



SCOPING OPINION:

Proposed Ferrybridge Carbon Capture and Storage

Case Reference: EN07010002

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

04 June 2024



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2. INTRODUCTION

- 2.1.1 On 24 April 2024, the Planning Inspectorate (the Inspectorate) received an application for a Scoping Opinion from enfinium (the Applicant) under Regulation 10 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regulations) for the proposed Ferrybridge Carbon Capture and Storage Project (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'.
- 2.1.2 The Applicant provided the necessary information to inform a request under EIA Regulation 10(3) in the form of a Scoping Report, available from:

<https://nsip-documents.planninginspectorate.gov.uk/published-documents/EN0710002-000022-EN0710002%20-%20Scoping%20Report.pdf>
- 2.1.3 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.
- 2.1.4 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.
- 2.1.5 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.
- 2.1.6 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.
- 2.1.7 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>

- 2.1.8 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.

3. OVERARCHING COMMENTS

3.1 Description of the Proposed Development

(Scoping Report Section 3)

ID	Ref	Description	Inspectorate's comments
3.1.1	Paragraphs 2.2.5 and 2.3.1 and 7.6.12	Nearest residential receptors	Scoping Report paragraph 2.2.5 states that the nearest residential development to the Proposed Development is over 0.5km to the south of the boundary. Paragraph 2.3.1 states that the nearest residential receptors are 300m to the west of the boundary. Paragraph 7.6.12 identifies the closest sensitive receptors (residential dwellings) as being 200m from the Proposed Development. The description in the ES should be consistent to ensure that the assessment considers the correct location and extent of all potential receptors.
3.1.2	Paragraph 2.3.1	Key environmental constraints	Information appears to be missing in relation to the list as the last dot point ends with "and". The ES should set out clearly the extent of the key environmental constraints
3.1.3	3.1.4	Flexibility	<p>The Inspectorate notes that the Applicant may retain flexibility over the type of captured carbon within the ES (exported as pressurised gas via pipeline or liquified carbon exported via rail) and proposes to use a 'Rochdale Envelope' approach to define the parameters of the Proposed Development. The Inspectorate also notes transportation options of either rail or road transport both during construction and operation are being considered.</p> <p>The Applicant should make every attempt to narrow the range of options and explain clearly in the ES which elements of the Proposed Development have yet to be determined and provide the reasons for the flexibility sought. At the time of application, any Proposed Development options should not be so wide-ranging as to represent</p>

ID	Ref	Description	Inspectorate's comments
			<p>effectively different developments. The parameters should use the maximum envelope within which the built development may be undertaken to ensure a worst-case assessment. The ES should identify the parameters that have been assumed as the worst-case scenario for each aspect scoped in to the assessment and ensure that interactions between aspects are taken into account relevant to those scenarios.</p> <p>The Inspectorate draws the Applicant's attention to Advice Note 9: Rochdale Envelope, which states that "it will be for the authority responsible for issuing the development consent to decide whether it is satisfied, given the nature of the project in question, that it has 'full knowledge' of its likely significant effects on the environment".</p>
3.1.4	Paragraph 3.2.8	Traffic and Transport	The ES should clearly set out the number and type of trips required for the Proposed Development in all phases and this information should underpin all relevant assessments in the EIA.
3.1.5	Paragraph 3.2.10	Liquid CO ₂ storage spheres	The ES should include clear parameters for the assessment. The Scoping Report provides a diameter for the storage spheres only. Details of how much on-site capacity this would provide and how long the carbon would be stored on site should also be provided in the ES and inform the EIA.
3.1.6	Paragraph 3.2.12	Transport of captured carbon	The Scoping Report refers to uncertainty over the delivery of an off-site pipeline for the onward transportation of pressurised carbon gas, which does not form part of the Proposed Development and would be delivered as part of a cluster of Carbon Capture and Storage (CCS) projects. It also notes that a potential pipeline route may not be known when the ES is prepared. The ES should clearly describe the relationship between the Proposed Development and connected projects. This should include the extent to which the Proposed Development is dependent on their delivery and the development

