

Our Ref IPP-245

Tuesday 29th October 2024

BY EMAIL ONLY ferrybridgengp@planninginspectorate.gov.uk

EN0110011 Ferrybridge Next Generation Power - EIA Scoping Notification (Regulation 10 & 11), Comments from the Canal & River Trust

Thank you for your consultation on the Environmental Impact Assessment Scoping report, which relates to the above project.

The Canal & River Trust are the charity who look after and bring to life 2000 miles of canals & rivers. Our waterways contribute to the health and wellbeing of local communities and economies, creating attractive and connected places to live, work, volunteer and spend leisure time. These historic, natural and cultural assets form part of the strategic and local green-blue infrastructure network, linking urban and rural communities as well as habitats. By caring for our waterways and promoting their use we believe we can improve the wellbeing of our nation.

The Trust Navigation Authority for The Aire & Calder Navigation, including the River Aire to the east of the application site. The Trust also have land ownership of the canalised sections of the waterway.

The red line boundary of the project adjoins the River Aire, and includes indicative routes for gas pipelines under the River.

Having reviewed the Scoping Document, we wish to raise the following comments.

Noise & Vibration (Chapter 7)

We wish to highlight that works to install pipeline(s) below our waterways, as suggested in the scoping document, would need to be carefully managed to avoid any significant vibration or loading that could adversely impact the stability of the river bank above.

We request that methodology and associated risk mitigation details should be submitted prior to the commencement of development on site. We advise that this information should be incorporated into the EIA. In chapter 7 the existing scoping report highlights that Noise and Vibration assessments will focus upon impacts to sensitive receptors, such as residential property. **We request that this should be expanded so that any risk from vibrations to the banks of the River Aire, including any existing stone and piled wash walls, are fully assessed.**

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

Traffic & Transport (Chapter 8)

Impact of the Proposals on Navigation

Paragraph 3.2 on page 37-38 confirms that abstraction equipment is proposed for the site and will utilise a facility previously utilised for operations at Ferrybridge. It is stated that "the discharge amounts and location will be dependent on the cooling technique selected". The abstraction (and discharge) of water can result in impacts for passing craft due to the draw or flow of water on the river.

To ensure that the abstraction (or any discharge if sought) does not result in adverse impact to Navigation Safety, the Trust would need to review a detailed design of any new abstraction equipment and have confirmation as to the maximum rate of draw (or discharge) sought. This is necessary to enable us to confirm if this could result in adverse issues for existing river transport. **We request that this matter should be addressed within the Environmental Assessment.**

Use of Ferrybridge Wharf

We note that whilst 8.1.8 discusses the potential for water transport, it is not proposed to consider whether use of the Aire & Calder Navigation for waterborne freight (to transport construction materials or abnormal indivisible loads to and from site) will be considered as a potential alternative route to allow closer access to the site and to reduce demands on the road network.

We wish to highlight that the Navigation is a freight waterway capable of handling freight traffic. **There is also an existing wharf facility as part of the wider Ferrybridge complex**, which potentially could be refurbished to bring it back into use. Opportunities may therefore exist for the carriage of construction associated traffic close to the site via waterborne craft, which could help reduce the need for carriage by road. This could help to reduce road miles and help improve the sustainability of the proposal, and to help mitigate the impacts of goods transport to and from site in line with the principles of section 5.13 of EN-1.

We consider that options for the use of Ferrybridge Wharf should be considered in the Environmental Report submitted with the main application, to explore whether this option is feasible (even if just to discount this option). We would be happy to provide further advice upon this if it would assist.

Biodiversity and Nature Conservation (Chapter 9)

Section 9.2 (page 91) discusses the key impacts on biodiversity that could be affected by the development. The Trust has no issue with the list provided, which we consider appropriate.

With regards to the proposed Preliminary Ecological Assessment (PEA) proposed, we request that table 12 should be expanded to ensure that the PEA includes other amphibians and reptiles in addition to great crested newts (e.g. grass snake). We also suggest that the PEA should assess for impacts to aquatic plants, which should be added to the list of botanical surveys, so that the impact on riparian environments can be fully assessed.

Water Resources and Flood Risk (Chapter 10)

In our capacity as navigation authority of the Aire & Calder Navigation, it is important to ensure that should any new or additional surface water discharge to the river be proposed, details of the amount of water and peak discharge velocity should be provided so that any impact on navigational safety can be assessed. Of note, the rate of discharge and angle of discharge can have an impact on passing craft if not correctly designed.

10.2.2 of the Scoping Report identifies risks of pollution from surface water runoff and the Trust are satisfied that this risk is to be scoped into the assessment for the construction and operation stages.

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

We would request that the Trust is consulted as part any assessment, should it be found that the proposals are likely to alter any existing discharge to the River Aire. This would be pertinent to enable us to provide advice with regards to any impact on Navigational Safety (discussed in our comments for Chapter 8). This, however, may not be necessary in the event that the final drainage details do not seek to alter any existing river outfall and/or peak discharge rate.

The site comprises of settlement ponds that discharge to Fryston Beck, which interlinks with the River Aire. It is pertinent to ensure that the assessment ensures that works on site do not result in the exposure of the water environment, including the Beck, to pollution that could otherwise impact the river.

Landscape and Visual Amenity (Chapter 12)

The most significant impact on visual amenity for the River Aire would concern impacts to the north of the waterway where the proposed abstraction equipment would be sited. This would be due to interventions including the removal of vegetation and permanent installation of abstraction plant and associated fencing. We consider that the LVIA should include an assessment of the impacts utilising a viewpoint assessment from the riverside path in this location looking towards the abstraction facility (and the power station beyond).

We note that 12.1.2 identifies that recreational users of the River Aire will be a visual receptor to the development. Within the LVIA proposed, we request that boaters, as well as uses of the riverside path should be considered as sensitive receptors.

We note that viewpoint 8 is to be taken from beside the River Aire. The key table on page 235 does not clarify whether the view is related to the navigation or a separate footpath. **We consider it important to ensure that this view allows for judgements to be made with regards to the impact on river users (boaters and leisure craft including canoes etc) as well as pedestrians and cyclists travelling alongside.**

Consideration should be given in the assessment to the impact of any fencing that may be required in proximity to the rivers edge, notably in proximity to abstraction and discharge equipment. Native planting could be considered as a mitigation measure, depending on the proposed impact and existing character. If fencing is required, then paladin or V-mesh options (as opposed to palisade style fencing) is typically better suited to riverside environments, as it has a lower visual presence compared to more utilitarian or closed-boarded treatments.

General Comment on the Routing of the Gas Pipelines

The submitted documents indicate that gas pipelines will be sited underground, and will be routed utilising Horizontal Directional Drilling (HDD). The Trust generally welcome this approach, as it would help to minimise any impact on the visual appearance of our waterway corridors. It would also minimise any potential harm to navigation that could be caused through the positioning of cables above navigable channels.

We request that methodology for any directional drilling and associated risk mitigation details should be submitted prior to the commencement of development on site.

To avoid adverse impacts to the river bed, and any impact to navigation, HDD drilling would need to be located a **minimum of 3m under the bottom of the riverbed. This should be confirmed through borehole logs, settlement calculations, and detailed route plans**

Other Comments

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk

Our consent as Navigation Authority would be required for the installation of new pipeline(s) below the River Aire.

Please note that the Canal & River Trust is a statutory undertaker which has specific duties to protect the waterways.

In our capacity as landowner, we advise that the applicant/undertaker would likely be required to comply with the Trust's 'Code of Practice for Works affecting the Canal & River Trust' (available at:

<https://canalrivertrust.org.uk/business-and-trade/undertaking-works-on-our-property-and-our-code-of-practice>). **The applicant/developer is advised to contact the Canal & River Trust's Infrastructure Services Team via switchboard on 0303 040 4040 should they have any questions or require further information upon the Code.**

Yours Sincerely

Simon Tucker MRTPI

Area Planner

@canalrivertrust.org.uk

<https://canalrivertrust.org.uk/specialist-teams/planning-and-design>

Canal & River Trust

Fradley Junction, Alrewas, Burton-upon-Trent, Staffordshire DE13 7DN

T 0303 040 4040 E canalrivertrust.org.uk/contact-us W canalrivertrust.org.uk



City of Doncaster Council

Todd Brumwell - The Planning
Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol
BS1 6PN

Contact: Susie Boyce
Tel: [REDACTED]
E-Mail: [REDACTED]@doncaster.gov.uk
Website www.doncaster.gov.uk
Our Ref: 24/01878/CON
Date: 6th November 2024

Dear Sir/Madam

Proposal **Scoping Opinion consultation for an Order granting development consent for the Ferrybridge Next Generation Power Station.**

Location **Ferrybridge Next Generation Power Station**

Applicant **Colin Turnball - SSE Hydrogen Developments Ltd**

I am responding on behalf of the City of Doncaster Council to your email communication of 9th October 2024 in respect of the above consultation.

Having had regard to Part 5 of the 2008 Planning Act and Regulations 10 and 11 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ('EIA Regulations'), I am of the view that the Applicant for the Ferrybridge Next Generation Power Station has provided sufficient information for us to comment on the scoping of any Environmental Statement that will accompany its future application.

With regards to the scope and level of detail of the information to be provided within the Environmental Statement, we have read the Applicant's Programme Document and specifically Section 4 which sets out the Main Issues and Risks identified by the Applicant, and provide the following comments.

Air emissions

The City of Doncaster Council's Air Quality Officer has reviewed the air quality sections within the Environmental Impact Assessment Scoping Report produced by ARUP dated 7 October 2024 and comments as below:

- It is welcomed that standard methodologies and data from recognised sources shall be utilised when considering the effects of the proposal on ambient air quality.
- It is further noted that the operational phase of the plant will be subject to proactive control, by the Environment Agency, with respect to emissions to the environment under the requirements of the Environmental Permitting Regulations and the Industrial Emission Directive.

- Whilst the nearest City of Doncaster premises is several miles to the south of the proposed site, it is noted that Appendix 2, Fig 4.1, shows that Doncaster Air Quality Management Area 6 (Skellow/A1, grid 452185 / 410380) is within the 15km Zone of Influence for Air Quality Impacts (albeit fig 4.1 is entitled Biodiversity and Nature Conservation Constraints).

We would therefore request that the same consideration of air quality effects be afforded to AQMA 6 as is proposed, at page 70 of the report, for the “nearby AQMA”.

Other matters

We have no other comments to add in respect of other matters listed in Section 4 of the Programme Document.

Yours faithfully

Susie Boyce
Principal Planning Officer

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The Council has signed up to a Government backed initiative, this being the Planning Quality Framework. This framework requires the Local Planning Authority to make a commitment to ensure we are delivering a quality, value for money service and ensuring that we are delivering what our customers want.

The Council will contact our Planning customers asking your opinion about our service. To find out more information and how to opt out of future surveys please log on to

<https://www.doncaster.gov.uk/services/planning/planning-performance-and-customer-feedback>



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: 01623 637 119 (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

For the attention of: Todd Brumwell

Nationally Significant Infrastructure Project

[By email: ferrybridgengp@planninginspectorate.gov.uk]

16 October 2024

Dear Todd Brumwell

Re: EN0110011 Ferrybridge Power Station

Proposed Ferrybridge Next Generation Power Station; LAND AT AND WITHIN THE VICINITY OF THE, FORMER FERRYBRIDGE C POWER STATION SITE, KIRKHAW LANE, FERRYBRIDGE, KNOTTINGLEY, WEST YORKSHIRE

Thank you for your notification of 9 October 2024 seeking the views of the Coal Authority on the above.

The Coal Authority is a non-departmental public body sponsored by the Department for Energy Security and Net Zero. 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.

We have reviewed the site location plan provided and can confirm that the site falls within the Coal Authority's defined Development Low Risk Area. On this basis we have no specific comments to make.

However, in the interest of public safety, it is requested that the Coal Authority's Standing Advice note is drawn to the applicant's attention, where relevant.

Yours

The Coal Authority Planning Team

From: [Claire Teasdale](#)
To: [Ferrybridge NGP](#)
Subject: Ferrybridge Next Generation Power Station - Scoping Consultation
Date: 16 October 2024 18:28:15

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Mr Brumwell

**Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11
Application by SSE Hydrogen Developments Limited (the Applicant) for an Order granting Development Consent for the Ferrybridge Next Generation Power Station (the Proposed Development)
Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested**

I write in response to your email sent on 9 October 2024 regarding the above and I can confirm that Durham County Council has no comments to make.

Claire Teasdale

Principal Planning Officer (Strategic Team)
Planning Development Management
Durham County Council
PO BOX 274
Stanley
County Durham
DH8 1HG

Tel: [REDACTED] & [REDACTED]
Email: [REDACTED]@durham.gov.uk

Website: www.durham.gov.uk

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Planning Inspectorate

[ferrybridgengp@planninginspectorate.gov.uk]

Our ref: XA/2024/100175/01-L01

Your ref: EN0110011

Date: 6 November 2024

Dear Sir/Madam

EIA SCOPING CONSULTATION: FERRYBRIDGE NEXT GENERATION POWER STATION. FERRYBRIDGE NEXT GENERATION POWER STATION, WEST YORKSHIRE.

Thank you for consulting us on the EIA Scoping Report for Ferrybridge Next Generation Power Station. We have reviewed the submitted Scoping Report, referenced B-ARUP-XX-XX-RP-OP-000001 and dated 7 October 2024, and have the following advice:

For ease of reading, this advice introduces the potential permitting considerations for this development before moving into environmental topics following the structure of the submitted scoping report. The summary tables showing matters to be scoped in or out of further assessment are not particularly specific. For this reason, much of our advice seeks to confirm the inclusion of specific receptors and specific impacts. We also have concerns regarding the Applicant's decision to scope out all decommissioning impacts.

Environmental Permitting Regulations

This development will require an Environmental Permit from the Environment Agency (EA), under the Environmental Permitting (England and Wales) Regulations 2016 (EPR). It is noted that the EIA Scoping Opinion request has been submitted by SSE Hydrogen Developments Limited (part of the Thermal Division of SSE plc). There is currently an effective environmental permit associated with this location, reference EPR_VP3337SR_S010, in the name of Keadby Generation Limited, which is also a part of the SSE Thermal Division. It is unclear what the relationship is between the two companies. However, there are several options for the permitting of this new development:

- A variation to an existing permit
- A partial transfer of the existing permit to the Applicant (SSE Hydrogen Development Ltd), followed by a variation to that transferred part.
- A partial surrender of the existing permit, followed by an application for a new permit by the Applicant (SSE Hydrogen Development Ltd)
- A full surrender of the existing permit, followed by an application for a new permit by the Applicant (SSE Hydrogen Development Ltd)

The Applicant is advised to begin pre-application permitting discussions with the EA at the earliest opportunity and to "twin track" the EPR permitting application with the Development Consent Order (DCO). We refer the Applicant to guidance available on

Gov.uk¹, specifically the section 'if you need an environmental permit'. It is important to note that the Environmental Permit will only provide regulation for the Main Site during operation. It will not cover any aspects of the Pipeline, or the construction and decommissioning phases of this development.

Under EPR, permitted sites should not cause harm to human health or pollution of the environment. The operator is required to have appropriate measures in place to prevent pollution to the environment, harm to human health or the quality of the environment, detriment to surrounding amenity, offence to a human sense or damage to material property. If measures are not included within the permit application, then it is likely that we would reject any application received for an Environmental Permit under EPR. This proposal is deemed to be a 'Large Combustion Plant' (LCP) as defined by Chapter III of the Industrial Emissions Directive (IED). It must therefore comply with the Best Available Techniques Reference conclusions document for LCPs².

The Environmental Permit will control the following activities and emissions from the Installation:

- Reception, handling and use of natural gas.
- Processes and emissions monitoring
- Process efficiency including energy, water, raw materials and waste.
- Emissions to air. As a new build, this facility will comply with the IED Annex V Emission Limit Values for gas turbines (closed cycle or open cycle). Emissions will be monitored continuously via Monitoring Certification approved units. The air impact assessment must take into effect in-combination affects from other industrial sources of Oxides of Nitrogen and Carbon Monoxide – the principal air pollutants. Careful consideration needs to be given to the impact on local sensitive receptors.
- Emissions to water
- Noise and vibration. It is noted that there are several local sensitive receptors that could potentially be affected by adverse noise and vibration.
- Unplanned emissions to the environment
- Groundwater and land contamination. The Site Condition Report (SCR) will introduce a system to continually monitor the potential for pollution from the 'baseline' to demonstrate that there has been no impact through the life of the facility.
- Water abstraction and discharge pipelines. Whilst it is acknowledged the pipelines will transport 'water', due to the quantities involved, it is important to have a maintenance and inspection regime to ensure that leaks from the system are minimised
- Consumable (chemical) materials storage & handling
- Process waste including its storage, handling and movement

The Environmental Permit application must demonstrate that people and the environment will be protected from these activities and emissions. Mitigation is likely to be required to control:

- Emissions to air.
- Emissions to water.
- Noise and vibration.
- Water pipeline infrastructure.
- Consumable materials storage and handling.
- Waste storage and handling.

¹ [Developers: get environmental advice on your planning proposals - GOV.UK](#)

² [Large Combustion Plants | EU-BRITE](#)

Under the Environmental Permitting regime, we will be including the following key areas of potential harm when making an assessment for the Permit:

- Management: including energy efficiency and avoidance, recovery, and disposal of waste
- Operations: including consumable materials and waste storage & handling
- Emissions and monitoring: including point source emissions to water, point source emissions to air, fugitive emissions and monitoring.

Additional information for the Applicant regarding environmental permits is provided within the informative section at the end of this letter.

Chapter 6: Air Quality

The site boundary of this project is within few kilometres of multiple Air Quality Management Areas (AQMAs) and we are pleased to see that air quality has been scoped in for further assessment across the construction phase.

Where development involves the use of any non-road mobile machinery (NRMM) with a net rated power of 37kW and up to 560kW, that is used during site preparation, construction, demolition, and/ or operation, at that site, we strongly recommend that the machinery used shall meet or exceed the latest emissions standards set out in Regulation (EU) 2016/1628 (as amended). This should apply to the point that the machinery arrives on site, regardless of it being hired or purchased.

This is particularly important for major development located in or within 2km of an AQMA for oxides of Nitrogen (NO_x), and or particulate matter that has an aerodynamic diameter of 10 or 2.5 microns (PM₁₀ and PM_{2.5}). Use of low emission technology will improve or maintain air quality and support local councils and developers in improving and maintaining local air quality standards and support their net zero objectives.

We also advise, the item(s) of machinery must also be registered (where a register is available) for inspection by the appropriate Competent Authority, which is usually the local authority.

The EA can also require this same standard to be applied to sites that it regulates. To avoid dual regulation this informative should only relate to the site preparation construction, and demolition phases at this site.

NRMM includes items of plant such as bucket loaders, forklift trucks, excavators, 360 grab, mobile cranes, machine lifts, generators, static pumps, piling rigs etc. The Applicant should be able to state or confirm the use of such machinery in their application.

Chapter 9: Biodiversity and Nature Conservation

9.1 Baseline Conditions

Nature Conservation Sites

This section refers the reader to Section 2.4.3 for information on nature conservation designations in the vicinity of the proposed development site. These are actually listed in Section 2.4.2. However, this section of the report fails to identify the following nature conservation sites within 20km of the red line boundary:

- River Derwent Special Area of Conservation (SAC) (approximately 11.5km to the east)

- Lower Derwent Valley SAC, Special Protection Area (SPA) and Ramsar (approximately 14km to the north-east)
- Humber Estuary SAC, SPA and Ramsar (approximately 17km to the east)

Fish Species

The River Aire is a migratory route for European eel, European smelt, allis shad, twaite shad, sea/brown trout, Atlantic salmon, river lamprey and sea lamprey. These migratory, protected fish species should all be scoped in as potential receptors. We also support the assumption that diadromous fish species can now freely move along the River Aire due to the removal of barriers. This assumption that fish populations in the River Aire have a trajectory set to improve should inform the baseline when assessing impacts.

