

Meeting note

Project name	Ferrybridge Carbon Capture and Storage
File reference	EN0710002
Status	Draft
Author	The Planning Inspectorate
Date	08 August 2024
Meeting with	enfinium
Venue	Microsoft Teams
Meeting objectives	Project update
Circulation	All attendees/ additional contacts to share meeting note

Summary of key points discussed, and advice given

The Planning Inspectorate (the Inspectorate) advised that a note of the meeting would be taken and published on its website in accordance with section 51 of the Planning Act 2008 (the PA2008). Any advice given under section 51 would not constitute legal advice upon which applicants (or others) could rely.

Introduction to scheme

The Applicant gave an overview of the company, site and Proposed Development. Enfinium is an Energy from Waste (EfW) generator, with Ferrybridge the largest facility currently in the UK. Ferrybridge 1 and 2 (F1 and F2) are two-line facilities. Carbon capture could run in the same way or be combined into a single duct for each. Exhaust stacks are likely to be on top of the absorber column. Removed CO₂ will be processed for storage and transport, with optionality for pipeline or rail transport likely to remain throughout the examination. The indicative layout incorporates land for a liquification plant, to facilitate rail transport, and for a pipeline running to the edge of the red line boundary, with onward provision reserved for future application(s). There is also potential for a small amount of CO₂ to be used for commercial purposes, transported by road. The Applicant acknowledged the need to ensure all options are covered in the Environment Statement (ES), but anticipated limited difference in significant effects between pipeline or rail, and no difference in terms of land ownership. Both the Applicant and the Inspectorate noted recent legal judgements and cases relating to the Environmental Impact Assessment (EIA) process and appreciate that this is an evolving picture.

The current indicative layout shows the new structures as close as possible to the existing plants, although not completely hidden from the adjacent A1(M). The Applicant also noted that there are existing consents for warehouse development behind the site (as viewed from the motorway) and battery storage on the old power station site to the southeast, with future redevelopment planned for remainder of this site.

The Applicant confirmed it is not anticipating any difficulties regarding water availability; there is an existing consent for water supply and processes on site do also generate some surplus. Alternatively, the facility may use dry or hybrid cooling systems due to overhead power line constraints.

The Applicant explained that most of the land and buildings affected are in its ownership. Some warehouses to be demolished are owned by Scottish and Southern Energy, and discussions are ongoing regarding their various shared and overlapping interests. The Applicant also leases land towards the north of the site to a third party, and negotiations are ongoing about alterations to the lease to accommodate development needs.

Scoping Opinion; further scoping out topic aspects

Following the Scoping Opinion issued by the Inspectorate, the Applicant outlined further topics it is hoping to scope out at the stage of the Preliminary Environmental Information Report (PEIR), through ongoing engagement with statutory consultees. The Inspectorate noted that it must consider at the acceptance stage whether the submitted ES follows the form agreed at scoping and whether any changes since are justified and agreed with relevant bodies, therefore it recommended the Applicant include a table covering any changes to the scope. This should state where changes have been agreed with statutory bodies, as this will be a key consideration for a number of the topics suggested. The Inspectorate also noted that it will be important to make clear what impact optionality would have on this.

Programme

The Applicant outlined its project programme, leading to an anticipated submission date of October 2025 and allowing for PEIR production by the end of 2024 with the statutory consultation period in early 2025. The new early Adequacy of Consultation (AoC) milestone is included, and the Applicant explained that a full draft Consultation Report was unlikely to be available at this time. Instead, it intended to submit tables summarising its statutory compliance, and a summary of the main themes of feedback received. The Inspectorate agreed that this seemed a reasonable approach; the intention of the milestone is to de-risk the AoC process, not to duplicate Acceptance checks.

The Inspectorate asked whether the Applicant intended to submit draft documents for review prior to formal submission of the application. The Applicant noted that the programme could accommodate this and agreed to respond separately.

The Applicant explained it was only intending to update the programme if major dates changed, not for changes to the more detailed levels. The Inspectorate noted that the level of detail provided is very helpful not only for its own resourcing but for statutory consultees to see where their input may be required, and recommended that it be kept under review. It advised that the Applicant would need to publish a version of the programme on its website.

Service Level Discussion

The Inspectorate explained they are expecting to confirm tier allocations by the end of August. The Inspectorate and Applicant agreed to defer discussions regarding the relationship of this to the project programme until this point. **Post Meeting Note:** The Inspectorate provided confirmation on 22 August 2024 that the project will follow the standard tier.

Sequential Test Requirement

The Applicant reported that the Environment Agency (EA) have requested a flood zone sequential test in accordance with the National Planning Policy Framework. The Applicant believes the Proposed Development would fall under the definition of essential infrastructure. It is undertaking additional modelling to update and refine the broader flood zones shown on EA mapping, and drainage/engineering design work to ensure that the site and development are resilient and provide attenuation. It has set up an agreement with the EA on their approach to ongoing consultation.

The Inspectorate advised that the decision on need for a sequential test will rely on the evidence and justification provided. It is important to work with the EA to resolve as much as possible prior to examination. The Inspectorate noted that it will be considered at Acceptance stage, so the Applicant should ensure a thorough explanation is provided in the Flood Risk Assessment for the approach taken.

AOB

The Applicant outlined its plans for informal, non-statutory consultation in mid-September to October 2024. It is planning to hold a webinar and a Q&A session (responses to be published online) and pop-ups in the local area. Leaflets are to be distributed, providing freepost postcards for responses. It will also be holding briefing sessions for key community and political stakeholders. A broadly similar methodology is intended for the statutory consultation. The Applicant has been engaging with Wakefield Council (WC), who advised that there is not much interest from members and that it has delegated powers for the Proposed Development. The Applicant is aware that local authorities are stretched with resources and has been discussing how best to support them to engage, so they can continue to work collaboratively and make best use of WC's local expertise. The site is close to the boundary with North Yorkshire District Council, and the Applicant is aware it needs to engage there too.

Specific decisions/ follow-up required?

The following actions were agreed:

- Next meeting to be arranged for late October after the informal consultation
- Applicant to consider whether it will want a draft document review and how to include in programme
- Applicant to upload public version of programme to its website
- Applicant to continue to engage with EA on sequential test issues and report back as required
- Applicant to discuss resourcing and experience with local authorities and report back any issues