ID	Ref	Description	Inspectorate's comments
			<p>timelines and anticipated consenting routes of the other projects, with an explanation of how these will be coordinated.</p> <p>The ES should explain the likely methods proposed to transport captured carbon from the site and should demonstrate that the methods considered are deliverable. Accordingly, the assessment should address the potential for either method (rail transport or pipeline transport) to result in a likely significant effect. The ES should clearly explain and justify the boundaries and limitations of the assessment and, where uncertainty may persist, any reasonable assumptions that have been applied. The assessment should address the worst-case (which may differ for different aspects), and if the nature and likely impacts of transport methods are very different, then the Applicant should consider the need to assess each option individually.</p> <p>The ES should demonstrate how the Proposed Development would be viable operationally should the ongoing pipeline export option remain uncertain.</p>
3.1.7	Paragraph 3.2.18	Water supply	<p>It is noted in the Scoping Report, the potential for both a continuous flow of water and cooling water to be required for the Proposed Development. The ES should clearly state the volumes of water required and where the supply would be sourced from. Where options are retained to use either the existing borehole supply or the public water supply, the reasons for retaining both options should be explained and the different options assessed in the ES.</p>
3.1.8	Paragraph 3.2.19	Waste water	<p>The ES should clearly state the volume of waste water to be discharged from the Proposed Development and provide an update on securing any permit required for the discharge of such waste water.</p>
3.1.9	Paragraph 3.3.3	Construction compounds and parking	<p>The ES should identify the location and parameters of any construction compounds required within the order limits. The Scoping</p>

ID	Ref	Description	Inspectorate's comments
			Report references the use of provisional construction laydown areas and the potential to use existing staff and contractor car parks. The ES should set out the capacity of these existing facilities and demonstrate that they can accommodate the extra vehicles. Where the existing Ferrybridge 1 and Ferrybridge 2 Energy from Waste (EfW) plants would require some use of these car parks, this potential overlap should be explained.
3.1.10	Paragraphs 3.3.3 to 3.3.5	Construction access	The Scoping Report notes that alterations to access routing into the site and within the site may be required for the construction phase. These works should be detailed and assessed in the EIA.
3.1.11	Paragraph 3.3.9	Planned maintenance	<p>The ES should include the frequency and duration of maintenance periods, works likely to be carried out, staff required and additional trips generated to and from the site as a result. This information should inform relevant assessments in the EIA.</p> <p>The ES should also provide a description and assessment of how the CCS plant would operate during 'downtime' when the CCS facilities are undergoing maintenance and any effects on the function of the existing facilities that could generate likely significant effects.</p>
3.1.12	Figure 3.1	Mitigation hierarchy	The Inspectorate notes in Figure 3.1 of the Scoping Report that areas of habitat are currently proposed for 'above ground installation'. The ES should demonstrate how the design has followed the mitigation hierarchy.
3.1.13	Paragraph 3.4.7	Mitigation and Biodiversity Net Gain	The ES should also clearly explain the measures which are considered to be mitigation and which are compensation or Biodiversity Net Gain, both on and off-site where relevant. The mitigation and compensation package should be progressed with relevant consultation bodies.

ID	Ref	Description	Inspectorate's comments
3.1.14	NA	Site description	<p>The Scoping Report states that the Carbon Capture and Storage facilities would be sited between the existing Ferrybridge 1 and 2 Energy from Waste (EfW) plants within the site boundary. The figures supplied do not clearly show the location of the existing Ferrybridge 1 and 2 and this should be explained in the ES so that it is possible to understand what facilities would be altered as part of the Proposed Development. The Inspectorate notes reference in Scoping Report Chapter 7 (paragraph 7.4.4) that there could be changes to emissions discharge points as a result of the Proposed Development.</p> <p>Appropriate figures should also be supplied in the ES that clearly show the layouts of the current operational site and the layout of the Proposed Development.</p>
3.1.15	NA	Proposed Development operation	<p>The ES should describe the operation of the existing Ferrybridge EfW and how the new facilities will operate with the implementation of CCS. This should include a description of where the addition of the CCS facilities interact with the operation of the EfW plants (such as through changes to operational discharges). Where options remain for the form of carbon captured (liquid or gaseous form), the ES should describe the difference in operation of the Proposed Development differs with the two potential options of carbon captured in either liquid or gaseous form.</p>

3.2 EIA Methodology and Scope of Assessment

(Scoping Report Sections 3 4 and 5)