9.2 Scope of the Assessment

Table 12: Proposed ecological desk-based assessments and surveys to inform the ecological impact assessment for the Proposed Development

The proposed eDNA fish surveys, listed in Table 12, alone will not provide sufficient data to assess the impacts from the proposal on fish. For a scheme of this size, we expect to see a fish survey programme that provides quantitative data, and characterises seasonal changes in fish populations, noting that diadromous species are present. Additionally, the survey programme should include targeted juvenile fish surveys, as these weaker swimmers are more vulnerable to entrainment and impingement. We would also recommend using existing EA fish survey data on the River Aire as suggested.

9.2.1 Habitat Regulations Assessment

Section 9.2.1 states that there are no Habitats Sites within 15km of the Main Site and that no adverse impacts are therefore anticipated, due to there being no likely source-receptor pathway. We disagree, as we believe that there is functional linkage with the River Aire and the River Derwent SAC and Humber Estuary SAC. The River Aire is within the proposed red line boundary and thus presents an impact-pathway to both of these SACs.

The Humber Estuary SAC is designated for river lamprey and sea lamprey, and there are also records of Atlantic salmon, twaite shad and allis shad (all Annex II species of the Habitats Directive) in the Humber Estuary. The River Derwent SAC is designated for river lamprey, sea lamprey, bullhead, with records of Atlantic salmon and brook lamprey (Annex II species of the Habitats Directive). Potential impacts on protected fish species should therefore be screened for likely significant effect (Stage 1) on the River Derwent SAC and Humber Estuary through a Habitat Regulations Assessment (HRA), and the SPAs and Ramsar sites listed above should also be screened at Stage 1.

This information, together with baseline data, should also be used to inform a Water Environment Regulations assessment (or WFD assessment).

9.2.2 Biodiversity Net Gain

The Applicant does not intend to submit a baseline assessment or to provide a full Biodiversity Net Gain assessment, as this is not yet mandatory for Nationally Significant Infrastructure Projects. Given our understanding of the timeline for submission of the DCO, we would recommend the Applicant reconsiders this approach.

9.3 Summary of matters proposed to be scoped in or out of the ES

The detail of Table 13 is not very specific. In addition, all decommissioning phase impacts have been scoped out of further assessment, which we do not agree with.

Footnote 9 on page 73 (Noise and Vibration Chapter) states that “consideration of noise and vibration impacts on relevant species sensitive to noise and vibration disturbance will be assessed in the Biodiversity and Nature Conservation chapter using data presented in the Noise and Vibration chapter”. We note that ‘disturbance and displacement of protected and notable terrestrial and aquatic species, including consideration of indirect noise and lighting’ has been scoped in across construction and operational phases. This should specifically include impacts on otter and fish species, as well as noise impacts from vibrations associated with Horizontal Directional Drilling (HDD) and any piling that takes place.

There are potential risks to water quality and fish associated with run-off and pollution from construction. This has not been identified as a potential impact and should be scoped in for further assessment.

In addition, the report suggests that physical works may be required within the River Aire, yet water quality impacts on ecology have not been considered at all. For example, we note from section 9.2 that a cofferdam may be required in the River Aire. In this case, it is likely that a fish rescue will be required as mitigation.

We note that ‘injury or mortality of fish as a result of cooling water abstraction and/or discharge’ has been scoped in for the operation phase. Impacts relating to the abstraction and discharge of cooling water will be regulated via the Environmental Permit(s). However, additional information for the Applicant in relation to this is provided in the informative section at the end of this letter.

Chapter 10: Water Environment and Flood Risk

10.1 Baseline Conditions

10.1.1 Groundwater and Hydrogeology

We confirm that, as stated in the scoping report, no part of the development boundary falls within a groundwater Source Protection Zone (SPZ), although there are two highly localised SPZ1s within influencing distance, and a SPZ3 designation near Brayton, which protects a public water supply borehole. All are over 1 km from the Main Site, with just the proposed pipeline and Above Ground Installation within influencing distance. The Main Site and Pipeline Corridors are both underlain by Principal and Secondary A aquifers.

10.1.2 Surface Water Bodies

In combination with the proposed desk-based studies, field-based techniques such as River Corridor Assessments / MoRPH surveys / geomorphology surveys should be used to help microsite watercourse crossing locations along the routes/corridors of the gas import pipelines. MoRPH surveys would also help to identify areas for possible BNG uplift along the pipeline corridors and also the main site. With regards to BNG uplift (and WFD mitigation), due consideration should be given to the possibility of opening up/de-culverting selected sections of Fryston Beck as it crosses the site.

10.1.4 Flood Risk

This section notes that the entire site where the Combined Cycle Gas Turbine (CCGT) and Open Cycle Gas Turbine (OCGT) will be placed is in Flood Zone 1, although the northern and eastern boundaries of this site are adjacent to Flood Zone 2 and 3. We agree with this statement. The main site lies largely outside of the Flood Zones associated with the River Aire. There is a small encroachment of Flood Zone 2 and 3 into the north of the main site associated with the Fryston Beck.

While the report correctly identifies the flood zones affecting the project boundary according to the EA's Flood Map for Planning, which shows present day tidal and fluvial risks, it does not reference the relevant Strategic Flood Risk Assessments for Wakefield and Selby, which show areas designated as Flood Zone 3b (FZ3b), the functional floodplain, and risk from other sources. Much of the Southern Pipeline Corridor appears to be within a FZ3b designation.

Assuming a flood risk vulnerability classification of 'essential infrastructure' and according to "Table 2 Flood risk vulnerability and flood zone 'incompatibility'" within the Planning Practice Guidance, this development's location within Flood Zones 3 and 3b is acceptable in principle, subject to the Sequential and Exception Tests.

In accordance with the National Planning Policy Framework (NPPF; paragraph 161), development should apply a sequential, risk-based approach to the location of development, taking into account all sources of flood risk and the current and future impact of climate change, to avoid (where possible) flood risk to people and property. The project should take a sequential approach where it can; if there are opportunities for development to be located outside of flood zones 2 and 3 and into flood zone 1, this should be prioritised.

10.1.5 Future Baseline

The report states that 'the Flood Risk Assessment (FRA) will consider future climate change scenarios as per relevant guidance.' Section 3.9 confirms a lifetime for the development of 25 years, but the Planning Practice Guidance (Paragraph: 006 Reference ID: [7-006-20220825](#)) is clear that for non-residential development the starting point for assessing climate change should be 75 years.

Please note, the relevant guidance for climate change in relation to FRAs can be found online³. As the development would likely be classed as 'essential infrastructure', the higher central allowance should be used for the design scenario and an upper end allowance should be used as a sensitivity test. The River Aire is not tidal at the location of the main site as the tidal limit for the River Aire is close to Temple Hurst, however, rising sea levels could influence the River Aire's ability to discharge further downstream which in turn could affect flood risk at the main site and for the pipeline corridor. This should be considered as part of the FRA.

10.2 Scope of Assessment

10.2.1 Construction

The Applicant has not referenced the impacts that construction may have on floodplain capacity and temporary reduction in storage capacity. This needs to be scoped in for further assessment as it could potentially have major flood risk impacts.

³ [Flood risk assessments: climate change allowances - GOV.UK](#)

Water demand during construction is also not specifically mentioned in the scoping report, although we note impacts on groundwater and surface water quantity and quality have been scoped in. Activities during the construction phase for significant developments such as this can include (but are not limited to) consumptive uses of water such as dust suppression techniques deemed to be high loss; machinery wash/wheel wash; concrete batching and on-site potable and domestic supply to welfare stations.

The proposed development section (3.7) also describes Horizontal Directional Drilling (HDD) techniques which often require a prolonged and continuous water supply for bentonite clay mixing.

10.2.2 Operation

The report states that the cooling method for the proposed development is currently under consideration. We are pleased to see that this includes an appraisal of best available techniques, and we would expect that water efficiency is a key consideration and that waterless techniques such as fin-fan cooling are also considered. Where possible, due consideration should be given to reuse of existing cooling infrastructure / supply lines, although this might not be possible if older infrastructure has already been decommissioned/demolished.

Section 2.1 proposes that in addition to the River Aire identified as a potential source of supply, water company and groundwater supplies or other alternatives are under consideration for meeting operational demand. The scope of assessment, however, infers that the River Aire is the preferred source of supply and that the scope of the assessment will look at abstraction licensing requirements in more detail. Access to surface water and groundwater in this region is likely to be very limited or restricted by licence conditions that need to be factored into the planning of construction and operational activities.

We recommend that the Applicant produces a water supply strategy for all water demands during construction and operational phases of the project. We encourage this options appraisal to document both consumptive and non-consumptive uses of water in both construction and operational phases of the project and to identify potential sources of supply at the pre-application stage of the DCO planning process.

This can help to identify any significant obstacles in time to influence the design or construction processes early on and will expedite the formal permitting process post DCO. We are extremely encouraged by the Applicant already having approached the National Permitting Service to investigate these matters through pre-application permitting advice and would welcome any further consultation on this matter during the planning process as required.

This section also discusses the potential for pollution from chemical spills or fire on the site (which may necessitate the use of firefighting chemicals or large volumes of water that may become contaminated). We expect the Environmental Statement (ES) will include details of the design mitigation and management control measures to be employed on the operational site. This is necessary to ensure that fuel and chemical spillages and leaks, and firefighting water in event of fire, are adequately contained and subsequently cleaned up without infiltration and/or runoff causing pollution of the underlying aquifers or surface waters. It is assumed that the Environmental Permit for the Main Site will include suitable pollution prevention requirements to manage risks to groundwater from the operational site.

10.2.3 Flood Risk Assessment

We are pleased to see that the Applicant intends to support their DCO application with a FRA and that this will inform the design of the development. Additional information for the Applicant in regard to the FRA is provided in the informative section at the end of this letter.

10.2.3.1 Water Framework Directive Assessment

We are pleased to note that the Applicant intends to submit a Water Framework Directive compliance assessment (or Water Environment Regulations compliance assessment) and refer the Applicant to the new advice page⁴ issued by the Planning Inspectorate last month.

10.2.4 Decommissioning

As with other matters, the report assumes that decommissioning impacts will be no worse than construction (section 3.9) and scopes all impacts out. We do not agree with this approach and refer you to our comments in the 'Matters to be Scoped Out' section.

10.3. Summary of matters proposed to be scoped in or out of the ES

Again, we consider the matters listed in Table 14 to be very broad. We are pleased to see that flood risk has been scoped in across construction and operational phases, as well as impacts on groundwater and surface water quality and quantity.

11.2.1 Construction

We agree with the potential impacts identified but we would like to see the controlled water receptors further specified, to incorporate reference to groundwater SPZs, licenced and unlicenced groundwater abstractions and surface waters. We consider that the list of potential contaminative impacts should be revised based on the Conceptual Site Model to be developed in the desk-based assessment, and, where relevant, refined following further investigative activities.

No reference is currently made in the Scoping Report to the provision of a contamination watching brief and discovery protocol during the construction phase. We anticipate that this will be included as part of the Construction Environmental Management Plan (CEMP). If dewatering is required, we recommend that a Dewatering Management Plan should also be developed as part of the CEMP to ensure that groundwater abstracted during the construction phase will be appropriately managed.

Section 3.7 identifies that for much of the pipeline corridor a standard cut and fill construction approach will be adopted, but that for special crossings such as the River Aire, trenchless crossing methods such as HDD will be used, with the method to be determined following additional design work. If HDD is used in a Principal Aquifer, we expect this to be supported by a Hydrogeological Risk Assessment to identify any potential risks to groundwater resources and provide detailed mitigation strategies for any part of the works where there is a risk to the aquifer. We also consider that Hydrogeological Risk Assessments should be produced for any proposed activities or subsurface structures likely to impact local or regional groundwater flow, including soil treatment and any HDD or deep foundation works including piling activities within the on-site Aquifers. See also the EA's approach to groundwater protection, position

⁴ [Nationally Significant Infrastructure Projects: Advice on the Water Framework Directive - GOV.UK](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/612222/nationally-significant-infrastructure-projects-advice-on-the-water-framework-directive.pdf)

statement N7⁵. Note that any chemicals used, including in concrete, foundations and piles, must not have the potential to cause damage to the Aquifers and SPZs.

Section 3.5 identifies that the proposed development will incorporate electricity export infrastructure and ancillary plant and equipment to connect the CCGT and OCGT to the National Grid electricity transmission system at Ferrybridge C 275kv substation. No details of the proposed connective infrastructure are provided in the Scoping Report. In accordance with Position Statement C5 of the EA's Approach to Groundwater Protection, we will normally object to fluid filled cables that transport pollutants, particularly hazardous substances that pass through SPZ1 or SPZ2 where this is avoidable or are below the water table in Principal or Secondary Aquifers. Where there is an unavoidable need for fluid filled cables to be placed below the water table in Principal or Secondary Aquifers, operators are expected to adopt Best Available Technique and operate in accordance with the Energy Networks Association guidance⁶. It is noted that naturally high groundwater levels are anticipated to be present.

Section 11.2.1 states that the developer and/or appointed contractor for the proposed development will be required to prepare their own Code of Construction Practice prior to the commencement of construction, and that this is anticipated to be underpinned by a land contamination risk assessment as referenced above. We are pleased to see that this approach is to be taken for the proposed development and look forward to reviewing the resulting reports. We are pleased to see that the potential for disturbance of potentially contaminated soils is declared as scoped in for further assessment.

11.2.2 Operation

Section 11.2.2 states that any contamination identified during the construction phase would be subject to remediation, and as such no significant impacts would be anticipated during operation. The report states that the operation and maintenance of the proposed development would be in accordance with environmental legislation and best practice, and on this basis risks of contamination during operation have been declared as scoped out. We consider this approach to be acceptable on the provision that risks to controlled waters will be adequately managed by the design of potentially polluting aspects of the development and controlled by the requirements of the Environmental Permit(s) applied to the operational site. However, confirmation is sought that the risks posed by the operational site can be adequately managed by the proposed best practice methods.

11.2.3 Decommissioning

Section 11.2.3 states that potential impacts as a result of decommissioning will not be separately assessed on the basis that the effects are likely to be similar to, or no worse than, the effects from the construction phase. The report states that this is on the basis of appropriate controls being implemented through the Decommissioning Environmental Management Plan (DEMP). On this basis the risks of contamination during decommissioning have been declared as scoped out. We consider that a watching brief and discovery strategy for the presence of unexpected contamination should be produced for the Decommissioning phase. This may be incorporated into the DEMP. The Applicant should consider the need to surrender the Environmental Permit for the site, and that this process will require site conditions to be returned to the demonstrated baseline at the time of Environmental Permit issue. However, the pipeline, above ground infrastructure (AGI) and other associated and ancillary structures may not be addressed under the Environmental Permit surrender process.

⁵ [Groundwater protection position statements - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

⁶ [Energy Networks Association guidance](#)

A Drainage Strategy for the proposed development, ensuring that surface water run-off is managed appropriately, has not been provided at this stage. However, the need for drainage infrastructure is identified in Section 3.5. This section also refers to the inclusion of sustainable drainage systems (SuDS). We welcome further detail on drainage proposals when the development proposals have been further confirmed and look forward to reviewing the FRA. Additional information regarding SuDS is presented in the informatives section at the end of this letter.

Foundation details for proposed new structures, including methods and depths, are currently undefined. Given the sensitive hydrogeological setting, a Foundation Works Risk Assessment should be produced for proposed structures with deep and/or piled foundations overlying Secondary A and Principal Aquifers.

Chapter 11: Geology, Hydrogeology and Land Contamination

11.2 Scope of the Assessment

This section of the report confirms that a desk-based risk assessment will be completed to identify potential contaminative uses on the site and based on the results of the assessment, this will be used to develop an initial intrusive site investigation scope in accordance with the EA's Land Contamination Risk Management guidance and BS10175 A2:2017. Mitigation measures would then be recommended, which may include additional site characterisation, quantitative risk assessment, remediation, and validation activities. We are pleased to see that this approach is proposed and look forward to reviewing the findings of the desk-based assessment and conceptual site model as part of the ES.

Chapter 15: Climate Change

15.2 Scope of the Assessment

We are pleased to see that 'climate change resilience' and all climate variables have been scoped in for further assessment.

Chapter 17: Materials and Waste

Process waste from the Main Site will be regulated via the Environmental Permit. However, we are pleased to see that changes in landfill capacity have been scoped in for the construction phase. As with other chapter, we have concerns that decommissioning impacts have been scoped out.

Additional information for the Applicant is provided in the informative section at the end of this letter.

Chapter 19: Matters to be Scoped Out

19.7 Decommissioning

The report assumes that decommissioning impacts will be no worse than construction (section 3.9) and takes a blanket approach to scoping out impacts across all topics. If the Applicant considers that decommissioning impacts will be similar to those for construction then it is our view that, where construction impacts are likely to be significant and scoped in, decommissioning impacts are also likely to be significant and should also be scoped in.

Specifically in relation to flood risk, decommissioning will likely be occurring in a different climate change epoch, meaning the impacts and risk of flooding may be more extreme. It is recommended that the Applicant either scopes in the impacts of decommissioning or makes a commitment to reassessing flood risk and mitigating for any risk at the point of decommissioning.

Chapter 21: EIA Process

21.4 Combined Heat and Power (CHP) Ready Requirements

We will, as a minimum, require proposed combustion facilities to be built CHP ready by imposing specific permit conditions. For example, conditions requiring the operator to provide and maintain steam and/or hot water pass-outs such that opportunities for the further use of waste heat may be capitalised upon should they become practicable, and a condition that requires the operator to review and report on the practicability of CHP implementation at least every two years. The Applicant is advised to refer to the latest EA guidance on 'CHP Ready'⁷.

21.5 Carbon Capture (CC) Ready requirements / Decarbonisation Ready Requirements

The Carbon Capture Readiness (CCR) regulations of 2009 are in the process of being superseded by new legislation. This legislation has yet to be named so shall be referenced as 'Decarbonisation Readiness'. On the 14 October 2024, the Government published the outcome of its consultation on 'Decarbonisation Readiness'⁸.

The summary states the following:

'The requirements will come into effect for environmental permit applications submitted after 28 February 2026. Before this date, the Environment Agency (EA) will consult on and publish further guidance on how plant operators can demonstrate that the requirements have been met'.

The Applicant is advised to request enhanced EPR pre-application advice and guidance from the EA on this and any other subject they deem necessary.

Informative Advice to Applicant

Cooling Water Abstraction / Discharge

The discharge of cooling water will be controlled via the Environmental Permit for the Main Site. However, the abstraction of water for cooling water will require the Applicant to obtain a separate abstraction licence.

We would prefer the power station to use an indirect (recirculation) cooling system, which would require less of an external water source. There are a number of new developments in this region and we are encouraged to see the potential available abstraction licence headroom in proximity to the site is being considered, which may be a preferable alternative to new water abstraction. The Applicant should note also that the River Aire at this point is a Canal and Rivers Trust navigable waterbody and new

⁷ [CHP Ready Guidance for Combustion and Energy from Waste Power Plants; Combined heat and power - GOV.UK](#)

⁸ [Decarbonisation readiness: government response](#)

licence applications (and variation to existing licences) from surface water have to come from them under the conditions of Section 66 of the Water Resources Act 1991⁹.

Given the presence of eels in the River Aire, the design of any coolant water intake and outfall point must be compliant with the Eels (England Wales) Regulations 2009. This is likely to be in the form of screening which must be designed to protect elvers (juvenile European eel). The Applicant will need to provide information on the intake and outfall set up and the approach velocity at the intake in order to comply with the Eels (England and Wales) Regulations 2009 and Best Available Technology.

Fish larval fry are at greatest risk of entrapment at the intake, given their weak swimming ability. Given the potential large quantities of coolant water required for power stations, we expect the Applicant to define, calculate or estimate the numbers of fish that may be entrained or impinged in the system. Numbers of fish lost through entrapment from abstraction should be contextualised. We would expect to see an equivalent adult value analysis and justification behind choice of method. Further information can be found in an EA publication, which is available on request¹⁰.

The impact on fish from the coolant water discharge, which includes changes in water quality (thermal and dissolved oxygen) and the behavioural effect on fish from attractant flow, will need to be assessed.

Due to the functional linkage to the European designated sites identified, we will expect to see information on this to inform an HRA for any permits.

Dewatering

If dewatering is required, the Applicant may require an abstraction licence if it doesn't meet the exemption in The Water Abstraction and Impounding (Exemptions) Regulations 2017 Section 5: Small scale dewatering in the course of building or engineering works.

If the Applicant does not meet the exemption and requires a full abstraction licence, they should be aware that some aquifer units may be closed for new consumptive abstractions in this area. More information can be found on our website¹¹.

Please note that the typical timescale to process a licence application is 9-12 months. The Applicant may wish to consider whether a scheme-wide dewatering application rather than individual applications would be beneficial. We suggest talking to our National Permitting Service early in the project planning.

Temporary dewatering of wholly or mainly rainwater that has accumulated in an excavation may be exempt from an Environmental Permit for a Water Discharge Activity. More information can be found on our website¹². Note that this does not permit discharge of groundwater from a passive or active dewatering activity or permit the abstraction of groundwater.

⁹ [Section 66 of the Water Resources Act 1991](#)

¹⁰ 'Understanding the environmental impact of cooling water systems. Revised evidence to support permitting and planning decision making for cooling water systems in the UK'

¹¹ [Abstraction licensing strategies \(CAMS process\) - GOV.UK \(www.gov.uk\)](#); [Apply for a water abstraction or impounding licence - GOV.UK \(www.gov.uk\)](#)

¹² [Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK \(www.gov.uk\)](#)

Where any over pumping or dewatering takes place, then any inlets or outlets of pumps must also be screened and compliant with the Eels (England and Wales) Regulations 2009 to comply with any abstraction licence.

Groundwater Activities

The Applicant may also need to consider discharge of groundwater, especially if it is contaminated. More information can be found on our website¹³.

The use of drilling muds for any necessary directional drilling may require a groundwater activity permit unless the 'de minimis' exemption applies. Early discussion about this is also recommended.

Flood Risk Activity Permit

If any of the works are likely to require a Flood Risk Activity Permit (FRAP) under the EPR, we recommend the Applicant consider early on whether they are considering seeking the disapplication of the EPR and matters pertaining to FRAPs be considered as Protective Provisions under the DCO.

The EPR require a permit to be obtained for any activities which will take place:

- on or within 8 metres of a main river (16 metres if tidal)
- on or within 8 metres of a flood defence structure or culvert (16 metres if tidal)
- on or within 16 metres of a sea defence
- involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
- in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission.

For further guidance please visit our website¹⁴ or contact our National Customer Contact Centre on 03702 422 549.

The Applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

Flood Risk Assessment

Where 'essential infrastructure' is located within Flood Zones 3a and 3b (functional floodplain), it should be designed and constructed to:

- remain operational and safe for users in times of flood,
- result in no net loss of floodplain storage,
- not impede water flows and not increase flood risk elsewhere.

Any above ground construction and any increases in the footprint of the buildings will require floodplain compensation; this will need to consider floodplain compensation on a level for level, volume for volume basis. With regards to floodplain compensation, we would usually consider the 1 in 100 year plus 31% allowance for climate change flood height as the 'design flood'. The FRA also needs to ensure that there is no increase in flood risk to third parties from this development, for example through alteration of flood flow routes.

¹³ [Temporary dewatering from excavations to surface water: RPS 261 - GOV.UK](https://www.gov.uk/guidance/temporary-dewatering-from-excavations-to-surface-water)

¹⁴ <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>

Section 10.1.4.2 notes that the AGI on the gas transmission system is located within Flood Zone 3. It is important to note that any above ground infrastructure located in flood risk areas should be designed so that it is resilient to the design flood and does not increase risk to third parties. Any loss of floodplain should be compensated for on a level for level and volume for volume basis for the design flood event.

It should also be noted that construction materials and compounds should be sited sequentially to avoid areas of increased flood risk. Construction materials and compounds which are in flood risk areas could have an adverse impact on flood flow routes, floodplain storage, and impacts to third parties. Where this is the case the impact on flood risk should be quantified and appropriate mitigation should be provided.

Flood Modelling

There is modelling available for the River Aire and this can be requested from the EA. For information, the current Flood Zones for the River Aire in the vicinity of the main site are based on detailed hydraulic modelling of the Lower Aire (JBA, 2017). With regards to this modelling, the climate change allowances used in this modelling are based on UKCP09 data which has now been superseded by UKCP18 data. Whilst it is acknowledged that the main site falls within Flood Zone 1, it is important to check that there have been no notable changes to the development area or other variables such as flood hydrology and the influence of climate change such that the site would now be at flood risk from the River Aire.

We are aware of the ordinary watercourse Fryston Beck which crosses the site. This watercourse has no detailed modelling and we have only very limited understanding of the flood risk. The Flood Zone extents for the Fryston Beck have been produced using strategic scale 2d hydraulic modelling software called Jflow. This modelling was undertaken in 2008. As the Jflow modelling is 2-dimensional modelling, a detailed representation of the Fryston Beck culvert will not be included within this.

It will therefore be necessary for the Applicant to model Fryston Beck to appropriately understand and mitigate for the flood risk. It is important to note that some of our model data is old and may present limitations. Even the data which is more recent may not be suitable for the purposes you wish to use it for and should modelling work be required in connection with the activities, it will be necessary to check that the data used represents current risk, uses the latest available datasets, complies with current modelling standards, is at a scale suitable for the assessment you're undertaking, captures the detail required for a site-specific assessment, makes use of current climate change allowances. This is emphasised within the guidance on Using Modelling for Flood Risk Assessments (December 2023) available online¹⁵.

Watercourse Crossings

The following are general guiding principles to consider when designing watercourse crossings to avoid negatively affecting geomorphology and natural processes:

- Avoid unnecessary interference with natural processes. For instance, encourage use of trenchless techniques such as HDD and use of Tunnel Boring Machines TBMs to minimise the likelihood of pipes/cables entering the water environment.
- Ensure watercourse crossing design is informed by assessment of fluvial processes and geomorphology. For example, depth of HDD crossing should consider the likelihood of both vertical and horizontal channel change.
- Avoid designs which present legacy risks to natural processes and geomorphology beyond the project lifespan. For example, infrastructure such

¹⁵ [Using modelling for flood risk assessments - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

as access tunnels/pipelines/cables which are left in-situ after decommissioning could be exposed by future river movement, becoming an impediment to natural processes.

- Consider opportunities to deliver WFD mitigation (and BNG uplift) measures as part of the design.
- Avoid preventing delivery of mitigation measures, e.g., avoid bringing pipelines/cables to surface level in floodplains earmarked for future river restoration.

Further guidance in regard to river crossings can be found in the good practice guide produced by SEPA¹⁶.

Flood Defence Assets

We would also like to highlight to the Applicant that they will need to:

- Survey the pre- works and post-works condition of the assets they will be interacting with and remediate any defects identified.
- Monitoring vibrations and identifying safe levels which don't adversely affect assets.

Waste

Waste on site

Excavated materials that are recovered via a treatment operation can be re-used on-site under the CL:AIRE Definition of Waste: Development Industry Code of Practice. This voluntary Code of Practice provides a framework for determining whether excavated material arising from site during remediation or land development works are waste. Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on-site operations are clear. If in doubt, the EA should be contacted for advice at an early stage to avoid any delays.

We recommend that developers should refer to:

- Position statement on the Definition of Waste: Development Industry Code of Practice
- our website¹⁷

Waste to be taken off site

Contaminated soil that is, or must be disposed of, is waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- Duty of Care Regulations 1991
- Hazardous Waste (England and Wales) Regulations 2005
- Environmental Permitting (England and Wales) Regulations 2010
- The Waste (England and Wales) Regulations 2011

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically in line with British Standards BS EN 14899:2005 'Characterisation of Waste - Sampling of Waste Materials - Framework for the Preparation and Application of a Sampling Plan' and that the permitting status of any

¹⁶ SEPA, 2010. Engineering in the water environment: good practice guide River crossings Second edition. SEPA

¹⁷ <https://www.gov.uk/government/organisations/environment-agency>

proposed treatment or disposal activity is clear. If in doubt, the EA should be contacted for advice at an early stage to avoid any delays.

If the total quantity of waste material to be produced at or taken off site is hazardous waste and is 500kg or greater in any 12-month period, the developer will need to register with us as a hazardous waste producer.

Sustainable Drainage Systems

The Government's expectation is that SuDS will be provided in new developments wherever this is appropriate. We support this expectation. Where infiltration SuDS are to be used for surface run-off from roads, car parking and public or amenity areas, they should:

- be suitably designed
- meet Governments non-statutory technical standards for sustainable drainage systems – these standards should be used in conjunction with the NPPF and Planning Practice Guidance
- use a SuDS management treatment train – that is, use drainage components in series to achieve a robust surface water management system that does not pose an unacceptable risk of pollution to groundwater

Where infiltration SuDS are proposed for anything other than clean roof drainage in a SPZ1, a hydrogeological risk assessment should be undertaken, to ensure that the system does not pose an unacceptable risk to the source of supply. See the EA's approach to groundwater protection, position statement G13¹⁸.

We trust this advice is useful.

Yours faithfully

Miss Lizzie Griffiths MRTPI
Planning Specialist – National Infrastructure Team

Direct dial [REDACTED]

Direct e-mail [REDACTED]@environment-agency.gov.uk

¹⁸ [Groundwater protection position statements - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

Yorkshire & North East

Foss House
Kings Pool
1-2 Peasholme Green
York
YO1 7PX

Tel 0300 067 4900

yne@forestrycommission.gov.uk

Area Director

Crispin Thorn

By email only

Date: 16 October 2024

Dear Sir/Madam,

Ref: EN0110011 – Ferrybridge Next Generation Power Station

Thank you for seeking the Forestry Commission's advice about the impacts that this application may have on the woodland identified in this proposed application. As a Non-Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather, we are providing information on the potential impact that the proposed development could have on woodland. The Forestry Commission is pleased to provide you with the following information that may be helpful when you consider the application:

- Details of Government policy relating to ancient woodland
- Information on the importance and designation of ancient woodland
- Details of Government policy relating to non-ancient woodland

Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).

It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless "there are wholly exceptional reasons and a suitable compensation strategy exists" (National Planning Policy Framework paragraph 186c).

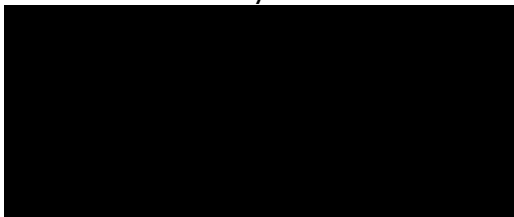
For more information on the impacts of development on ancient woodland and how to assess these, please see the joint Forestry Commission /Natural England [Standing Advice on Ancient Woodland](#) – “Ancient woodland, ancient trees and veteran trees: advice for making planning decisions”, the supporting [guidance](#) included within it, and [Keepers of Time](#) – A Statement of Policy for England’s Ancient and Native Woodland (published June 2005).

The standing advice also provides information on mitigation, including the use of buffers. Proposals in proximity to ancient woodland should have a buffer zone of at least 15m from the boundary of the woodland to avoid root damage. Where assessment shows other impacts are likely to extend beyond this distance, for example the effects of air pollution from increased traffic, the proposal is likely to require a larger buffer zone. We would be keen to engage further with the developer in relation to any mitigation and compensation strategies.

In relation to the presence of non-ancient woodland within the proposal, we would like to draw your attention to paragraph 131 of the NPPF which states that planning policies and decisions should ensure that existing trees are retained wherever possible.

What is most important to the Forestry Commission in this case is that there will be no loss or detrimental impact as a result of this proposed development on ancient woodland as mentioned above. We hope these comments are helpful to you. We look forward to hearing from you with regards to any future planning applications for this site. If you have any further queries or would like a follow up meeting to discuss this planning application, please do not hesitate to contact the Forestry Commission on the email address provided above.

Yours faithfully



Dan Brown, Local Partnership Advisor
Yorkshire and North East Team

CEMHD Policy - Land Use Planning,
NSIP Consultations,
Building 1.2,
Redgrave Court,
Merton Road,
Bootle, Merseyside
L20 7HS.

HSE email: NSIP.applications@hse.gov.uk

By email only - ferrybridgengp@planninginspectorate.gov.uk

Date: 24 October 2024

Dear Mr T Brumwell (PINS Advisor)

**PROPOSED Ferrybridge Next Generation Power Station (the project)
PROPOSAL BY SSE Hydrogen Developments Limited (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as
amended) REGULATIONS 10 and 11**

Thank you for your letter of 9 October 2024 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

HSE's land use planning advice

Will the proposed development fall within any of HSE's consultation distances?

According to HSE's records, the redline boundary of the proposed Ferrybridge Next Generation Power Station project components [ref. Figure 1: Site Location Plan, Ferrybridge Next Generation Power Station, Project Number 304192-00, Rev. P01] does not fall within the consultation zones of any major accident hazard site with Hazardous Substances Consent (HSC).

There are several major accident hazard pipelines that the proposed development crosses, associated with the following operators:

- Northern Gas Networks
 - HSE Ref # 1952 (Northern Gas Networks, Lambkin Hill / Knottingley (Part Barwick/Knott.) & HSE Ref # 1953 (Knottingley / Chapel Haddlesley)
- National Grid Gas PLC
 - HSE Ref # 2784 (Asselby/Pannal)

The Applicant should make the necessary approaches to the relevant pipeline operators. There are three particular reasons for this:

- i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.
- ii) the standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.
- iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

Would Hazardous Substances Consent be needed?

It is not clear whether the Applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances.

If hazardous substances planning consent is required, please consult HSE on the application.

Consideration of risk assessments

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - [Annex G – The Health and Safety Executive](#). This document includes consideration of risk assessments on page 3

Explosives sites

HSE has no comment to make as there are no licensed explosives sites in the vicinity.

Electrical Safety

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at nsip.applications@hse.gov.uk . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely



Cathy Williams
CEMHD4 NSIP Consultation Team



Direct Dial: [REDACTED]

Our Ref: PL00797175

6 November 2024

By email

Dear Sir / Madame

**Re: FERRYBRIDGE NEXT GENERATION POWER STATION ENVIRONMENTAL
IMPACT ASSESSMENT (EIA) SCOPING REPORT**

Thank you for your letter of 9th October consulting us about the above EIA Scoping Report. We have the following comments to make on the content of the scoping report:

General Comments

The applicant has not consulted Historic England during this pre-application stage. Early consultation with Historic England is recommended and has the potential to identify constraints and other issues during the initial stages of project design.

Given the use of the 'Design Envelope' approach, Historic England stress the need for a forthcoming Preliminary Environmental Information Report (PEIR) to provide a more detailed picture of the 'worst-case scenario' design parameters. Without this level of detail, it is not possible to provide a robust assessment of potential effects or make an informed judgement as to the adequacy of that assessment.

13.2 Scope of the Assessment

'It is proposed to update the existing cultural heritage DBA.....' This is the first and only reference to there being an existing cultural heritage desk-based assessment (DBA). The DBA should be included as an appendix to the Scoping Report and its findings more widely referenced.

In addition to the relevant Historic Environment Records and the National Heritage List for England, the baseline data collection should include data from the National Record of the Historic Environment and an assessment of relevant aerial photographs and LiDAR data.

The list of quoted documents should include 'The Setting of Heritage Assets. Historic Environment Good Practice Advice in Planning: 3 (Second Edition, Historic England 2017)'. All assessment of potential impacts to the setting of heritage assets should be



37 TANNER ROW YORK YO1 6WP

Telephone 01904 601948
HistoricEngland.org.uk

undertaken in accordance with this guidance.

Given the high archaeological potential of the Proposed Pipeline Corridors, geophysical survey of the pipeline corridors should be undertaken to inform the baseline, with subsequent evaluation via trial trenching where necessary. The strategy for these archaeological works should be developed in consultation with the Historic England Regional Science Advisor and the relevant Local Authority archaeological advisors. The potential requirement for geoarchaeological assessment should be discussed with the Historic England Science Advisor and the relevant Local Authority archaeological advisors. This is especially important with regard to the Main Site where there is potential evidence for palaeochannels.

With regard to the significance (or value) of heritage assets, it should be noted that all designated heritage assets, with the exception of conservation areas, are of national significance. As such, their value should be set at a minimum of 'high'. The value of conservation areas should be determined on a case-by-case basis and could be 'medium' or 'high'.

13.2.2 Construction

Historic England agree that Physical impacts on archaeological remains during construction should be scoped in. Historic England also agree that whilst the Main Site has previously been developed, it is possible that archaeological remains, including paleoenvironmental remains, may be present. Given the proximity of the Ferrybridge Henge scheduled monument, any remains present may be of high significance.

No information on the size and location of the AGI on the Gas Transmission System is currently available. As such, Historic England does not agree that permanent effects arising from adverse impacts to the setting of heritage assets resulting from the presence of the AGI should be scoped out. These effects can only be potentially scoped out once the size and location of the AGI have been determined.

Historic England agree that temporary and permanent non-physical impacts relating to the Main Site should be scoped in. Historic England also agree that temporary and permanent effects of construction activities beyond the Proposed Development, including BNG, if applicable, should be scoped in.

Historic England does not agree that permanent effects from adverse impacts to the setting of heritage assets as a result of the operation of the Proposed Development should be scoped out. With regard to the 'industrial' nature of the Main Site, it is noted that the Grade II listed Main Building at CEGB Ferrybridge A Site is an 'industrial' building that has been recognised as being nationally significant. Hence, an 'industrial'



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Historic England

nature does not preclude heritage significance. In addition, the Ferrybridge near Knottingley scheduled monument lies within the Main Site and the Ferrybridge Henge scheduled monument lies immediately adjacent to it. As such, there will be a change in how these designated heritage assets are experienced (which is what we mean when we talk about setting) during the operation of the Proposed Development and assessment of these effects should be scoped in.

Yours Sincerely

Pete Owen
Development Advice Team Leader
E-mail: [REDACTED]@historicengland.org.uk



37 TANNER ROW YORK YO1 6WP

Telephone 01904 601948
HistoricEngland.org.uk

Historic England is subject to both the Freedom of Information Act (2000) and Environmental Information Regulations (2004). Any Information held by the organisation can be requested for release under this legislation.

Katherine King
The Planning Inspectorate
Environmental Services
Temple Quay House
2 The Square
Bristol
BS1 6PN

Merrion House
110 Merrion Centre
Leeds
LS2 8BB

Contact: Louise White
Our ref: PREAPP/24/00417

Email: [REDACTED]@leeds.gov.uk

23rd October 2024

Dear Katherine,

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by SSE Hydrogen Developments Limited for an Order granting Development Consent for the Ferrybridge Next Generation Power Station.

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested.

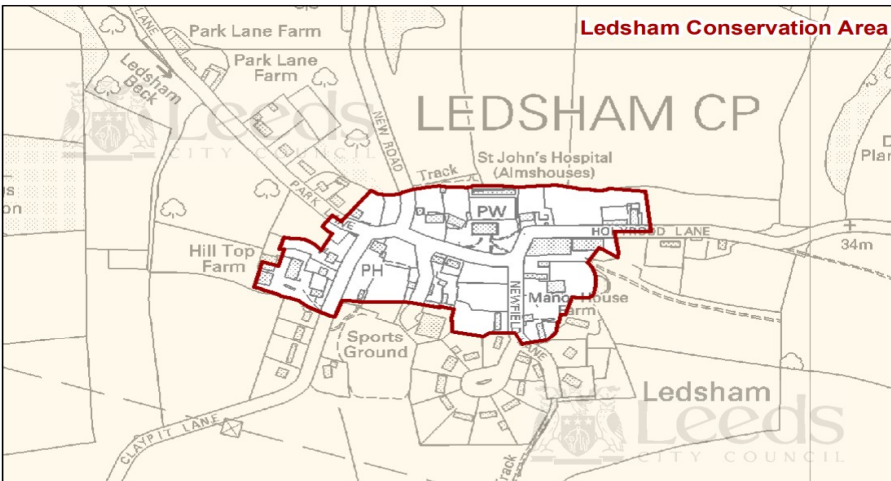
We hope you are well and thank you for your letter of 9th October 2024 in respect of the above. Leeds City Council wishes to inform the Planning Inspectorate of the information we consider the applicant should have due regard to and include in an amended Scoping Report. We consider that significant environmental effects associated with the proposed development are likely to be experienced from and within Leeds. Our rationale for this is provided in the sections below, where amendments are recommended.