ID	Ref	Description	Inspectorate's comments
3.2.1	NA	Cross references	The ES should ensure there is evidence of appropriate cross referencing between aspect chapters to ensure that assumptions are consistent. Each aspect chapter should take account of information contained within other assessments, where these are relevant.
3.2.2	Section 3.5	Decommissioning	<p>The Scoping Report states that the Proposed Development would have a design lifetime consistent with the existing EfW plant but does not state what this lifetime would be. Paragraph 3.5.3 states that if the CCS facilities were to continue in use beyond that lifetime, they would be refurbished and upgraded as required and paragraph 3.5.4 indicates that decommissioning would potentially be a reverse of the original development of the facility.</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 decommission the Proposed Development or extend its operational life, these should be described and assessed in the ES.</p>
3.2.3	Paragraph 4.1.4	Competent experts	The ES should contain details of the competent experts used in the preparation of the ES.
3.2.4	Paragraphs 4.2.6 to 4.2.10	Baseline, future baseline and cumulative effects assessment	The ES should be clear which projects form the baseline for the Proposed Development, what is considered the future baseline and which projects are considered within the assessment of cumulative effects, with reasons given for the approach taken.

ID	Ref	Description	Inspectorate's comments
3.2.5	Table 4.2	Magnitude of effect	The Scoping Report magnitude of effects table does not make it clear how decisions would be made in relation to a 'noteworthy' or 'material change', nor how the judgement of 'some measurable changes' would be made. The approach should be clarified in the ES.
3.2.6	NA	Existing utilities infrastructure	The Applicant's attention is drawn to the comments from National Grid in relation to the presence of existing electricity assets and safety. The ES should assess the potential effects on existing and future utilities assets, including any proposed diversions that may be required.
3.2.7	NA	Environmental Permits	<p>There is reference to the need for an Environmental Permit for discharges to air, ground and water throughout the Scoping Report. The ES should clearly set out all other separate consents that will be required and the progress or likelihood in securing permitting, particularly where any degree of reliance is placed on such subsequent consents as mitigation for potentially significant effects of the Proposed Development.</p> <p>The Inspectorate would encourage cross reference in the ES to any separate Development Consent Order (DCO) application documents relating to other licenses and consents that would be required in the construction and operation of the Proposed Development.</p>
3.2.8	NA	Transboundary	<p>It is noted that the Scoping Report includes consideration transportation of carbon to Norway's Northern Lights. This is noted in paragraphs 3.1.6, 3.2.14 and 8.4.3 of the Scoping Report.</p> <p>The Inspectorate recommends that the ES should identify whether the Proposed Development has the potential for significant transboundary effects, and if so, what these are, and which EEA States would be affected. The Inspectorate will undertake a transboundary screening on behalf of the SoS in due course.</p>

4. ENVIRONMENTAL ASPECT COMMENTS

4.1 Transport

(Scoping Report Section 6)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.1.1	Table 6.4	<p>During operation:</p> <ul style="list-style-type: none"> • Severance • Driver Delay • Pedestrian delay • Pedestrian Amenity • Fear and Intimidation • Accidents and Safety 	<p>The Scoping Reports notes that operational traffic levels are likely to be below the threshold of 10% of the current levels. The Scoping Report at paragraph 6.4.1 references c.50 additional two-way staff trips spread across 3 separate shift patterns, and 24 two-way LGVs (one delivery per hour over a 12-hour period) during the operational period. Information however is not provided in relation to requirements during planned maintenance or traffic requirements should rail or pipeline options not be present. Furthermore, paragraph 6.6.4 states that the greatest impact during operation is to be on driver delay. This matter is not discussed further. As such, the Inspectorate is unable to agree to scope these matters out at this time.</p>

ID	Ref	Description	Inspectorate's comments
4.1.2	Paragraphs 6.3.1 and 6.7.1	Data collection	<p>The Scoping Report notes the intention to rely on Department for Transport data. The Applicant should seek agreement on the data set with the relevant statutory consultees and consider whether sensitivity testing should be undertaken in justifying its relevance.</p> <p>The Applicant should take account of data from similar developments when identifying potential trip generation as well as from the end user.</p>