The adopted Leeds Development Plan

There is no reference to the adopted development plan for Leeds within the Scoping Report, whilst it is noted that other adopted development plans and policies have been listed and considered. We recommend amendment of the Scoping Report to include and have due regard to the adopted development plan for Leeds, together with our emerging draft policies under the Local Plan Update 1 and Local Plan Update 2040. These can be found here: [Planning policy](#)

Historic Environment:

The applicant has correctly identified the collection of Listed Buildings located within Ledsham Village in Leeds as sensitive receptors. Please also note that Ledsham Village is a designated Conservation Area and should be included as such, as shown here:



The Scoping Report has no regard to the Grade I Listed Ledston Hall (Listing entry no. 1237569) and the Grade II* Ledston Hall Registered Park and Garden (Listing entry no. 1001221), located within Leeds. Given that there is a strong group value of the exceptionally significant historic Ledston Hall estate, which comprises a collection of listed buildings, including curtilage listed buildings and close relationship to their settings, together with the Registered Park and Garden and Ledston Village itself, we consider that the applicant should scope-in the various designated heritage assets of Ledston Hall and its wider estate.

The Scoping Report should be amended to include and have due regard to these sensitive receptors. Worst-case scenario Viewpoints should also be identified by the applicant and agreed with us, which will in turn require plan ref. Figure 7 to be updated. For clarity, the extent of the Ledston Estate is shown here:



Landscape:

The Scoping Report should refer to, scope-in and have due regard to the defined Leeds ‘Wooded Farmland LCT’ / ‘Ledsham to Lotherton LCA’ and the ‘Degraded River Valley LCT / Lower Aire Valley LCA’. This is important because it would allow for assessment of the landscape and visual effects of the proposed development on the features of historical significance and their settings (noted above), which lie within and have views over the land within the defined LCT’s, LCA’s and the Southern Magnesian Limestone NCA; having a clear and valuable relationship within and between each other.

In producing an LVIA, the applicant is recommended to refer and apply Leeds City Council's 'Landscape Planning and Development Guidance', with specific reference to 'Visual Impact Assessments', and 'Visualisations', which can be found here: [Landscape planning and development \(leeds.gov.uk\)](https://www.leeds.gov.uk/landscapes/landscape-planning-and-development)

Ecology:

We are pleased that the Scoping Report identifies that the Fairburn and Newton Ings SSSI/LNR, located within Leeds, will be scoped-in to environmental assessment of the construction and operational phases of the proposed development.

Please note that Fairburn and Newton Ings SSSI is noted for its bird population *and* habitats. The associated citation describes habitat features including a diverse wetland flora, marsh and wet pasture dissected by dykes, which together with farmland provide a mosaic of different habitats. The citation also states there to be a diverse wetland flora. Features of the SSSI that are condition assessed by Natural England include the habitats 'Lowland Wet Neutral Grassland' (MG11, MG13) and 'Lowland Wetland', including a variety of fens and raised bog lagg. Natural England identify the SSSI to be at high-risk of pollution from 'other/unknown sources of water pollution'. Natural England also identify, within their 'Views About Management' document for the SSSI, that water quality is one of the determining factors of conservation value and increases in the amount of nutrients within the waterbody can lead to a loss of aquatic plants in favour of excessive growths of algae. It is noted that the site habitats are highly sensitive to fertilisers. As such, it is recommended that the Scoping Report should have due regard to scoping and assessing the likely significant environmental effects of the proposed development on the SSSI in respect of birds and habitats (other than in relation to the decommissioning phase).

Cumulative and In-Combination Effects:

The predicted isolated and cumulative effects of the proposed development on the matters addressed above should be afforded due regard in the Scoping Report and assessed within the applicant's Environmental Statement.

We also consider that due regard should be had to the cumulative environmental effects of the proposal in combination with other nearby consented and proposed development (e.g. Major Development Types, NSIP Development and developments of sensitivity). Within this context, we would recommend that particular regard and consideration should be had to the proposed Carbon Capture and Storage NSIP at Ferrybridge 1 and 2.

Other Matters:

For ease of reference, we would recommend the applicant to clearly identify the administrative district boundaries in its project documentation moving forward.

Kind regards

Louise White
LCC Team Leader for Mineral, Energy and Waste Planning

From: [Peter Wilson](#)
To: [Ferrybridge NGP](#)
Subject: EN0110011 - Application by SSE Hydrogen Developments Limited for an Order granting Development Consent for the Ferrybridge Next Generation Power Station
Date: 24 October 2024 09:57:04
Attachments: [image001.jpg](#)

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Good morning Katherine

Thank you for the consultation letter for the above proposals.

Having considered the proposals, the Planning service at Middlesbrough Council has no comments to make.

Regards

Peter Wilson
Principal Planning Officer

Address: Development Control | Middlesbrough Council | Fountain Court, 119 Grange Road | Middlesbrough | TS1 2DT
Email: [REDACTED]@[middlesbrough.gov.uk](#)
Telephone: [REDACTED]

www.middlesbrough.gov.uk

values



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Defence Infrastructure Organisation

Fi Morrison
Ministry of Defence
Safeguarding Department
St George's House
DIO Headquarters
DMS Whittington
Lichfield
Staffordshire
WS14 9PY

E-mail: DIO-safeguarding-statutory@mod.gov.uk

www.mod.uk/DIO

06 November 2024

Katherine King
The Planning Inspectorate
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your reference: EN0110011
Our reference: 10064805

Dear Katherine King,

MOD Safeguarding – SOSA (Site outside of statutory safeguarding areas)

Proposal: Ferrybridge - Next Generation Power Station
Location: Ferrybridge C Power Station Site, Kirkhaw Lane, Ferrybridge, Knottingley
Grid Ref: 447963, 425544

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

This is a Scoping consultation for the Ferrybridge Next Generation Power Station, a generating station of up to 1.2GW output capacity designed to run on 100% hydrogen and able to run on 100% natural gas and associated infrastructure including a gas pipeline of up to 10km to connect with the existing Feeder 29 of the National Grid transmission system; water supply and electricity connections; above ground installations; utilities connections; construction and operational laydown areas; access(es); and other associated and ancillary development. The development is also to include exhaust stacks likely to be up to 90m in height.

Low Flying

Fixed Wing military low flying training takes place throughout the United Kingdom down to a height of 250ft above ground level and in certain designated areas down to a height of 100ft above ground level. We have produced a map which indicates areas in the UK where the MOD is more likely or less likely to object to planning applications which include tall structures such as towers, on the grounds of interference with any low flying operations that may take place. The following link will take you to this map, which has been produced only for guidance and does not offer definitive advice on the MODs position.

<http://webarchive.nationalarchives.gov.uk/20140802171818/https://restats.decc.gov.uk/cms/aviation-safeguarding-maps/>

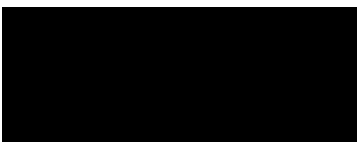
In this case the development falls within the areas indicated in green on this map which represent areas where MOD does not have any military low flying concerns. However, anyone considering making applications for permission to erect tall structures within these areas is therefore encouraged to liaise with MOD.

Given the scale of the development, the MOD require that a condition is added to any consent issued requiring that sufficient data is submitted to ensure that structures can be accurately charted to allow deconfliction. Suggested condition wordings are set out in Appendix A.

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in The Planning Inspectorate's letter dated 09/10/2024 and on their website as of the date of this letter. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

I trust this is clear however should you have any questions please do not hesitate to contact me.

Yours sincerely



Assistant Safeguarding Manager
DIO safeguarding

(Appendix A enc)

Appendix A

Condition - Aviation Charting and Safety Management

The undertaker must notify the Ministry of Defence, at least 14 days prior to the commencement of the works, in writing of the following information:

- a) the date of the commencement of the erection of exhaust stacks.
- b) the maximum height of any construction equipment to be used in the erection of the exhaust stacks.
- c) the date any exhaust stacks are brought into use.
- d) the latitude and longitude and maximum heights of each exhaust stack.

The Ministry of Defence must be notified of any changes to the information supplied in accordance with these requirements and of the completion of the construction of the development.

Reason for condition.

To maintain aviation safety.

From: [box.assetprotection](#)
To: [Ferrybridge NGP](#)
Subject: RE: EN0110011 - Ferrybridge Next Generation Power Station - EIA Scoping and Consultation and Regulation 11 Notification
Date: 10 October 2024 09:58:14
Attachments: [image003.png](#)
[image008.png](#)
[image009.png](#)
[image010.png](#)
[image011.png](#)
[image012.png](#)
[image013.png](#)

Hi,

Thank you for your email.

Regarding planning application EN0110011, there are no National Gas Transmission gas assets affected in this area.

If you would like to view if there are any other affected assets in this area, please raise an enquiry with www.lsbud.co.uk. Additionally, if the location or works type changes, please raise an enquiry.

Kind regards

Jordane Maples
Asset Protection Assistant
Asset Protection

 [@nationalgas.com](mailto: @nationalgas.com)



National Gas Transmission, Warwick Technology Park, Gallows Hill, Warwick, CV34 6DA
nationalgas.com | [Twitter](#) | [LinkedIn](#)

Please consider the environment before printing this email.

From: Ferrybridge NGP <ferrybridgengp@planninginspectorate.gov.uk>

Sent: 09 October 2024 15:20

Subject: EN0110011 - Ferrybridge Next Generation Power Station - EIA Scoping and Consultation and Regulation 11 Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed Ferrybridge Next Generation Power Station.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **06 November 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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DPC:76616c646f72



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You may report the matter by contacting us via our [National Gas Transmission Contacts Page](#).

Please ensure you have adequate virus protection before you open or detach any documents from this transmission. National Gas Transmission and its affiliates do not accept any liability for viruses. An e-mail reply to this address may be subject to monitoring for operational reasons or lawful business practices.

For the registered information on National Gas Transmission please use the attached link:
<https://nationalgas.com/about-us/corporate-registrations>.

From: [Paula Bedford](#)
To: [Ferrybridge NGP](#)
Subject: Ferrybridge Next Generation Power Station - EN0110011 - national highways response to pre-application scoping report
Date: 04 November 2024 11:31:20
Attachments: [FERRYBRIDGE NEXT GENERATION POWER STATION DCO REFERENCE - EN0110011- EIA SCOPING RESPONSE .docx](#)

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FAO THE PLANNING INSPECTORATE

I have been notified by SSE Hydrogen Developments Limited that they have submitted a pre-application scoping report to the Inspectorate.

I have reviewed the report and attach our scoping response which has also been sent to the applicant under separate cover for their further consideration.

I would also like to register National Highways interest in this application and request that we are consulted on future document submissions to ensure we are aware of the project development and can assess if, or how, these proposals might affect the SRN and our assets.

Please don't hesitate to contact me should you wish to discuss this matter further.

Kind regards

Paula

Paula Bedford, Planning & Development
National Highways
Calder View House, Peel Avenue, Wakefield, West Yorkshire, WF2 7UA
Tel: [REDACTED] | Mobile: [REDACTED]
[National Highways Planning & the Strategic Road Network](#)
Web: <http://www.highways.gov.uk>

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National Highways Limited | General enquiries: 0300 123 5000 | National Traffic Operations Centre, 3 Ridgeway, Quinton Business Park, Birmingham B32 1AF | <https://nationalhighways.co.uk> | info@nationalhighways.co.uk

Registered in England and Wales no 9346363 | Registered Office: Bridge House,

1 Walnut Tree Close, Guildford, Surrey GU1 4LZ

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Planning Inspectorate

Paula Bedford
Planning Manager
National Highways
Calder View House
Wakefield
WF2 7UA

Direct Line: [REDACTED]

04 November 2024

By email only

Ferrybridge Next Generation Power Station Development Control Order [DCO] reference EN0110011.

Thank you for the opportunity to comment on the Environmental Impact Assessment Scoping Report dated 7th October 2024, prepared by Arup (The Report).

Our review comments on the suitability of the information with discussion provided in relation to the details relevant to understanding the impacts of the proposals at the Strategic Road Network [SRN].

Development proposals and site location

The Proposed Development is located on land at and within the vicinity of the former Ferrybridge C Power Station Site, Kirkhaw Lane, Ferrybridge. With regards the SRN, the development proposals are located east of the A1(M), and approximately 1.5 miles from M62 Junction 33.

The Report states that the exact details of the development proposals are still being developed, but in broad terms, it comprises of the construction, operation and maintenance of single or multiple gas turbine units with a combined capacity of up to 1.2GW electrical output. In addition, it is stated that the development proposals will consist of up to two generating stations. Gas will be transported from the Gas Transmission System to the site via a gas pipeline connection corridor extending into North Yorkshire.

It is noted that as a Nationally Significant Infrastructure Project, the applicant is required to seek a Development Consent Order [DCO] to construct and operate the development proposals. A DCO application will be submitted to the Planning Inspectorate. Current timescales from the Planning Inspectorate NSIP website suggests an anticipated submission period between September and December 2025.

With a view to the above, given the location of the development site, it is advised that National Highways will need to understand the likely traffic impact of the proposals

upon the SRN (namely the A1(M), A162 and M62) as well as any potential impacts with regards the proximity of the proposals to the SRN.

Environmental Impact Assessment Scoping Report Review

Arup states that the Report considers the environmental context of the development proposals and the potential environmental impacts of the development proposals. It is stated that the proposed gas pipeline will be included in this DCO; with the exact routing of the pipeline is to be confirmed. The northern and southern routing pipelines presented in the figures of the Report have no interactions with the SRN and National Highways should only need to consider such if they were to deviate from current plans and have any interfaces with the SRN.

In addition, it is stated that a Site layout will be developed following further engineering evaluation, consultation with stakeholders and on conclusion of further technical and environmental studies. Once presented with the layout, we will be able to advise Arup on any matters such as earthworks, drainage, structures, boundary treatment and any construction safeguards that may need to be put in place.

It is stated that assessments are underway to consider access to the site, and it is expected that primary access to the development proposals will likely be from Stranglands Lane into Hinton Lane with secondary access / emergency egress likely to be via the B6136. The access routes would be utilised by Heavy Good Vehicles [HGV] during construction and operational staff. This is noted, and it is considered that the SRN will have to be included within the study area for the assessment of transport and traffic issues within the DCO application.

The Report states that subject to being granted development consent and following a final investment decision, it is the aim that construction will commence in 2027, and it is anticipated to last approximately three years. This information is welcomed.

Arup states that the Environmental Statement [ES] will be supported by a framework Construction Environmental Management Plan [CEMP], which will describe the specific mitigation measures to be followed to reduce impacts from:

- Construction traffic (including parking and access requirements);
- Earthworks.
- Noise and vibration.
- Works on the River Aire.
- Dust generation; and
- Waste generation.

Furthermore, it is stated that a detailed CEMP will be secured by a requirement attached to any DCO that is granted and will identify the relevant procedures to be adhered to throughout construction. This approach to the CEMP is welcomed and it is considered that the CEMP should be aligned with the Transport Assessment [TA]

submitted as part of the ES and a draft CEMP should be submitted as part of the ongoing discussions to avoid any abortive work.

In relation to the operational lifespan of the development proposals, it is stated that they are expected to operate for at least 25 years. After this time, it is expected that the development proposals will have some residual life remaining, and an investment decision would then be made based on the market conditions prevailing at that time. If the operating life were to be extended, the development proposals would be upgraded in line with the legislative requirements at that time. This information is welcomed.

In addition, it is stated that a Decommissioning Plan (including Decommissioning Environmental Management Plan) [DEMP] would be produced. Again, this approach is welcomed, and it is considered that a DEMP can be secured by a suitably worded requirement, should the development proposals gain consent.

Traffic and Transport

It is stated in the Report that National Highways will be consulted within the pre-application process and further detail of the areas of coverage of the assessment will be identified. This approach is welcomed, and while much of the information is relevant to an EIA scope, it is considered that the Transport Assessment [TA] will be the focus of National Highways' view being formed and this should be compliant with DfT Circular 01/2022.

The potential impacts identified within the Report that are pertinent to National Highways include the generation of traffic affecting the SRN during construction, operation and decommissioning phases. This is welcomed within the overall context of environmental assessment, but the potential impacts of the development proposals must be assessed within the context of a policy-compliant TA, as referenced above.

The Report sets out the scope of the TA, and in broad terms, the approach detailed is accepted. However, it is considered that the parameters of the TA should be set out in the Transport Scoping Report, to avoid any abortive work within the submission supporting the DCO.

Study Area and Baseline Conditions

It is noted that the study area will comprise highway links and the public transport, cycle and walking provision within the immediate vicinity of these links. Consideration of study area is welcomed, and as a minimum, we expect this should include M62 Junctions 32A and 33, the A162 / A1(M) junction and the A162, although this cannot be definitively agreed at this stage without the information to base this assumption on.

Furthermore, it is stated that the future baseline will assume the likely future conditions in the study area in the absence of the development proposals, which for transport will be any changes to the highway, cycle or walking networks. We consider that Arup should liaise with Wakefield Council to generate a list of the committed developments within the study area, as they are best placed to advise on this matter.

In relation to the study area, it is stated that to understand traffic flows on highway links within the study area, existing data from the Department of Transport, the local highway authority, National Highways, and / or recent applications in the area which include traffic surveys, may be utilised. This approach is welcomed, and further details should be provided within the Transport Scoping Report.

It is noted by that proposed traffic locations are set out in Figure 6 of the Report, and whilst this is considered to be a good start to discussions regarding the study area / base flows, due cognisance should be paid to previous comments regarding the study area and SRN junctions that should be considered as a minimum, and this can be agreed upon review of the Transport Scoping Report when more information is presented.

Construction Impacts

The Report states that there are several potential road traffic access routes to the development proposals from the SRN; and that access to the site during the construction phase for HGV construction traffic would be via the existing trunk and local road networks. In addition, it is assumed that all HGV movements would ultimately be routed via M62 Junction 33, then along the A162 / B6136. This is noted and it is expected that this should be captured within the CEMP.

The Report states that based on similar projects, it is highly likely that the construction phase will generate the highest volume of traffic movements over the lifespan of the development proposals. National Highways agrees with this statement, and this will have to be set out and fully considered within the TA, CEMP and DEMP.

In relation to construction traffic, it is stated that as they are not yet known, it is not possible at this stage to scope out any elements of the traffic and transport assessment, other than road user and pedestrian safety. Furthermore, it is stated that road safety will be considered in the TA as appropriate, and this is welcomed.

Operational Impacts

It is stated that it is anticipated that the operational phase will result in a limited number of operational roles and deliveries, including during outages. Based on experience of similar projects, it is considered unlikely that trip generation during the operational phase would generate significant traffic and transport effects. Therefore, it is proposed by Arup that operational traffic is excluded from the assessment based on the assumption that operational traffic movements will be below screening thresholds specified in published guidance; and this approach would be agreed with the relevant Highways Authorities via a Transport Scoping Report. This is noted; however, it is considered that until evidence is provided of movements associated with the operational phase, they cannot be scoped out of the assessment at this time.

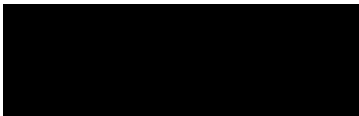
Decommissioning Impacts

It is stated that potential impacts on traffic and transport resulting from decommissioning the development proposals, will not be separately assessed as part of the traffic and transport assessment; and this is on the basis that with appropriate

controls implemented through the DEMP the effects of decommissioning are likely to be similar to, or no worse than the effects from construction. Whilst this is noted, the future year conditions will be different to those at construction phase, as such National Highways cannot agree with this view, but the decommissioning impacts will likely be subject of a DCO requirement.

I trust this sets our position at this stage but please do not hesitate to contact me should you require further clarity on any of my comments.

Yours sincerely



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Date: 30 October 2024
Our ref: 490228
Your ref: EN0110011



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BY EMAIL ONLY

Dear Sir/Madam,

Environmental Impact Assessment Scoping Consultation under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulation 11: Ferrybridge Next Generation Power Station

Location: Land at and within the vicinity of the former Ferrybridge C Power Station Site, Kirkhaw Lane, Ferrybridge, Knottingley, West Yorkshire.

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 09 October 2024, received on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

A robust assessment of environmental impacts and opportunities based on relevant and up to date environmental information should be undertaken prior to a decision on whether to grant planning permission. Annex A to this letter provides Natural England's advice on the scope of the Environmental Impact Assessment (EIA) for the proposed development.

Further guidance is set out in Planning Practice Guidance on [environmental assessment, natural environment and climate change](#).

Should the proposal be amended in a way which significantly affects its impact on the natural environment then, in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, Natural England should be consulted again.

Please note that Natural England must be consulted on Environmental Statements.

Please send any new consultations or further information on this consultation to consultations@naturalengland.org.uk.

Yours sincerely,

Lisa Sheldon
Yorkshire and Northern Lincolnshire Area Team
Natural England

Annex A – Natural England Advice on EIA Scoping

General Principles

Regulation 11 of the Infrastructure Planning Regulations 2017 - (The EIA Regulations) sets out the information that should be included in an ES to assess impacts on the natural environment. This includes:

- A description of the development – including physical characteristics and the full land use requirements of the site during construction and operational phases
- Appropriately scaled and referenced plans which clearly show the information and features associated with the development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- A description of the aspects and matters requested to be scoped out of further assessment with adequate justification provided¹.
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- A description of the aspects of the environment likely to be significantly affected by the development including biodiversity (for example fauna and flora), land, including land take, soil, water, air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), cultural heritage and landscape and the interrelationship between the above factors
- A description of the likely significant effects of the development on the environment – this should cover direct effects but also any indirect, secondary, cumulative, short, medium, and long term, permanent and temporary, positive, and negative effects. Effects should relate to the existence of the development, the use of natural resources (in particular land, soil, water and biodiversity) and the emissions from pollutants. This should also include a description of the forecasting methods to predict the likely effects on the environment
- A description of the measures envisaged to prevent, reduce and where possible offset any significant adverse effects on the environment
- An outline of the structure of the proposed ES

Further guidance is set out in Planning Practice Guidance on [environmental assessment](#) and [natural environment](#).

Cumulative and in-combination effects

The ES should fully consider the implications of the whole development proposal. This should include an assessment of all supporting infrastructure.

Please consider the following and whether we are aware of other projects we think do need to be considered.

An impact assessment should identify, describe, and evaluate the effects that are likely to result from the project in combination with other projects and activities that are being, have been or will be carried out. The following types of projects should be included in such an assessment (subject to available information):

- a. existing completed projects
- b. approved but uncompleted projects
- c. ongoing activities
- d. plans or projects for which an application has been made and which are under consideration by the consenting authorities; and

¹ National Infrastructure Planning [Advice Note Seven, Environmental Impact Assessment, Process, Preliminary Environmental Information and Environmental Statements](#) (see Insert 2 – information to be provided with a scoping request)

- e. plans and projects which are reasonably foreseeable, i.e. projects for which an application has not yet been submitted, but which are likely to progress before completion of the development and for which sufficient information is available to assess the likelihood of cumulative and in-combination effects.

The Planning Inspectorate uses a four staged approach to Cumulative Effects Assessment (CEA) with the applicant required to fill in templates [4 Stage CEA Process](#).

Environmental data

Natural England is required to make available information it holds where requested to do so. National datasets held by Natural England are available at <http://www.naturalengland.org.uk/publications/data/default.aspx>.

Detailed information on the natural environment is available at www.magic.gov.uk. This includes Marine Conservation Zone GIS shapefiles.

Natural England's SSSI Impact Risk Zones are a GIS dataset which can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geoportal](#).

Natural England does not hold local information on local sites, local landscape character, priority habitats and species or protected species. Local environmental data should be obtained from the appropriate local bodies. This may include the local environmental records centre, the local Wildlife Trust, local geo-conservation group or other recording society.

Biodiversity and Geodiversity

General principles

The assessment will need to include potential impacts of the proposal upon sites and features of nature conservation interest as well as opportunities for nature recovery through biodiversity net gain (BNG). There might also be strategic approaches to take into account.

Ecological Impact Assessment (EclA) is the process of identifying, quantifying, and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of the EIA process or to support other forms of environmental assessment or appraisal. [Guidelines](#) and an [EclA checklist](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Many public authorities e.g. National Highways and National Grid have biodiversity duties including taking opportunities for habitat restoration or enhancement. They might have Key Performance Indicators (KPIs) to adhere to via Government policy, or have agreed approaches to BNG. Further information around general duties is available [here](#).

Remember to refer to the relevant sector specific information within National Policy Statements [here](#) and our own sector specific guidance on the SD Toolkit.

Designated nature conservation sites

International and European sites

European site conservation objectives are available at <http://publications.naturalengland.org.uk/category/6490068894089216>.

Evidence Plans are a useful mechanism NSIP applicants can use to agree what information should be provided to the Planning Inspectorate and Natural England when undertaking Habitats

Regulations Assessment (HRA). Agreeing the evidence-needs of the project early prior to applying for Development Consent will help reduce delays in the process. More information on Evidence Plans is available [here](#).

You should also consider where applicable our advice on the environmental considerations and use of data and evidence to support offshore wind and cable projects in English waters – see: [Environmental considerations for offshore wind and cable projects - Home \(sharepoint.com\)](#). This includes Natural England and Joint Nature Conservation Committee (JNCC)’s shared advice on ‘Nature conservation considerations and environmental best practice for subsea cables in English inshore and UK offshore waters’. The outputs of Natural England’s project ‘Offshore Wind Marine Environmental Assessments: Best Practice Advice for Evidence and Data Standards’ are also provided.

Natural England’s Impact Risk Zones incorporate internationally designated sites and features and can be used to help identify the potential for the development to impact on a European Site. The dataset and user guidance can be accessed from the [Natural England Open Data Geportal](#).

You can access this information through [NE Maps](#).

We advise the proposed development could impact on Humber Estuary Lamprey.

The ES should thoroughly assess the potential for the proposal to affect internationally designated sites of nature conservation importance / European sites, including marine sites where relevant. This includes Special Protection Areas (SPA), Special Areas of Conservation (SAC), listed Ramsar sites, candidate SAC and proposed SPA.

Article 6 (3) of the Habitats Directive requires an appropriate assessment where a plan or project is likely to have a significant effect upon a European Site, either individually or in combination with other plans or projects.

Table 1: Potential risk to international designated sites: the development is within or may impact on the following sites		
Site name with link to conservation objective	Features which the ES will need to consider	Potential impact pathways where further information/assessment is required
Humber Estuary Special Area of Conservation and Ramsar site European Site Conservation Objectives for Humber Estuary SAC - UK00300170	River and Sea Lamprey	<p>The River Aire is utilised by migrating Humber Estuary river and sea lamprey populations and should therefore be considered to be functionally linked to the Humber Estuary.</p> <p>Water abstraction and discharge during the operational phase has the potential to affect a significant portion of the Humber river and sea lamprey populations during migration. Natural England would need to be satisfied that sufficient assessment of the potential impacts on lamprey species has been carried out within the EIA and HRA, including assessment of; risk of impingement/entrainment during abstraction, damage to supporting habitat, and disturbance to migrating lamprey due to noise and vibration from high noise-level activities.</p>

Table 1: Potential risk to international designated sites: the development is within or may impact on the following sites		
Site name with link to conservation objective	Features which the ES will need to consider	Potential impact pathways where further information/assessment is required
		<p>Potential for water quality impacts to the lamprey migration route through surface water run-off from the development site, and due to discharges, will also require assessment within the ES, this should include potential for increased nutrient and other pollutant inputs.</p> <p>Natural England advises an assessment of water quality impacts from discharges should be undertaken to establish whether there could be introduction of any additional pollutants to important migratory routes, and whether there may be a change in water temperature.</p>

Nationally designated sites

The development site is within or may impact on the following **Site of Special Scientific Interest:**

- Fairburn and Newton Ings

Sites of Special Scientific Interest are protected under the Wildlife and Countryside Act 1981 and paragraph 186 of the NPPF. Further information on the SSSI and its special interest features can be found at www.magic.gov.

Natural England's SSSI Impact Risk Zones can be used to help identify the potential for the development to impact on a SSSI. The dataset and user guidance can be accessed from the [Natural England Open Data Geportal](#).

The Environmental Statement should include a full assessment of the direct and indirect effects of the development on the features of special interest within the SSSI and identify appropriate mitigation measures to avoid, minimise or reduce any adverse significant effects. The consideration of likely significant effects should include any functionally linked land outside the designated site. These areas may provide important habitat for mobile species populations that are interest features of the SSSI, for example birds and bats. This can also include areas which have a critical function to a habitat feature within a site, for example by being linked hydrologically or geomorphologically.

We advise an assessment of the impacts due to air quality emissions during operation of the development should be provided as part of the DCO application for Fairburn & Newton Ings SSSI.

Potential for air pollution impacts due to construction traffic should also be considered where it is identified that there will be a significant number of traffic movements within 200m of designated sites. Natural England has published [guidance](#) on air pollution from traffic impacts. Ammonia emissions from road traffic could make a significant difference to nitrogen deposition close to roads. As traffic composition transitions toward more petrol and electric cars (i.e., fewer diesel cars on the road) – catalytic converters may aid in reducing NOx emissions but result in increased ammonia emissions – therefore consideration of the potential for impacts is needed (see [https://www.aqconsultants.co.uk/news/february-2020-\(1\)/ammonia-emissions-from-roads-for-](https://www.aqconsultants.co.uk/news/february-2020-(1)/ammonia-emissions-from-roads-for-)

[assessing-impacts](#)).

There are currently two models which can be used to calculate the ammonia concentration and contribution to total N deposition from road sources. One of these models is publicly available and called CREAM ([Air Quality Consultants - News - Ammonia Emissions from Roads for Assessing Impacts on Nitrogen-Sensitive Habitats \(aqconsultants.co.uk\)](#)), and there is another produced by National Highways.

Further information about air quality impacts can be found in the section below titled 'Air quality'.

Protected Species

Background information to consider:

The conservation of species protected under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2017 is explained in Part IV and Annex A of Government Circular 06/2005 [Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System](#).

Applicants should check to see if a mitigation licence is required using Natural England guidance on licensing [Natural England wildlife licences](#). Applicants can also make use of Natural England's charged service [Pre Submission Screening Service](#) for a review of a draft wildlife licence application. Natural England then reviews a full draft licence application to issue a Letter of No Impediment (LONI) which explains that based on the information reviewed to date, that it sees no impediment to a licence being granted in the future should the DCO be issued. This is done to give the Planning Inspectorate confidence to make a recommendation to the relevant Secretary of State in granting a DCO. See [Advice Note Eleven, Annex C – Natural England and the Planning Inspectorate | National Infrastructure Planning](#) for details of the LONI process.

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

District Level Licensing for Great Crested Newts

District level licensing (DLL) is a type of strategic mitigation license for great crested newts (GCN) granted in certain areas at a local authority or wider scale. A [DLL scheme for GCN](#) may be in place at the location of the development site. If a DLL scheme is in place, developers can make a financial contribution to strategic, off-site habitat compensation instead of applying for a separate license or carrying out individual detailed surveys. By demonstrating that DLL will be used, impacts on GCN can be scoped out of detailed assessment in the Environmental Statement.

Priority Habitats and Species

The ES should assess the impact of all phases of the proposal on protected species (including, for example, great crested newts, reptiles, birds, water voles, badgers and bats). Natural England does not hold comprehensive information regarding the locations of species protected by law. Records of protected species should be obtained from appropriate local biological record centres, nature conservation organisations and local groups. Consideration should be given to the wider context of the site, for example in terms of habitat linkages and protected species populations in the wider area.

The area likely to be affected by the development should be thoroughly surveyed by competent ecologists at appropriate times of year for relevant species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES. Surveys should always be carried out in optimal survey time periods and to current guidance by suitably qualified and, where necessary, licensed, consultants.

Natural England has adopted [standing advice](#) for protected species, which includes guidance on survey and mitigation measures. A separate protected species licence from Natural England or Defra may also be required.

Ancient Woodland, ancient and veteran trees

The ES should assess the impacts of the proposal on the ancient woodland and any ancient and veteran trees, and the scope to avoid and mitigate for adverse impacts. It should also consider opportunities for enhancement.

Ancient woodland is an irreplaceable habitat of great importance for its wildlife, its history, and the contribution it makes to our diverse landscapes. Paragraph 186 of the National Planning Policy Framework (NPPF) sets out the highest level of protection for irreplaceable habitats and development should be refused unless there are wholly exceptional reasons, and a suitable compensation strategy exists.

Natural England maintains the [Ancient Woodland Inventory](#) which can help identify ancient woodland. The [wood pasture and parkland inventory](#) sets out information on wood pasture and parkland.

The [ancient tree inventory](#) provides information on the location of ancient and veteran trees.

Natural England and the Forestry Commission have prepared [standing advice](#) on ancient woodland, ancient and veteran trees.

Biodiversity net gain

The Environment Act 2021 includes NSIPs in the requirement for BNG, with the biodiversity gain objective for NSIPs defined as at least a 10% increase in the pre-development biodiversity value of the on-site habitat. It is the intention that BNG should apply to all terrestrial NSIPs accepted for examination from November 2025. This includes the intertidal zone but excludes the subtidal zone (an approach to marine net gain is being developed but this will not form part of mandatory BNG). Projects that span both offshore and onshore will be subject to BNG requirements for the onshore components only. Some organisations have made public BNG commitments, and some projects are already delivering BNG on a voluntary basis.

Landscape and visual impacts

The environmental assessment should refer to the relevant [National Character Areas](#). Character area profiles set out descriptions of each landscape area and statements of environmental opportunity.

The EIA should include a full assessment of the potential impacts of the development on local landscape character using [landscape assessment methodologies](#). We encourage the use of

Landscape Character Assessment (LCA), based on the good practice guidelines produced jointly by the Landscape Institute (LI) and Institute of Environmental Management and Assessment (IEMA) in 2013. LCA provides a sound basis for guiding, informing, and understanding the ability of any location to accommodate change and to make positive proposals for conserving, enhancing or regenerating character.

A landscape and visual impact assessment should also be carried out for the proposed development and surrounding area. Natural England recommends use of the methodology set out in Guidelines for Landscape and Visual Impact Assessment 2013 (3rd edition) produced by LI and IEMA. For National Parks and AONBs, we advise that the assessment also includes effects on the 'special qualities' of the designated landscape, as set out in the statutory management plan for the area. These identify the particular landscape and related characteristics which underpin the natural beauty of the area and its designation status.

The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area. This should include an assessment of the impacts of other proposals currently at scoping stage.

To ensure high quality development that responds to and enhances local landscape character and distinctiveness, the siting and design of the proposed development should reflect local characteristics and, wherever possible, use local materials. Account should be taken of local design policies, design codes and guides as well as guidance in the [National Design Guide](#) and [National Model Design Code](#). The ES should set out the measures to be taken to ensure the development will deliver high standards of design and green infrastructure. It should also set out detail of layout alternatives, where appropriate, with a justification of the selected option in terms of landscape impact and benefit.

The National Infrastructure Commission has also produced [Design Principles for National Infrastructure - NIC](#) endorsed by Government in the National Infrastructure Strategy.

Heritage Landscapes

The ES should include an assessment of the impacts on any land in the area affected by the development which qualifies for conditional exemption from capital taxes on the grounds of outstanding scenic, scientific, or historic interest. An up-to-date list is available at www.hmrc.gov.uk/heritage/lbsearch.htm.

Connecting People with nature

The ES should consider potential impacts on access land, common land, public rights of way in line with NPPF paragraph 104. It should assess the scope to mitigate for any adverse impacts. Rights of Way Improvement Plans (ROWIP) can be used to identify public rights of way within or adjacent to the proposed site that should be maintained or enhanced.

Measures to help people to better access the countryside for quiet enjoyment and opportunities to connect with nature should be considered. Such measures could include reinstating existing footpaths or the creation of new footpaths, cycleways, and bridleways. Links to other green networks and, where appropriate, urban fringe areas should also be explored to help promote the creation of wider green infrastructure. Access to nature within the development site should also be considered, including the role that natural links have in connecting habitats and providing potential pathways for movements of species.

Relevant aspects of local authority green infrastructure strategies should be incorporated where appropriate.

Soils and Agricultural Land Quality

Soils are a valuable, finite natural resource and should also be considered for the ecosystem services they provide, including for food production, water storage and flood mitigation, as a carbon store, reservoir of biodiversity and buffer against pollution. It is therefore important that the soil resources are protected and sustainably managed. Impacts from the development on soils and best and most versatile (BMV) agricultural land should be considered. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

The following issues should be considered and, where appropriate, included as part of the ES:

- The degree to which soils would be disturbed or damaged as part of the development.
- The extent to which agricultural land would be disturbed or lost as part of this development, including whether any BMV agricultural land would be impacted.

This may require a detailed Agricultural Land Classification (ALC) survey if one is not already available. For information on the availability of existing ALC information see www.magic.gov.uk.

- Where an ALC and soil survey of the land is required, this should normally be at a detailed level, e.g. one auger boring per hectare, (or more detailed for a small site) supported by pits dug in each main soil type to confirm the physical characteristics of the full depth of the soil resource, i.e. 1.2 metres. The survey data can inform suitable soil handling methods and appropriate reuse of the soil resource where required (e.g. agricultural reinstatement, habitat creation, landscaping, allotments and public open space).
- The ES should set out details of how any adverse impacts on BMV agricultural land can be minimised through site design/masterplan.
- The ES should set out details of how any adverse impacts on soils can be avoided or minimised and demonstrate how soils will be sustainably used and managed, including consideration in site design and master planning, and areas for green infrastructure or biodiversity net gain. The aim will be to minimise soil handling and maximise the sustainable use and management of the available soil to achieve successful after-uses and minimise off-site impacts.

Further information is available in the [Defra Construction Code of Practice for the Sustainable Use of Soil on Development Sites](#) and The British Society of Soil Science Guidance Note [Benefitting from Soil Management in Development and Construction](#).

Air Quality

Air quality in the UK has improved over recent decades but air pollution remains a significant issue. For example, approximately 85% of protected nature conservation sites are currently in exceedance of nitrogen levels where harm is expected (critical load) and approximately 87% of sites exceed the level of ammonia where harm is expected for lower plants (critical level of 1µg)^[1]. A priority action in the England Biodiversity Strategy is to reduce air pollution impacts on biodiversity. The Government's Clean Air Strategy also has a number of targets to reduce emissions including to reduce damaging deposition of reactive forms of nitrogen by 17% over England's protected priority sensitive habitats by 2030, to reduce emissions of ammonia against the 2005 baseline by 16% by 2030 and to reduce emissions of NO_x and SO₂ against a 2005 baseline of 73% and 88% respectively by 2030. Shared Nitrogen Action Plans (SNAPs) have also been identified as a tool to reduce environmental damage from air pollution.

The planning system plays a key role in determining the location of developments which may give rise to pollution, either directly, or from traffic generation, and hence planning decisions can have a significant impact on the quality of air, water and land. The ES should take account of the risks of air pollution and how these can be managed or reduced. This should include taking account of any strategic solutions or SNAPs, which may be being developed or implemented to mitigate the

^[1] [Report: Trends Report 2020: Trends in critical load and critical level exceedances in the UK - Defra, UK](#)

impacts on air quality. Further information on air pollution impacts and the sensitivity of different habitats/designated sites can be found on the Air Pollution Information System (www.apis.ac.uk).

Information on air pollution modelling, screening and assessment can be found on the following websites:

- SCAIL Combustion and SCAIL Agriculture - <http://www.scaill.ceh.ac.uk/>
- Ammonia assessment for agricultural development <https://www.gov.uk/guidance/intensive-farming-risk-assessment-for-your-environmental-permit>
- Environment Agency Screening Tool for industrial emissions <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>
- Defra Local Air Quality Management Area Tool (Industrial Emission Screening Tool) – England <http://www.airqualityengland.co.uk/laqm>

Water Quality

NSIPs can occur in areas where strategic solutions are being determined for water pollution issues and they may not have been factored into the local planning system as they are delivered through National Policy Statements.