ID	Ref	Description	Inspectorate's comments
4.1.3	Paragraphs 6.3.2 and 6.3.3	Age of data	<p>Reference is made to traffic counts undertaken in 2018. The Applicant should consider whether these figures are representative of the current flows experienced on the relevant roads in the study area. The EIA should be based upon on a robust baseline to ensure that the assessment scope is accurate and in line with relevant guidance and any likely significant effects are identified.</p> <p>The Scoping Report makes reference to all existing site operations being present at the time of the 2018 count. However, the ES should consider whether changes in the study area have occurred since 2018 which may influence the flows.</p>
4.1.4	Paragraph 6.4.10	Study area - sensitive receptors	<p>The ES should include the A1(M), A162 and M62 within the study area and identify any further receptors in relation to traffic and transportation effects. The ES should set out any other factors which have been considered in determining the study area, supported by appropriate figures.</p> <p>The assessment methodology and selection of study areas should be discussed and agreed with relevant consultation bodies.</p>
4.1.5	Section 6.6	Traffic and Transport	<p>The ES should clearly set out the number and type of trips required for the Proposed Development in all phases and should include consideration of both rail and road and the scenario where rail and pipeline options are not in use. This information should underpin all relevant assessments. The ES should be clear in its description in relation to mode of transport or combination thereof as to the worst-case scenario.</p>
4.1.6	Section 6.6	Transport options	<p>The ES should ensure that a worst-case scenario is assessed in terms of likely transportation options, noting that the use of the rail head may not be available.</p>

ID	Ref	Description	Inspectorate's comments
4.1.7	NA	Decommissioning	With reference to ID 3.2.2 of this Scoping Opinion, the ES should include consideration of likely significant effects of decommissioning and provide an outline of a Decommissioning Traffic Management Plan.
4.1.8	NA	Alternative transport options	The ES should include consideration and assessment of non-road based options (such as rail-based and / or use of waterborne freight during construction). The Applicant's attention is also drawn to the response from Canal and River Trust in relation to the use of the Aire and Calder Navigation and the Eggborough complex wharf facilities.
4.1.9	NA	Transport Assessment	The Transport Assessment to inform the ES should identify any 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.

4.2 Air Quality

(Scoping Report Section 7)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.2.1	Table 7.5 Paragraph 7.1.4	Rail traffic emissions - operation	The Scoping Report does not provide any information to demonstrate the nature and potential numbers of rail movements required during operation of the Proposed Development. The Inspectorate considers there is potential for significant effects to arise from regular rail movements during operation. The Inspectorate does not therefore agree that this matter can be scoped out of the assessment at this time.
4.2.2	Table 7.5 Paragraph 7.4.3	Road vehicle emissions - construction	The Scoping Report notes that construction traffic numbers are not yet confirmed but are considered likely to be below the indicative criteria for requiring a detailed assessment. In the absence of evidence of the traffic numbers during construction, the Inspectorate does not agree that this matter can be scoped out of the assessment at this time and notes that the Scoping Report Transport chapter considers that construction traffic has potential to create significant effects. 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.
4.2.3	Table 7.5 Paragraph 7.4.3	Road vehicle emissions – operation	The Scoping Report considers that operational traffic emissions are also anticipated to be below indicative criteria for a detailed assessment. With reference to ID 4.1.1 of this Scoping Opinion, the Inspectorate considers there is potential for significant effects from operational traffic and so an assessment of road vehicle emissions

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			should also be scoped into the assessment of effects on air quality, where significant effects are likely to occur.
4.2.4	Table 7.5 Paragraph 7.6.11	Dust emissions - operation	The Scoping Report considers that emissions of dust during operation are not likely to be significant. The Inspectorate agrees that there are unlikely to be significant effects from dust emissions during operation and agrees that this matter can be scoped out of the assessment.
4.2.5	Table 7.5 Paragraph 7.6.11	Odour emissions – operation	The Scoping Report proposes to scope out odour emissions during operation as no significant sources of odour will occur. The Inspectorate notes there is potential for emissions of odorous chemicals (amines) during operation and process effluent would also be produced from cooling. It is not clear what measures would be used to ensure that operation of the Proposed Development would not generate odour emissions, nor the nature and levels of odour that could be generated during operation, however. In the absence of further details, the Inspectorate does not therefore agree to scope out operational odour emissions at this time. The ES should include details of all potential operational odour sources and an assessment, where significant effects are likely to occur.