The planning system plays a key role in determining the location of developments which may give rise to water pollution, and hence planning decisions can have a significant impact on water quality, and land. The assessment should take account of the risks of water pollution and how these can be managed or reduced. A number of water dependent protected nature conservation sites have been identified as failing condition due to elevated nutrient levels and nutrient neutrality is consequently required to enable development to proceed without causing further damage to these sites. The ES needs to take account of any strategic solutions for nutrient neutrality or Diffuse Water Pollution Plans, which may be being developed or implemented to mitigate and address the impacts of elevated nutrient levels.

Climate Change

The ES should identify how the development affects the ability of the natural environment (including habitats, species, and natural processes) to adapt to climate change, including its ability to provide adaptation for people. This should include impacts on the vulnerability or resilience of a natural feature (i.e. what's already there and affected) as well as impacts on how the environment can accommodate change for both nature and people, for example whether the development affects species ability to move and adapt. Nature-based solutions, such as providing green infrastructure on-site and in the surrounding area (e.g. to adapt to flooding, drought and heatwave events), habitat creation and peatland restoration, should be considered. The ES should set out the measures that will be adopted to address impacts.

Further information is available from the [Committee on Climate Change's \(CCC\) Independent Assessment of UK Climate Risk](#), the [National Adaptation Programme \(NAP\)](#), the [Climate Change Impacts Report Cards](#) (biodiversity, infrastructure, water etc.) and the [UKCP18 climate projections](#).

The Natural England and RSPB [Climate Change Adaptation Manual](#) (2020) provides extensive information on climate change impacts and adaptation for the natural environment and adaptation focussed nature-based solutions for people. It includes the Landscape Scale Climate Change Assessment Method that can help assess impacts and vulnerabilities on natural environment features and identify adaptation actions. Natural England's [Nature Networks Evidence Handbook](#) (2020) also provides extensive information on planning and delivering nature networks for people and biodiversity.

The ES should also identify how the development impacts the natural environment's ability to store and sequester greenhouse gases, in relation to climate change mitigation and the natural environment's contribution to achieving net zero by 2050. Natural England's [Carbon Storage and](#)

[Sequestration by Habitat report](#) (2021) and the British Ecological Society's [nature-based solutions report](#) (2021) provide further information.

Contribution to local environmental initiatives and priorities

The ES should consider the contribution the development could make to relevant local environmental initiatives and priorities to enhance the environmental quality of the development and deliver wider environmental gains. This should include considering proposals set out in relevant local strategies or supplementary planning documents including landscape strategies, green infrastructure strategies, tree and woodland strategies, biodiversity strategies or biodiversity opportunity areas.



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Our Ref ZG2024/1075/CPO
Your Ref EN0110011

Date 06 November 2024

Dear Ms King

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by SSE Hydrogen Developments Limited (the Applicant) for an Order granting Development Consent for the Ferrybridge Next Generation Power Station (the Proposed Development) - Scoping Consultation

Thank you for consulting North Yorkshire Council on the above.

Our responses to the Scoping Report are as follows:

Air Quality

The air quality modelling for emissions from the plant needs to be undertaken for both natural gas and for hydrogen as they will both potentially be used as fuel. They should be assessed against the Emission limit values outlined in IED 2.0 for the operational phase.

The document outlines that the proposed development will consist of up to two generating stations and will provide flexible power generation with Gas Turbine units arranged in either open or closed cycle configurations, or a combination, depending on market requirements. So, the modelling should also assess emissions from a Closed Cycle Gas Turbine (CCGT) only system, an Open Cycle Gas Turbine (OCGT) only system and an CCGT and OCGT system during the operational phase. The document also mentions the potential need for selective catalytic reduction (SCR) for a CCGT system which may cause additional emissions of ammonia so it should be modelled with and without SCR. This will allow for each scenario to be assessed.

The construction of the pipeline corridor should also be included in the AQ assessment particularly regarding dust and movement of site/ construction vehicles and machinery.

In the EIA report, further information should be included to support justification of scoping out areas from the EIA assessment. For example, for the scoping out of operational traffic at the site, there are no estimates on the number of vehicles etc to support this statement, just that it is below the IAQM and DMRB screening criteria.

Noise/Vibration

The proposed noise monitoring locations to be agreed with the relevant stakeholders, ML1 – ML8, as outlined in Section 7.2, would provide reassurance that mitigation for any issues likely to be caused by noise and vibration impacts from construction and operational noise impacts from the proposed development will be considered and proposed.

Given that the relevant guidance and British Standards documents are being used to assess noise and vibration control on construction sites (BS 5228-2 2009+A1:2014) for the construction period as well as for rating and assessing industrial and commercial sound (BS 4142: 2014+A1:2019) for the operational aspect of the site this further leads into the reassurance of the above.

Landscape and Visual Amenity

These comments principally relate to Chapter 12 Landscape and Visual Amenity in the Applicant's EIA Scoping Report, but comments may overlap with other topic areas such as Cultural Heritage, Agricultural Land, Ecology and Biodiversity, Noise and Vibration, Population and Health, Cumulative Effects.

These comments are mainly based on the current published details within the administrative area of North Yorkshire Council (NYC) but also extend to those parts of the development in the Wakefield District area which may have cross-boundary landscape or visual effects.

It is agreed that Landscape Character and Visual Amenity should be 'scoped in' and considered within the EIA (Construction and Operation phases). It is also recommended that an explanation of the decommissioning phase and implications for site restoration and how this is to be secured through the DCO is included, as applicable.

Key landscape and visual considerations within the EIA/LVIA should include:

- Cumulative landscape and visual effects
- The overall scale and nature of the proposed development
- Night-time visual effects (temporary construction and permanent lighting)
- Wider landscape strategy and GI connectivity (including along the proposed gas pipeline connection corridor)
- Long-term maintenance and management.

The landscape strategy and mitigation should be proportionate to the scale of the development and be robust enough to accommodate these large-scale and cumulative effects at a wider strategic level and also take account of uncertainties remaining until development of the detailed design stage.

Consideration should be given to limitations of easements along the line of the pipeline, particularly where this might affect retention and replacement of vegetation.

The Applicant should consider offsite mitigation to compensate for and offset residual adverse effects or thought a dedicated community enhancement fund where this cannot be achieved within the site.

The proposed intention to use the 'Rochdale Envelope' approach are noted in Chapter 12.2 of the Scoping Report, and to consider the worst-case scenario. In the absence of detailed design for buildings, AGIs and the design and alignment of the gas pipeline, it is suggested a proactive approach should be taken by the Applicant for improving the existing vegetation within the application site and Proposed Pipeline Corridors. This would give us confidence that further landscape and arboricultural impacts could be sufficiently mitigated at the detailed design stage.

For a development of this scale we would also expect to see clear provision of green infrastructure actively applied within the whole of the application area including the Proposed Pipeline Corridor.

Soils and Agricultural Land – Until detailed design, alignment and working method for the construction of the gas pipeline and AGIs are determined it is recommended that a survey and assessment of potential effects on Soils and Agricultural Land within the Proposed Pipeline Corridor is included within the EIA. A

Soil Resource Plan and Soil Management Plan will be needed in order to protect and manage site soils, including protection and restoration of ALC best and most versatile land where appropriate.

Landscape and Visual Methodology – The proposed methodology and approach set out in the Scoping Report Chapter 12.2 Landscape and Visual Amenity is welcomed.

This should also include photography to current LI guidance on ‘Visual Representation of Development Proposals’ (see Photographs and Photomontages below).

Additionally, attention is drawn to Technical Guidance Note LITGN – 2024-01 Published August 2024, as clarification on aspects of GLVIA3.

Study Area – Generally support the proposal for a 10km radius study area for the LVIA based on the proposed CCGT stack height. It may be appropriate to reduce this for other parts of the proposed development where at a lower visible level, determined and agreed as the assessment progresses (typically through ZTV analysis).

Night-Time Visual Effects – Given the scale of the proposed development and until further design of the development is clarified, it is recommended that night-time visual effects are scoped into the LVIA. Notwithstanding comments within the Scoping Report about CPRE’s light pollution and dark skies mapping and dark skies not being a characteristic of the landscape, clear assessment and consideration of how illumination of the proposed development would be reduced through good design, to reduce urbanising influence and prevent further erosion of the baseline should be included.

Existing Trees and Vegetation - There is potential for the development to adversely affect existing boundary trees and vegetation. This should be reviewed, protected and retained where appropriate. A tree survey and arboricultural impact assessment will be required to BS5837:2012. This is important if boundary vegetation is needed for ongoing screening of the site and for retention and protection along the Proposed Pipeline Corridor.

The operational life of the proposed scheme should also be taken into account. There should be certainty that site vegetation would be retained and maintained for the lifetime of the proposed development.

Temporary access, storage and working areas – these should be taking into account as part of the assessment, including along the Proposed Pipeline Corridor.

Visual Assessment and Representative Viewpoints - The quantity and location of representative viewpoints should be agreed with the LPA. The information provided within the Scoping Report is not sufficient to agree viewpoints. Typically, the LPA would wish to see proposed viewpoints together with a ZTV of the proposed development overlaid onto a constraints plan with information of receptors they represent. Viewpoints should be selected for both the main Ferrybridge site and along the Proposed Pipeline Corridor where there is potential for adverse visual effects. It may be appropriate to provide multiple ZTVs for different parts of the development (eg buildings and AGIs, flue stack).

The principle of using representative viewpoints to illustrate the experience of different types of visual receptor is acceptable, however the assessment should aim describe and assess the full effects of the development (not limited to a summary of viewpoints) and to explain the scale and geographical extent of effects.

Photographs and Photomontages – should be in-line with Technical Guidance Note (TGN) 06/19 Visual Representation of Development Proposals (Landscape Institute, 2019).

Photomontages should explain how adverse effects will be mitigated over time. Photographs should include winter views where possible to explain the worst-case scenario.

Appendix 3 and 4 in TGN 06/19 should be noted, with camera / tripod height / position in the field adjusted as necessary so that views show the full extent of the site / development and show the effect it has upon the receptor location. Views of the site should not be unnecessarily obscured by buildings, roadside hedgerows or other vegetation.

Assessment of Tranquillity – There is potential for adverse noise effects associated with construction and operational noise arising from static plant and AGI installations. Consideration should be given to assessment of tranquillity and effect on local character and setting, particularly in relation heritage and other local sensitive receptors such as residential properties. PROW, local farmsteads. The LPA would wish to agree a methodology and approach for this.

Cumulative Effects – The LVIA should consider cumulative landscape and visual effects in conjunction with other similar developments in the study area including those currently being considered or approved by LPAs but not yet implemented. The LVIA should also consider the significance of the Grid Connection Point at the Ferrybridge site, connection to the Gas Transmission System and ongoing erosion of the landscape baseline.

Site Design, Landscape Proposals, Mitigation, Maintenance and Aftercare – Notwithstanding the criteria used by the Applicant within the EIA to determine ‘significant effects’ other adverse effects should not be ignored particularly where it is reasonable and possible to reduce these through ‘good design’. Overarching National Policy Statements for (EN-1, EN-2, EN-4) set out criteria for ‘good design’ and acknowledges the benefits of good design in mitigating the adverse impacts of a project, including the landscape and visual effects.

The LPA would wish to see a landscape strategy for proposed scheme, which helps minimise adverse effects and demonstrated good design. The landscape strategy should consider the wider site and future maintenance responsibilities.

Consideration should be given to limitations of future maintenance access and easements along the line of the pipeline, particularly where this might affect retention and replacement of vegetation.

Landscape proposals should support the Government’s commitment to improving green infrastructure, health and wellbeing, as set out in the 25 Year Environment Plan. The Leeds City Region Green and Blue Infrastructure Strategy, NPPF and other and local policy also recognise GI.

The applicant should consider a wider strategic approach to landscape proposals and mitigation of cumulative effects and how this would contribute to Natural England’s 15 Green Infrastructure Principles of ‘Why’, ‘What’ and ‘How’

(<https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPrinciples.aspx>).

Link to Natural England’s Green Infrastructure Principles and the England Green Infrastructure Mapping: <https://designatedsites.naturalengland.org.uk/GreenInfrastructure/Principles/GIPrinciples.aspx>.

Long-term maintenance and management should be considered, particularly where this is needed for ongoing mitigation, screening and biodiversity benefit. Sufficient stand-off distance should be provided from existing trees and vegetation where these are to be retained and protected and to allow maintenance access.

Ecology

The works within the Main Site fall outside of the administrative area of North Yorkshire Council (NYC). The Northern and Southern Pipeline Corridors fall within the administrative area of NYC and are predominantly within an agricultural landscape with arable crops. Less frequent habitats include mixed scrub, woodland and grassland with watercourses and ponds. The Bank of River Aire, Fairburn – Brotherton SINC is located immediately north of the Northern Pipeline Corridor.

Impacts from the proposals are noted as:

- Permanent loss of habitats within the Main Site and Proposed Pipeline Corridors during construction.
- Temporary impacts (direct or indirect) on habitats within or adjacent to the Main Site and Proposed Pipeline Corridors during construction and decommissioning.
- Disturbance and displacement of protected species during construction and decommissioning.
- Impacts on fish and aquatic invertebrate species if there is cooling water abstraction and/or discharge from/to the River Aire.

- Air quality and lighting impacts on ecological receptors in the vicinity of, and/or downwind of, the Main Site during operation.

Designated sites scope – NYC will defer to Natural England with regards to the intention to scope out the Habitat Regulations Assessment (HRA). NYC supports ecological survey and assessment being undertaken in accordance with the Guidelines for Ecological Impact Assessment in the UK and Ireland (Chartered Institute of Ecology and Environmental Management, 2022).

The summary of ecological surveys undertaken and proposed set out within Table 12 is noted and supported in terms of the scope and timing to inform the EclA. Ecological features that are proposed to be scoped in and out are set out within Table 13, with scoped out elements discussed further in section 19.2. For the proposals within the administrative area of NYC this approach is supported. The additional information contained within the Appendix 1 – Bird Technical Note is welcomed, which provides a good early assessment of the potential value of land within the pipeline corridors as functionally linked land associated with wider SSSI and SPA designations. Birds associated with these designated sites are known to use farmland and shallow wetland sites along the Aire corridor for foraging, as noted in the report. Beal Carrs SINC just to the south of the River Aire (a flooded area of mining subsidence) is a known site of local importance to breeding and wintering wetland birds providing connectivity between larger sites such as the Humber SPA. The conclusion of the report in relation to the expected displacement effect during pipeline construction and the level of significance attributed to this effect is agreed. Measures to avoid and mitigate for these impacts may need to be further discussed and agreed with Natural England due to the potential relationship with designated sites (see above note re. HRA).

Biodiversity Net Gain (BNG) Assessment – NYC welcomes a commitment to producing a BNG assessment in line with the requirements for NSIPs (if applicable) or the TCPA approach depending on the time of submission with the aim of delivering a minimum 10% net gain for each of the habitat categories. It is noted that a full post development BNG assessment will not accompany the DCO application as it will form part of a pre commencement requirement. It is recommended that the applicant considers an indicative post development BNG assessment as a minimum, in order to demonstrate the likely metric outcome and set out the strategy to securing the required 10% gains (onsite/offsite/credits). It is noted that there will be some temporary works associated with the pipeline corridors. In order for these to be excluded from the metric, the habitat lost must be capable of being restored to both baseline habitat type and condition within two years of the initial impact. If enhancement of these habitats is proposed, then the baseline must be included within the metric.

Transport and Access

The Scoping Report has included a summary of matters to be scoped in or out of the ES – Table 11 on page 87. The Local Highway Authority (LHA) agrees with the Applicant on what matters need to be scoped in but would recommend 'road user and pedestrian safety is also scoped into the construction assessment.

The LHA notes the Applicant is to produce a Transport Assessment for the site and supports this.

Local road network to the existing site - The existing access has been purpose built for the site and the road network from the motorway system to the south of the site and is of a standard that construction vehicles will be able to negotiate. The network has recently been improved as a new roundabout has been constructed on the A162 enabling HGVs to turn and head south toward the motorway network.

Gas pipeline corridors - In the Scoping Report two corridors have been identified for the gas pipeline. Both cross a number of roads within North Yorkshire Council's (NYC) administrative area and therefore the LHA is keen to be involved in discussions with the Applicant to identify the most suitable corridor. The LHAs desire is to avoid as much as possible any disruption to road users and looks to the Applicant to manage the construction phase to achieve this.

Access points onto to the road network will need to comply with the LHAs standards and guidelines.

Archaeology

The information presented in the Cultural Heritage chapter is fairly high level, however the chapter goes on to detail the methodology for a fuller archaeological and heritage desk-based assessment. The methodology does not include a list of sources that will be consulted but rather refers to national standards for the execution of such projects. It is recommended that both West Yorkshire and North Yorkshire Historic Environment Records are consulted along with a wide variety of other local and national sources including aerial photographs and LIDAR data. It would also be worth taking a geoarchaeological approach to the assessment and identifying different geological zones. For example, the southern pipeline route closely follows the line of the River Aire. It is possible that there are accumulations of river sediments and silts from flood water that might be fairly archaeologically sterile, for example warping deposits from the purposeful flooding of land from the 18th century onwards. At the other end of the spectrum there may be well preserved organic deposits along former river channels that have higher archaeological interest. These types of deposits might be identified through assessment of historic borehole records or any more recent geotechnical works commissioned as part of the current proposal.

The Scoping Report often refers to non-designated heritage assets. This term has come to mean an asset that is specifically identified by a plan making body as having a special interest but not meeting the threshold of a designated asset such as a listed building. It is recommended that any documents going forward make a clear distinction between these locally identified non-designated heritage assets and other heritage assets including the majority of archaeological remains.

It is very concerning that the scoping report suggests that further archaeological field evaluation is not anticipated as part of the assessment (see page 131). As far as we can tell, there has been no assessment of the proposed southern pipeline corridor. A check of our records indicates cropmarks north of Haddlesey Road/Birkin Road, near Birkin Holme. These cropmarks appear to be complex and are likely to represent a later prehistoric or Roman settlement. It is recommended that geophysical survey is carried out here and along the rest of the southern pipeline route to characterise these types of deposits.

The northern pipeline route has been subject to a partial geophysical survey which provided further information on similar cropmarks towards the western end of the corridor. The proposed route then diverges from the area of the previous survey, and again, there are recorded cropmarks in the areas of Great Hagg Wood and Leatherbelly Wood that hint at the archaeological potential of the area. It is recommended that geophysical survey is completed for the northern pipeline route.

Where the geophysical survey identifies particularly significant anomalies then it is also recommended that archaeological trial trenching takes place to properly assess their significance.

Proper field evaluation of the pipeline routes will allow a reasonable decision to be made concerning which option is the least harmful to heritage assets of archaeological interest as part of the route selection process.

There are serious concerns that the proposed methodology will not provide a proper assessment of the proposal on heritage assets of archaeological interest and that this can only be achieved by means of a robust desk-based study and archaeological field evaluation.

Built Heritage

The scoping report has used a 5km study area for all designated heritage assets, with the exception of conservation areas which have been identified up to 3km. The approach taken is considered to be in line with good practice and guidance for assessment of the setting of heritage assets. The scoping report submitted considers there to be no potential harm to the significance of heritage assets beyond these studies areas. Their distance, limited intervisibility/ glimpsed views with the proposed development, and there being no known non-visual association between the assets has been taken into consideration. The submitted study areas have been divided between from the Main Site, the Northern Pipeline Corridor and the Southern Pipeline Corridor.

Main Site

In terms of listed buildings there are approximately 153 listed buildings within 5km of the Main Site however within the Main Site itself these listed buildings are outside of administrative area of North Yorkshire Council (NYC).

Heritage assets that lay within the administrative area of NYC close to the Main Site include Grade II Church of St Edward (NHLE: 1132452), Grade II The Manor House (NHLE: 1132453), Grade II Lodge to Byram Park (NHLE: 1148537), and Grade II Milestone approximately. It is further noted that within Byram Park a registered parkland with origins from Capability Brown is acknowledged this is supported via information from the Yorkshire Garden Trust.

Northern Pipeline Corridor

Within a 5km radius the listed buildings within the administrative area of NYC include Grade I Church of St Mary Birkin (NHLE: 1316671) and conservation areas Hillam, located approximately 1.7km north of the and Monk Fryston, located approximately 2.6km north of the Northern Pipeline Corridor.

Southern Pipeline Corridor

There are numerous Grade II listed buildings located within 5km and four Grade I listed buildings including the Church of St Mary Birkin (NHLE: 1316671)

AGI Gas Transmission System

A Grade II* listed building (Gatforth Hall (NHLE: 1132514) would be located approximately 1.3km away from the transmission system.

Construction Assessment

It is assumed that the pipeline would be installed below ground with landscape and eventually the easement area would limit visual change. It is noted that temporary, and permanent effects arising from changes within the setting of assets would result from the construction of the Southern Pipeline Corridor, Northern Pipeline Corridor, and the AGI on the Gas Transmission System. The construction of the proposed development would have the potential to change the setting of designated and non-designated heritage assets in a way which could impact their significance. However, with respect to the main site this is out of the remit of NYC, although as the site is low lying it would have the potential to impact further upon the significance of heritage assets given chimneys and equipment associated with a power station could represent a substantial addition to existing industrial elements associated with the site. The design for the whole scheme has not yet been submitted and therefore as the works would create a permanent impact further information as part of this application process is required.

Summary

It has been assumed that the gas pipeline would be installed below ground with landscape restoration of the easement area to limit visual change. Therefore, temporary and permanent effects arising from changes within the setting of assets as a result of the construction of the Southern Pipeline Corridor, Northern Pipeline Corridor, and the AGI on the Gas Transmission System will be scoped out. The development would be reassessed should the pipeline be installed above ground or landscape restoration not be proposed.

It is noted from the information submitted includes the temporary effects from the development would be scoped out. However, it is considered that on a temporary basis the setting of some heritage assets may be affected especially those in the village of Birkin namely St Marys Church Grade I as they are between the southern and northern pipeline.

In heritage conservation terms the information has been assessed against above ground heritage assets which are covered from a built conservation perspective. The proposed works would amount to level of less than substantial harm.

Further comments

Page 129 paragraph 13.1.4 refers to a scheduled monument, Roman fort 600m west of Royal Hall (NHLE: 1017822) is located approximately 2.0km south east of the Southern Pipeline Corridor. This should be corrected to Roall Hall.

Public Health

Scoping Report - Chapter 16 Population and Health.

Paragraph 16.1 - In addition the sources identified the Applicant must utilise the information and data in the Joint Strategic Needs Assessment (JSNA) and other relevant local data and information some of which can be accessed here <https://www.datanorthyorkshire.org/jsna>.

In North Yorkshire there is an aging population and the impact of proposals for the different population groups must be considered and projected along the time times of the project.

Paragraph 16.2 - Scope of the Assessment.

Communities in the former Selby District are disproportionately experiencing the impacts of NSIP schemes and the clustering of multiple NSIP schemes. The population and Health chapter should appropriately consider the cumulative impacts from the multiple schemes and the combined impact of the varies factors within the ES chapters that can compound to create greater impacts on population and human health.

The LPA would welcome early, effective and robust community engagement which meaningfully and continually put the community, and any concerns, at the heart of it proposal, and where impact cannot be avoided appropriate mitigation must be planned into the development.

The Applicant proposes that where impacts are identified they will be assessed against national standards and *"where relevant standards do not exist, professional experience and expert judgement will be applied and justified"*. It is important that the assessment recognises the absence of national standards or evidence does not equal the absence of harm. Community views and opinions are a way for this information/evidence to be captured and the Applicant must seek to capture the views of the community in this regard alongside the required community involvement activities and robustly manage or mitigate against the concerns raised by the community. Furthermore, the knowledge and understanding of the 'expert' to assess the 'likely' impacts, including perceived impacts, on the population and human health is particularly relevant and therefore this chapter must be completed by an appropriately qualified expert.

The Applicant proposes to consider the effects over the construction, operation and decommissioning phases. When considering Population and Human Health these timescales fall short of being an appropriate timeframe for assessing impacts. Health, including mental and physical wellbeing, can be impacted from the moment a scheme is proposed though increased anxiety and emotional distress. When considering health and wellbeing the timescale applied in the assessment must commence at the moment the project reaches the pre-application phase. At this point there is evidence to suggest that emotional distress on the communities, as a result of the proposal, can occur. Therefore, the timescales applied to the Population and Health assessment should differ to those in other ES chapters and should be agreed by the LPA.

In a similar way, short term impacts on Population and Human Health should have a greater weight as these cannot be considered in the same way as other sections in the ES. The Applicant should consider the inclusion of a Population and Human Health impact survey being carried out with the community engagement to ensure that the communities concerns, worries can be appropriately factored into the proposal.

The other EIA chapter identified in 16.2 while partially relevant to population health and will for part of the basis for the population and human health chapter the factors must be considered with a health perspective and supplemented by the information in the human health chapter before any conclusion on significance and or mitigation is drawn.

Local Lead Flood Authority

No comments received from technical officers.

Contaminated Land

It is not anticipated that there would be any specific contaminated land issues relating to the proposed pipework corridors based on historic and current agricultural land use, and no historic /currently authorised landfill sites located along either of the proposed pipework corridors. The proposed methodology for the desk-based risk assessment report is considered to be appropriate and will allow

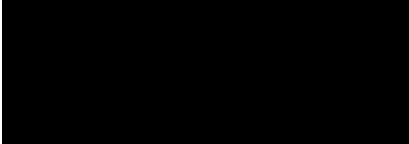
construction workers to form the basis of risk-informed decision making regarding the need for any mitigation such as PPE based on the risks outlined in the preliminary conceptual site model.

Cumulative Impact Assessment

The cumulative impact assessment is in line with the PINS advice page. We anticipate working closely with the applicant on this matter as the assessment progresses and have no further comment at this time. However, it should be noted that ID1 in Table 34 is located in the administrative boundary of NYC rather than WMDC.

If you require any further information, please do not hesitate to make contact.

Yours sincerely,



Trevor Watson
Assistant Director - Planning

From: [Dan Hampton](#)
To: [Ferrybridge NGP](#)
Subject: Nationally Significant Infrastructure Project (NSIP) in the system for the Ferrybridge Next Generation Power Station.
Date: 25 October 2024 12:03:52
Attachments: [image001.jpg](#)
[image002.png](#)

You don't often get email from [REDACTED]@northyorks.gov.uk. [Learn why this is important](#)

Whom it may concern,

I have considered all information provided in the Scoping Report relating to Noise & Vibration from Construction and Operational use as well as Air Quality relating to dust emissions.

The proposed noise monitoring locations to be agreed with the relevant stakeholders, ML1 – ML8, as outlined in Section 7.2, would provide reassurance that mitigation for any issues likely to be caused by Noise and vibration impacts from construction and Operational noise impacts from the Proposed Development will be considered and proposed.

Given that the relevant guidance and British Standards documents are being used to assess noise and vibration control on construction sites (BS 5228-2 2009+A1:2014) for the construction period as well as for rating and assessing industrial and commercial sound (BS 4142: 2014+A1:2019) for the operational aspect of the site this further leads into the reassurance of the above.

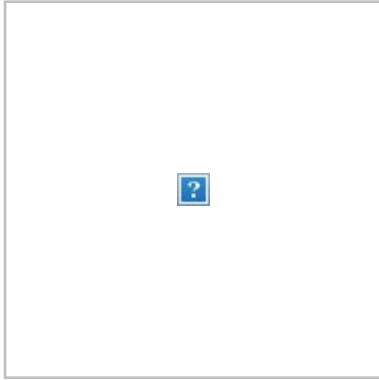
I have also considered dust emissions (that may give rise to a nuisance) and see this has been considered and will describe the specific mitigation measures to be followed to reduce impacts in a framework Construction Environmental Management Plan (CEMP).

Yours sincerely

Dan Hampton BSc(Hons) MCIEH REnvH
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Web: www.northyorks.gov.uk





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NORTH YORKSHIRE FIRE & RESCUE SERVICE

NYFRS Reference:

Premises: 00381653
Job: 1306573

Harrogate Fire Station
Skipton Road
Harrogate
North Yorkshire
HG1 4LE

When telephoning please ask for: Sam Crossley

Tel: [REDACTED]
Fax: [REDACTED]

Email: [REDACTED]@northyorksfire.gov.uk

21 October 2024

Dear Ms King,

Ferrybridge Next Generation Power Station, Stranglands Lane, Knottingley, WF11 8SQ

FIRE SAFETY - COMMUNICATION WITH THE PLANNING INSPECTORATE

Receipt is acknowledged of your planning communication:

Dated: 09 October 2024
Plans No: EN0110011

Your communication has been dealt with as follows:

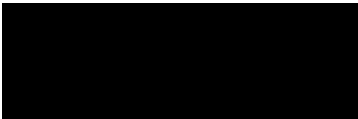
At this stage in the planning approval process the York and North Yorkshire Combined Authority in its capacity as Fire and Rescue Authority ("YNYCA") have no comments to make on the proposed development. The YNYCA will make further comment in relation to the suitability of proposed fire safety measures at the time when the building control body submit a statutory Building Regulations consultation to the YNYCA.

The majority of information we collect regarding business fire safety is non-personalised information, however any personal data we collect will be managed in accordance with our Privacy Notice which can be viewed on our website, www.northyorksfire.gov.uk/about-us/data/privacy-policies/.

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Should you require further information please contact the officer whose name appears at the head of the letter.

Yours faithfully,



S Crossley MiFireE

From: [Before You Dig](#)
To: [Ferrybridge NGP](#)
Cc: [Before You Dig](#)
Subject: RE: EXT:EN0110011 - Ferrybridge Next Generation Power Station - EIA Scoping and Consultation and Regulation 11 Notification
Date: 10 October 2024 13:30:21
Attachments: [image001.png](#)
[image002.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image003.png](#)

Good afternoon,

NGN has a number of gas assets in the vicinity of some of the identified “site development” locations. It is a possibility that some of these sites could be recorded as Major Accident Hazard Pipelines(MAHP), whilst other sites could contain High Pressure gas and as such there are Industry recognised restrictions associated to these installations which would effectively preclude close and certain types of development. The regulations now include “Population Density Restrictions” or limits within certain distances of some of our “HP” assets.

The gas assets mentioned above form part of the Northern Gas Networks “bulk supply” High Pressure Gas Transmission” system and are registered with the HSE as Major Accident Hazard Pipelines.

Any damage or disruption to these assets is likely to give rise to grave safety, environmental and security of supply issues.

NGN would expect you or anyone involved with the site (or any future developer) to take these restrictions into account and apply them as necessary in consultation with ourselves. We would be happy to discuss specific sites further or provide more details at your locations as necessary.

If you give specific site locations, we would be happy to provide gas maps of the area which include the locations of our assets. We have found your site maps via the links to your website however the area is quite vast and as a result we need the grid references for the site boundaries.

(In terms of High Pressure gas pipelines, the routes of our MAHP’s have already been lodged with members of the local Council’s Planning Department)

Regards,

Jennie Adams

**Administration Assistant
Before You Dig
Northern Gas Networks
1st Floor, 1 Emperor Way
Doxford Park
Sunderland**

SR3 3XR

Direct line: [REDACTED]

Before You Dig: 0800 040 7766 (option 3)

www.northerngasnetworks.co.uk

facebook.com/northerngasnetworks

twitter.com/ngngas

Alternative contact:

beforeyoudig@northerngas.co.uk



Get involved! Have your say in the future of your gas network and win great prizes, by taking part in our BIG customer survey at together.northerngasnetworks.co.uk Keep posted to take part in a range of activities from workshops to roadshows. Together, we are the network.

Northern Gas Networks Limited (05167070) | Northern Gas Networks Operations Limited (03528783) | Northern Gas Networks Holdings Limited (05213525) | Northern Gas Networks Pensions Trustee Limited (05424249) | Northern Gas Networks Finance Plc (05575923). **Registered address:** 1100 Century Way, Thorpe Park Business Park, Colton, Leeds LS15 8TU. Northern Gas Networks Pension Funding Limited Partnership (SL032251). **Registered address:** 1st Floor Citypoint, 65 Haymarket Terrace, Edinburgh, Scotland, EH12 5HD.

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From: Ferrybridge NGP <ferrybridgengp@planninginspectorate.gov.uk>

Sent: Wednesday, October 9, 2024 3:20 PM

Subject: EXT:EN0110011 - Ferrybridge Next Generation Power Station - EIA Scoping and Consultation and Regulation 11 Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed Ferrybridge Next Generation Power Station.

The Applicant for the Proposed Development intends to make an application for Development Consent under the Planning Act 2008. The Applicant has sought a Scoping Opinion from the Planning Inspectorate, on behalf of the Secretary of State, as to the scope and level of detail of the information to be provided within the

Environmental Statement that will accompany its future application.

The Planning Inspectorate has identified you as a consultation body to inform the Scoping Opinion and is therefore inviting you to submit comments by **06 November 2024**. The deadline is a statutory requirement that cannot be extended.

Further information is included within the attached letter.

Kind regards

Todd Brumwell



Todd Brumwell | EIA Advisor
The Planning Inspectorate
T [REDACTED]



@PINSgov



The Planning Inspectorate



planninginspectorate.gov.uk

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DPC:76616c646f72



From: [Adrian Miller](#)
To: [Ferrybridge NGP](#)
Subject: PINS Ref EN0110011
Date: 22 October 2024 15:10:36
Attachments: [image001.png](#)

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Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by SSE Hydrogen Developments Limited (the Applicant) for an Order granting Development Consent for the Ferrybridge Next Generation Power Station (the Proposed Development)

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your email and letter dated 9 October 2024, I can confirm that Redcar and Cleveland Borough Council have no comments to make on the scoping request in respect of the above DCO application

Kind regards

Adrian Miller

Adrian C Miller BA(Hons) Dip TP MRTPI

Head of Planning and Development

Redcar and Cleveland Borough Council

Seafield House

Kirkleatham Street

Redcar TS10 1SP

Tel: [REDACTED]

Mob: [REDACTED]

Email: [REDACTED]@redcar-cleveland.gov.uk

Website: <http://www.redcar-cleveland.gov.uk>

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Redcar & Cleveland Borough Council, Redcar & Cleveland House, Kirkleatham Street, Redcar, TS10 1RT, Tel: 01642 774 774, Website: www.redcar-cleveland.gov.uk



Proposed DCO Application by SSE Hydrogen Developments Limited for Ferrybridge Next Generation Power Station

Royal Mail response to EIA Scoping Consultation

Under section 35 of the Postal Services Act 2011, Royal Mail has been designated by Ofcom as a provider of the Universal Postal Service. Royal Mail is the only such provider in the United Kingdom. The Act provides that Ofcom's primary regulatory duty is to secure the provision of the Universal Postal Service. Ofcom discharges this duty by imposing regulatory conditions on Royal Mail, requiring it to provide the Universal Postal Service.

Royal Mail's performance of the Universal Service Provider obligations is in the public interest and should not be affected detrimentally by any statutorily authorised project. Accordingly, Royal Mail seeks to take all reasonable steps to protect its assets and operational interests from any potentially adverse impacts of proposed development.

Royal Mail and its advisor BNP Paribas Real Estate have reviewed the EIA Scoping Report dated October 2024. There are three operational Royal Mail properties within 10km of the proposed scheme.

The construction of this infrastructure proposal has been identified as having potential to impact on Royal Mail operational interests, particularly if combined with cumulative impacts from other schemes including Yorkshire Green and the Enfinity scheme to install Carbon Capture Storage at Ferrybridge 1 Power Station. However, at this time Royal Mail is not able to provide a consultation response due to insufficient information being available to adequately assess the level of risk to its operation and the available mitigations for any risk. Consequently, Royal Mail wishes to reserve its position to submit a consultation response/s at a later stage in the consenting process and to give evidence at any future Public Examination, if required.

In the meantime, any further consultation information on this infrastructure proposal and any questions of Royal Mail should be sent to:

Holly Trotman ([REDACTED]@royalmail.com), Senior Planning Lawyer, Royal Mail Group Limited

Grace Russell ([REDACTED]@struttandparker.com) BNP Paribas Real Estate/Strutt & Parker

Please can you confirm receipt of this holding statement by Royal Mail.

End



UK Health
Security
Agency

Environmental Hazards and Emergencies Department
Seaton House, City Link
London Road
Nottingham, NG2 4LA

nsipconsultations@ukhsa.gov.uk
www.gov.uk/ukhsa

Your Ref: EN0110011
Our Ref: CIRIS91024

Katherine King
Senior EIA Advisor
The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Square
Bristol, BS1 6PN

6 November 2024

Dear Ms King

**Nationally Significant Infrastructure Project
Ferrybridge Next Generation Power Station - EIA Scoping and Consultation and
Regulation 11 Notification (EN0110011)
Scoping Consultation Stage**

Thank you for including the UK Health Security Agency (UKHSA) in the scoping consultation phase of the above application. ***Please note that we request views from the Office for Health Improvement and Disparities (OHID) and the response provided below is sent on behalf of both UKHSA and OHID.*** The response is impartial and independent.

The health of an individual or a population is the result of a complex interaction of a wide range of different determinants of health, from an individual's genetic make-up to lifestyles and behaviours, and the communities, local economy, built and natural environments to global ecosystem trends. All developments will have some effect on the determinants of health, which in turn will influence the health and wellbeing of the general population, vulnerable groups and individual people. Although assessing impacts on health beyond direct effects from for example emissions to air or road traffic incidents is complex, there is a need to ensure a proportionate assessment focused on an application's significant effects.

Having considered the submitted scoping report we wish to make the following specific comments and recommendations:

Environmental Public Health

We recognise the promoter's proposal to include a health section. We believe the summation of relevant issues into a specific section of the report provides a focus which ensures that public health is given adequate consideration. The section should summarise key information, risk assessments, proposed mitigation measures, conclusions, and residual impacts, relating to human health. Compliance with the requirements of National Policy Statements and relevant guidance and standards should also be highlighted.

In terms of the level of detail to be included in an Environmental Statement (ES), we recognise that the differing nature of projects is such that their impacts will vary. UKHSA and OHID's predecessor organisation Public Health England produced an advice document *Advice on the content of Environmental Statements accompanying an application under the NSIP Regime*¹, setting out aspects to be addressed within the Environmental Statement¹. This advice document and its recommendations are still valid and should be considered when preparing an ES. Please note that where impacts relating to health and/or further assessments are scoped out, promoters should fully explain and justify this within the submitted documentation.

Recommendation

Our position is that pollutants associated with road traffic or combustion, particularly particulate matter and oxides of nitrogen are non-threshold, i.e., an exposed population is likely to be subject to potential harm at any level and that reducing public exposure to non-threshold pollutants (such as particulate matter and nitrogen dioxide) below air quality standards will have potential public health benefits. We support approaches which minimise or mitigate public exposure to non-threshold air pollutants, address inequalities (in exposure) and maximise co-benefits (such as physical exercise). We encourage their consideration during development design, environmental and health impact assessment, and development consent.

Recommendation

The applicant does not include electromagnetic fields (EMF) in the scoping documentation but does indicate that radiation will be scoped in for the assessment of health during the construction and operational phases of the development. We recommend the applicant ensures consideration of EMF sources and includes them in the health section of the ES.

We request that the ES clarifies this and if necessary, the proposer should confirm either that the proposed development does not impact any receptors from potential sources of EMF; or ensure that an adequate assessment of the possible impacts is undertaken and included in the ES.

¹
<https://khub.net/documents/135939561/390856715/Advice+on+the+content+of+environmental+statements+accompanying+an+application+under+the+Nationally+Significant+Infrastructure+Planning+Regime.pdf/a86b5521-46cc-98e4-4cad-f81a6c58f2e2?t=1615998516658>

Human Health and Wellbeing

This section of OHID's response, identifies the wider determinants of health and wellbeing we expect the ES to address, to demonstrate whether they are likely to give rise to significant effects. OHID has focused its approach on scoping determinants of health and wellbeing under four themes, which have been derived from an analysis of the wider determinants of health mentioned in the National Policy Statements. The four themes are:

- Access
- Traffic and Transport
- Socioeconomic
- Land Use

Having considered the submitted Scoping Report, OHID wish to make the following specific comments and recommendations.