ID	Ref	Description	Inspectorate's comments
4.2.6	NA	Air Quality baseline	The Inspectorate notes that there is no reference to project-specific air quality surveys being proposed by the Applicant. Baseline surveys would be determined from data obtained from representative automatic monitoring stations, supplemented with published national and 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. This approach should

ID	Ref	Description	Inspectorate's comments
			be discussed and agreed with relevant consultation bodies and the ES should explain how the air quality monitoring data is representative of the baseline. The effects of CCS on baseline emissions should also be clearly detailed in the assessment.
4.2.7	Paragraph 7.2.13 7.3.1	Methodology – Study Area	The ES should define the study areas that are used in the assessment, including an explanation of the study areas used to identify potential for significant air quality effects on human and ecological receptors. This should be supported by appropriate figures. The assessment methodology and selection of study areas should be discussed and agreed with relevant consultation bodies.
4.2.8	Paragraph 7.3.7	Air Quality baseline – CCS plant specific emissions	The Scoping Report notes that there is little available baseline monitoring data for pollutants specific to CCS plants (amines, nitrosamines, aldehydes and nitramines). The ES should characterise the baseline for each potential pollutant and effort should therefore be made to agree an appropriate baseline for the assessment with the relevant consultation bodies. This should include defining an appropriate search area for developments emitting those pollutants, data gathering, and any assumptions made on the levels of existing baseline concentrations for the assessment.
4.2.9	Paragraph 7.4.10	Methodology – CCS plant specific emissions	The Scoping Report also notes that there are no current substance-specific Air Quality Assessment Levels (AQAL) for amines, nitrosamines and nitramines with the exception of total nitrosamines and nitramines. In the absence of these levels, the ES should clearly set out an appropriate methodology for the assessment of these pollutants. This approach should be agreed with relevant consultation bodies. The Inspectorate directs the Applicant towards the comments from the UK Health Security Agency and Environment Agency in relation to the assessment of effects on amines.

ID	Ref	Description	Inspectorate's comments
4.2.10	Table 7.4 Paragraph 7.4.21	Effects on statutory designated ecological sites - operation	<p>The Inspectorate notes some discrepancy between the air quality and ecology chapters in the scoping of air quality effects on ecological receptors. Scoping Report Table 7.4 identifies Fairburn and Newton Ings Site of Special Scientific Interest (SSSI) and Well Wood Local Nature Reserve (LNR) as receptors scoped into the assessment due to air quality effects, whereas these sites are scoped out in Scoping Report Chapter 10, Table 10-7. The Inspectorate considers that as Fairburn and Newton Ings SSSI is designated for wetland habitats which could be sensitive to changes in pollutant levels, as well as its bird interest, that the site should be scoped into the assessment of effects.</p> <p>Well Wood LNR is also within the screening distance set out in Scoping Report paragraph 7.4.28, the Inspectorate considers there is potential for significant effects on this site and it should also therefore be scoped into the assessment.</p>
4.2.11	Table 7.4	Effects on non-statutory designated ecological sites - operation	<p>The Inspectorate also notes from Scoping Report Chapter 10 that the Bank of River Aire Site of Importance for Nature Conservation (SINC) is within 630m of the Proposed Development and so should also be scoped into the assessment on the basis of the methodology set out in paragraph 7.4.28 of the Scoping Report.</p> <p>Scoping Report Chapter 10, Table 10-7 also identifies two sites for inclusion in the assessment of operational air quality effects; Fryston Park Local Wildlife Site and Endless Flat Plantation (SINC), that are not scoped into the assessment in Scoping Report Chapter 7. The Inspectorate considers that these sites should be scoped into the assessment of effects due to the proximity of both sites to the Proposed Development.</p> <p>The ES should ensure appropriate cross referencing between different aspect chapters to ensure consistency.</p>

ID	Ref	Description	Inspectorate's comments
4.2.12	Paragraph 7.4.12	Geographical scope	The Scoping Report proposes to model process emissions using a 10 x 10km output grid to capture the maximum contribution from the Proposed Development. It is unclear upon what basis the selection of this grid was made. The ES should justify the study area(s) used in line with relevant guidance, modelling, and/or agreement from relevant stakeholders.
4.2.13	7.4.30	Vehicle emissions - operation	The Scoping Report proposes a quantitative study of vehicle emissions using the first year of operation as a worst-case scenario. The ES should provide details of the assumptions used to determine the approach to assessment and an explanation of any assumptions used. The Applicant should seek to agree the approach and methodology with relevant consultation bodies.
4.2.14	Paragraph 13.3.6	Odours from historic contamination - construction	The Inspectorate notes from Scoping Report Chapter 13 that there is potential for contamination across the Proposed Development site from a number of existing sources. Scoping Report Chapter 13, paragraph 13.3.6 identifies that this includes deposition of liquid sludges without defining exactly where on site these could occur in relation to the Proposed Development. The ES should identify the potential for emissions from historic contamination on the site and provide an assessment, where significant effects are likely to occur.
4.2.15	NA	Monitoring	The ES should explain the use of monitoring, including any remedial actions, that would be used to ensure compliance with permit standards such that air quality emissions limits are met.
4.2.16	NA	Non-road mobile machinery	The ES should confirm the type and use of non-road mobile machinery to ensure the use of low emission technology.