Hydrogen gas manufacture, storage and distribution network – Community risk perception / understanding of risk.

The broad definition of health used by the World Health Organisation (WHO), includes reference to mental health. Mental well-being is fundamental to achieving a healthy, resilient and thriving population. It underpins healthy lifestyles, physical health, educational attainment, employment and productivity, relationships, community safety and cohesion and quality of life. A scheme of this scale and nature has impacts on the over-arching protective factors, which are:

- Enhancing control
- Increasing resilience and community assets
- Facilitating participation and promoting inclusion.

The scoping report does not make reference to the potential for local public concern through understanding of risk / risk perception. Previous hydrogen distribution schemes have scoped-in community concern over hydrogen safety, due to this being a relatively new industry and the potential for major incidents.

Communities in the near vicinity of the scheme will receive targeted communications as part of the normal consultation process. Communication programmes should provide a source of clear and objective information to increase knowledge and awareness. Consultations should also use the opportunity to assess levels of local concern, which can then be used to assess significance of effects and inform community consultation and information.

Recommendation

The ES should consider potential effects on mental health through risk perception / understanding of risk posed by the manufacture, storage and transportation of hydrogen and other hazardous substances.

When estimating community anxiety and stress in particular, a qualitative assessment may be most appropriate. Robust and meaningful consultation with the local community will be an important mitigation measure, in addition to informing the assessment and subsequent mitigation measures. This may involve conducting resident surveys but also information received through public consultations, including community engagement exercises. The Mental Well-being Impact Assessment Toolkit (MWIA) contains key principles that should be demonstrated in a project's community engagement and impact assessment. We would also encourage consultation with the local authority's public health team, who are likely to have Health Intelligence specialists who will have knowledge about the availability of local data. The Mental Well-being Impact Assessment Toolkit (MWIA)², could be used as a methodology. The assessment should identify vulnerable populations and provide clear mitigation strategies that are adequately linked to any local services or assets. Baseline indicators the assessment would benefit from include social cohesion/connectedness, satisfaction with local area and quality of life indicators owing to their established links to mental health and wellbeing.

In terms of sources, we would draw your attention to the following:

- [PHE Fingertips – Mental Health and Wellbeing JSNA](#)
 - Area profiles with various indicators on common mental disorders (including anxiety) and severe mental illness which can be benchmarked with other local areas as well as regional and national data
- [Office for National Statistics - Wellbeing Indicators](#)
 - Range of datasets related to wellbeing available including young people's wellbeing measures, personal wellbeing estimates and loneliness rates by local authority

Socio-economics - Housing affordability and availability

The report proposes to scope out housing from the population and human health chapter, but without any justification. The report does not recognise a requirement for temporary living accommodation within reasonable commuting distance of the project such as rented housing, hotels, guest houses or bed and breakfast establishments/lodgings.

There is a potential for significant numbers of non-home based construction workers. The already consented Keadby 3 Carbon Capture and Storage (CCS) enabled power station

² [Mental Wellbeing Impact Assessment Toolkit](#), (National MWIA Collaborative (England), 2011) - A toolkit with an evidence-based framework for improving well-being through projects.

included impact on local affordable home supply within the supporting impact assessments. The assessment for this scheme should ensure the original findings are still correct. A significant number of non-home based construction workers could foreseeably have an impact on the local availability of affordable housing. Those residents looking for low cost affordable homes will have the least capacity to respond to change (for example, where there may be an overlap between construction workers seeking accommodation in the private rented sector, and people in receipt of housing benefit seeking the same lower-cost accommodation). This impact could also be compounded by the cumulative accommodation demands from a number of large developments.

Recommendation

The peak numbers of construction workers and non-home based workers should be established and a proportionate assessment undertaken on the impacts for housing availability or affordability and impacts on any local services.

Any cumulative effect assessment should consider the impact on demand for housing by construction workers and the likely numbers of non-home based workers required across all short listed schemes.

Statement of competency

The Institute of Environmental Management and Assessment (IEMA) released guidance relating to competency of experts for health within health impact assessments (HIAs) and Environmental Impact Assessments (EIA)³

The ES should provide a competency statement outlining compliance with the IEMA guidance.

Yours sincerely,

On behalf of UK Health Security Agency

Please mark any correspondence for the attention of National Infrastructure Planning Administration.

³ Pyper, R., Birley, M., Buroni, A., Gibson, G., Day, L., Waples, H., Beard, C., Dellafiora, S., Salder, J., Netherton, A., Green, L., Purdy, J., Douglas, M. (2024) *IEMA Guide: Competent Expert for Health Impact Assessment including Health in Environmental Assessments*.

Our Ref: 24/01775/DCO
Your Ref: EN0110011
Please Reply to: Neil Bearcroft
E-mail: [REDACTED]@wakefield.gov.uk
Mob: [REDACTED]

The Planning Inspectorate
Environmental Services
Operations Group 3
Temple Quay House
2 The Saure
Bristol, BS1 6PN

Service Director Planning and Transportation
Joe Jenkinson
Planning Services

Wakefield One
PO Box 700
Burton Street
Wakefield
WF1 2EB
Typetalk calls welcome

6 November 2024

Dear Sir / Madam

Planning Act 2008 (as amended) and The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) – Regulations 10 and 11

Application by SSE Hydrogen Developments Limited (the applicant) for an Order granting Development Consent for the Development of a generating station of up to 1.2GW output capacity designed to run on 100% hydrogen and able to run on 100% natural gas and associated infrastructure (the Proposed Development) at The Former Ferrybridge C Power Station, Kirkhaw Lane, Knottingley

Scoping consultation and notification of the Applicant's contact details and duty to make available information to the Applicant if requested

Thank you for your letter dated 9 October 2024 which provides the opportunity for Wakefield Council to comment upon the information to be provided in an Environmental Statement (ES) relating to the Proposed Development.

Following review of the document entitled 'Ferrybridge Next Generation Power Station Environmental Impact Assessment Scoping Report' dated 7 October 2024, Ref: FB-ARUP-XX-XX-RP-OP-000001, by Planning Officers and Internal Consultees, the Council has the following comments to the Scoping Report.

Site and Proposal

The description of the site as set out in sections 2 and description of development detailed in section 3 of the Scoping Report are considered to be provide sufficient detail for the purposes of the ES. It should be noted, as detailed later in the Scoping Report, that access to the site is subject to enhancement under application 23/00100/HYB, and this should be reflected in any future ES. The sites full allocation text as detailed in Volume 2 of the Wakefield Local Plan 2036, Ref ES04, should also be taking into account.

Noise, vibration, dust, light pollution

The submitted information in relation to noise vibration, dust and light pollution has been reviewed by the Councils Environmental Health Officer (EHO) who has advised that a Construction Environmental Management Plan (CEMP) is submitted with a future application and includes a complaints procedure. The EHO has also advised that it is not possible to advise if the proposed baseline noise monitoring locations are acceptable in the absence of a site layout of the development. In terms of levels of noise

and vibration from operational transport movements, it is recommended that reference is also made to Design Manual for Roads and Bridges (DMRB) and if applicable mitigation measures introduced at Noise Sensitive Receptor (NSR) so that changes in noise due to the development are not significant 24/7.

The submitted report also mentions that operational noise will be assessed at NSR locations in accordance with BS4142, taking into consideration acoustic feature corrections such as tonality etc and background noise levels from the baseline survey. It is advised that baseline conditions and noise source data are represented by 1/3 octave bands and broadband data. It is also recommended that when assessing the potential for sleep disturbance, assessments reflect open windows at NSRs.

The ES should provide an analysis of existing situation around the site and demonstrate the likely impact of the proposals upon the characteristics of noise, vibration and dust both during the construction phase and during the future operation of the site.

Transport and highways implications

The ES should provide an analysis of existing transport movements within and around the site and demonstrate the likely impact of the proposals will have upon the characteristics of transport movements in these locations both during the construction phase and during the future operation of the site. In respect of cumulative impact, adjacent applications and developments should be included in the assessment and along with taking account of the highway improvements proposed by application 23/00100/HYB.

A transport assessment and travel plan should be submitted as part of the planning proposal. The ES should provide an analysis of existing situation around the site and demonstrate the likely impact of the proposals upon the characteristics of transportation and highways both during the construction phase and during the future operation of the site. The ES should include proposals to support sustainable travel methods

Impact on Biodiversity and nature conservation

It is expected that the development would impact on biodiversity and nature conservation. Whilst the area of the site within the Wakefield District mainly forms previously developed land, the site is within close proximity to a number of ecological sensitive receptors/localities. The submitted statement has been reviewed by the Councils Ecologists, who has advised the following:

The River Aire sits to the east of the Main Site, crossed by the Pipeline Corridor, making the river and its riparian habitat a significant ecological receptor to the proposed development. It is therefore recommended that the EIA identifies, quantifies and evaluates potential effects of the development on the river and its associated habitats, species and ecosystems. The EIA should assess the impacts of the development during the construction phase and of the completed development. The effectiveness of proposed mitigation will also need to be assessed to ensure residual impacts are minimised, with a strong focus on impacts on hydrological processes, and aquatic flora and fauna.

The EIA should consider impacts on, and detail mitigation measures for:

- *Well Wood Local Nature Reserve (LNR) located approximately 2km to the north-west of the Main Site.*
- *Fryston Park, Castleford Local Wildlife Site (LWS) located approximately 0.5km to the north-west of the Main Site.*
- *Former Fryston Colliery, Castleford LWS located approximately 2km to the north-west of the Main Site.*
- *Orchard Head, Pontefract LWS located approximately 1.5km to the south-west of the Main Site.*

Areas of deciduous woodland listed under the Priority Habitats Inventory are present to the north and west of the Main Site, and along the eastern bank of the River Aire to the north of the Pipeline Corridor. It is therefore recommended that Priority Woodland is assessed as an ecological receptor within the EIA.

It is acknowledged that the applicant aims to complete a baseline assessment for Biodiversity Net Gain. Although the provision of statutory 10% BNG is not anticipated to come into force until November 2025 for NSIP, the applicant's approach to assess the baseline values of the site is welcomed. As the baseline assessment will indicate unit uplift requirements to meet 10%, if applicable, the applicant will then be able to anticipate off-setting requirements. It is recommended the applicant considers where off-setting could be delivered and consider if off-site provision is likely, i.e. from habitat bank providers and/or statutory credits.

I would suggest that the impacts on foraging and commuting (although not specified) bats should be considered in greater detail rather than being scoped out of the EIA. The impacts of tree removal and the Pipeline Corridor alongside the River Aire cannot be considered in detail without sufficient survey information. Records of bats are recorded on the Defra Magic Mapping system, within the river corridor, suggesting bats use this linear feature for commuting and foraging purposes.

The applicant is reminded that all British bat species are fully protected through The Conservation of Habitats and Species Regulations 2017 (as amended as European Protected Species (EPS)). All British bat species also receive protection through inclusion in Schedule 5 of the Wildlife and Countryside Act 1981 (as amended). Under the legislation, it is an offence:

- *To deliberately capture, injure or kill a bat.*
- *To damage or destroy a breeding site or resting place of a bat.*
- *To intentionally or recklessly disturb a bat while it is occupying a structure or place which it uses for shelter or protection; or obstruct access to any structure or place which it uses for that purpose.*
- *To deliberately disturb a bat; in particular any disturbance which is likely:*
- *to impair their ability - (i) to survive, to breed or reproduce, or to rear or nurture their young, or (ii) in the case of animals of a hibernating or migratory species, to hibernate or migrate;*
- *to affect significantly the local distribution or abundance of the species to which they belong.*

Although not discussed within the Impact Assessment Scoping Report, it is further recommended that impacts on faunal species associated with the River Aire are also considered, including Otter, fish and macro invertebrate populations. An assessment of impacts caused by both the construction and operational phases of the development should be considered, with all subsequent embedded mitigation measures also detailed in the EIA.

An ecological assessment along with supporting documents should be submitted with the application and considered as part of the ES. The ES should provide an analysis of existing situation around the site and demonstrate the likely impact of the proposals upon the characteristics of biodiversity and nature conservation during the construction phase and during the future operation of the site, along with appropriate mitigation.

Water Environment and Flood Risk

Although the site of the proposed power station within the Wakefield district is not located in a high risk flood zone, it is large in scale, would utilise a water source as part of the production process and the routes of the pipelines would be located within Flood Zones 2 and 3. It is therefore expected that the development would have an environmental impact on the water environment and flood risk.

A Flood Risk Assessment should be submitted with the planning application together with details of drainage proposals for the developed area of site and should be considered as part of the ES, and the ES should demonstrate the likely impact of the proposals upon the characteristics on the Water Environment

and Flood Risk both during the construction phase and during the future operation of the site. The LLFA have not raised any additional comments to the information submitted.

Geology, Hydrogeology and Land Contamination

It is expected that the development would have an environmental impact on Geology, Hydrogeology and Land Contamination, due to the nature of the development, the extent of land included within the site and the sites previously developed status.

Spatial Policy have stated the following which needs to be captured as part of the ES:

The application red-line boundary includes the Siniat Gypsum Works site which is understood to be in active use and is a safeguarded area for mineral production (Policy SP19). Safeguarded Areas for Minerals Production will be protected from development for alternative uses. Any proposal to redevelop this area will therefore be contrary to the Local Plan.

The ES should provide an analysis of the impact on Geology, Hydrogeology and Land Contamination and demonstrate the likely impact of the proposals upon the characteristics of Geology, Hydrogeology and Land Contamination, both during the construction phase and during the future operation of the site.

Cultural Heritage

It is expected that the development would have an environmental impact on cultural heritage both in construction and operation phase, due to the nature and scale of development proposed. The submitted statement has been reviewed by the Councils Conservation and Design Officer, who has advised the following:

The EIA Scoping Report identifies Scheduled Monuments, Listed Buildings and Conservation Areas which may be impacted by the proposed development. A 5 km study area will be used for Scheduled Monuments and Listed Buildings, and a 3km study area will be used for Conservation Areas. It also refers to non-designated heritage assets, including non-designated historic buildings and archaeological sites, in close proximity to the Site. This category includes Wakefield's Buildings of Local Interest. Assessment of these will be included within the EIA within a 1km study area.

We have the following comments:

- *Para 13.2 refers to professional good practice which will be followed. We would advise that Historic England's Good Practice Advice on The Setting of Heritage Assets is included in this list.*
- The last sentence of para 13.2.2 states "The construction of the Proposed Development has the potential to change the setting of designated and non-designated heritage assets in a way which could impact their significance. The current development within the Main Site is low lying and well screened, meaning that new chimneys and stacks associated with a power station could represent a substantial addition to existing industrial elements associated with the site. Temporary and permanent non-physical impacts are therefore scoped in for further assessment relating to works at the Main Site." However, Table 18 at para 13.3 states that setting effects will be scoped out of the ES for Construction, Operation and Decommissioning. We assume this is a typo and setting effects will be scoped in for construction, as outlined in para 13.2.2?
- Figure 3.1 Environmental Constraints (Appendix) appears to omit the Conservation Areas within Pontefract. These should be included as they are within the text of the report.
- Figure 7 Proposed Viewpoint Locations (Appendix) includes Viewpoint 12 at East Hardwick, yet this is not referred to in the corresponding Table 16 on p122. The viewpoint arrow also requires slight amendment to ensure it is pointed towards the development site.

The ES should provide an analysis of existing setting of heritage assets around the site and demonstrate the likely impact of the proposals upon the characteristics of these cultural heritage assets both during the construction phase and during the future operation of the site.

Population and Human Health

It is expected that the development would have an environmental impact on population and human health primary both in construction and operation phase, due to the nature and scale of development proposed. The application has also been reviewed by the Council's Healthy Places Officers, who in summary has advised that it is important the EIA provides a comprehensive assessment of any impacts on population and human health. This should include an assessment of the proposals impact on:

- Health Protection (e.g. effects of environmental health hazards, et al.)
- Health Improvement (e.g. effect on lifestyle factors such as diet and physical activity, inequality, education and employment)
- Health Services (e.g. effect of the proposal on how people access health services (and wider services that impact on health) and/or how these are to be delivered.)

The ES should provide an analysis of the impact on population and human health demonstrate the likely impact likely impact of the proposals upon the characteristics of population and human health both during the construction phase and during the future operation of the site.

Other Matters

Information provided in relation to the other matters below, are also considered to be important to assess as part of the ES, but the Council have no further comments to make on the information included within the Scoping Report.

- Air Quality
- Landscape and Visual Amenity
- Socio-economics
- Climate Change and Sustainability (including greenhouse gas emissions assessment, climate change resilience and ICCI)
- Major Accidents and Disaster Vulnerability
- Waste and Material Resources

Matters to be Scoped Out

Other than the points raised by the ecologist below, there are no objection to the elements of the development that are proposed to be scoped out of the ES.

It is noted that ecological survey work has been scoped out of the EIA, refer to section 19.2 Biodiversity and Nature Conservation (surveys not required) of the Impact Assessment Scoping Report. With specific reference to foraging bats:

Bats (foraging) - permanent losses of foraging habitat would be restricted to the minimum needed to construct the Proposed Development. The Main Site is largely previously developed land, so any foraging habitat losses would be restricted to small stands of trees, scrub and grassland with no implications for wider habitat availability and connectivity for bats. Similarly, any impacts to bat habitats will be minimised and negligible along the Proposed Pipeline Corridors to minimise implications arising from the statutory BNG regime. Consequently, bat activity survey are not required to inform impact assessment as habitat availability for bats is not likely to be meaningfully affected.

I would suggest that the impacts on foraging and commuting (although not specified) bats should be considered in greater detail rather than being scoped out of the EIA. The impacts of tree removal and the Pipeline Corridor alongside the River Aire cannot be considered in detail without sufficient survey

information. Records of bats are recorded on the Defra Magic Mapping system, within the river corridor, suggesting bats use this linear feature for commuting and foraging purposes.

Cumulative and Combined Effects

In terms of the identified cumulative impacts of the development, those within the Wakefield district set out in table 34 are considered to be acceptable, along with the addition of the below:

23/00100/S7301 - Variation of Conditions 1 (description of works), 7 (Approved Plans), 8 (floorspace limitations), 9 (plans and particulars of the RMAs), 10 (permitted uses) and 35 (FRA for Development Zone C) of Hybrid Planning Permission 23/00100/FUL for full planning permission for site infrastructure works including alterations to existing rail infrastructure, construction of an estate road, highways improvements to Kirkhaw Lane, the Kirkhaw Lane/B6136 junction, works to the Old Great North Road/B6136/A162 north-bound slip road junction, and a new all-movement traffic light junction on the A162, with associated landscaping, drainage, infrastructure and engineering works, and the demolition of existing buildings. Outline permission for the development of general industrial (B2 use class) and storage and distribution (B8 use class) employment floorspace with ancillary offices, access and parking arrangements from the estate road, service yard areas, landscaping, drainage, and associated infrastructure and engineering works –

Former Coal Yard, Ferrybridge 'C' Power Station, Kirkhaw Lane, Ferrybridge, Knottingley, WF11 8RD

Pending Consideration

24/00950/EIASO - Request for screening opinion to confirm whether there is a requirement for an Environmental Impact Assessment (EIA) in respect of a 50MW Green Hydrogen Production Facility

Ferrybridge Mfe Limited, Kirkhaw Lane, Knottingley, WF11 8RD

EIA Screening Opinion

Conclusion

In conclusion the above assessment is based on the level of information and consultation responses received to date. As such, the comments of Wakefield Council to the requirements of the ES as set the above may not be exhaustive. The principles of the methodology and analysis in respect to the above matters highlighted in the Scoping Report are considered to be acceptable, subject to taking account of the points contained within this letter.

The full comments from internal consultees, and a comment by a local group can be found on the Wakefield Planning pages at the link below, and by searching for reference 24/01775/DCO:

<https://planning.wakefield.gov.uk/online-applications/>

Yours faithfully

Neil Bearcroft MRTPI
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Wakefield Council