4.3 Climate Change

(Scoping Report Section 8)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.3.1	Table 8.1 Paragraph 8.1.4	Flood risk vulnerability	The Inspectorate notes that an assessment of the Proposed Development's vulnerability to flood risk will be addressed elsewhere in the ES, but no reference is supplied to confirm where this will be assessed. The Inspectorate nevertheless notes from Scoping Report Chapter 12 that this matter is scoped into the assessment of effects on water resources and flood risk and so it is content that this matter can be scoped out of consideration in the ES Climate Change chapter.
4.3.2	Table 8.1 Paragraphs 8.4.1 and 8.6.2	Transport and site mobile plant use	The Scoping Report proposes to scope out transport movements and fuel consumption as these are considered 'non material' to the assessment and will only be considered qualitatively. The Inspectorate notes that paragraph 8.4.1 scopes in emissions from construction to the assessment. Limited information is provided on the scale and nature of the construction phase and thus the potential emissions associated with this phase are not yet fully known. Given the stage of the Proposed Development and the lack of clear justification, the Inspectorate does not agree to scope this matter out. The ES should therefore quantify the emissions generated by transport movements during construction (both road and where relevant, rail traffic) and include an assessment where there is potential for significant effects.
4.3.3	Table 8.1 Paragraph 8.6.3	Climate risks to workers - construction	The Scoping Report proposes to scope out climate risks to construction contractors during construction due to the short timeframe of the construction phase and as it is unlikely that climate extremes greater than those workers are already adapted to would be likely to be significant. No specific details are supplied of the potential risks or adaptations that would ensure that those risks would not be

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			significant. While the Inspectorate agrees that the short duration is unlikely to lead to significant effects, the ES should describe the potential risks and the control measures that are considered to be sufficient to ensure significant effects would not arise.
4.3.4	Table 8.1 Paragraph 8.6.6	Climate risks - operation	The Scoping Report proposes to scope out the effects of climate change on the Proposed Development from summer heatwave / drought events or severe winter weather, as the Proposed Development is not considered likely to affect the climate risk profile of the development as a whole. The Inspectorate considers that the new facility will include several additional elements that will all have differing vulnerability to climate risks and cannot be scoped out at this stage. This should be described in the ES.

ID	Ref	Description	Inspectorate's comments
4.3.5	Table 5-1	Chapter name consistency	The Inspectorate notes that Scoping Report Table 5-1 lists the Climate Change chapter as 'Carbon and Greenhouse Gases'. For ease of reference, the ES should be consistent in its use of chapter names.
4.3.6	Paragraph 8.5.4	'Kyoto basket'	The ES should define which greenhouse gases the Scoping Report refers to as the 'Kyoto basket'.
4.3.7	Paragraph 8.6.1	Construction stage emissions	The Inspectorate considers that the ES should also include consideration of the potential for greenhouse gas emissions from construction changes to land use, demolition activities and the generation of waste. As limited information is supplied in the Scoping Report as to the nature and extent of these wastes, and as the Inspectorate notes reference in Scoping Report Chapter 13 to a landfill within the site, these matters should be considered in the

ID	Ref	Description	Inspectorate's comments
			assessment of greenhouse gas emissions, where significant effects are likely to occur.
4.3.8	NA	Baseline	The ES should refer to UKCP18 climate change projection data.

4.4 Noise

(Scoping Report Section 9)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.4.1	Table 9.3 Paragraph 9.6.2	Site activity vibration - construction	The Inspectorate agrees that the potential for significant effects during construction are low however also noted that the requirement for percussive/impact piling has not been ruled out and this should be confirmed in the ES. The Inspectorate does agree that should percussive/impact piling not be required, then this matter can be scoped out the of the assessment.
4.4.2	Table 9.3 Paragraph 9.6.5	Site activity vibration - operation	The Scoping Report states that during operation there are to be no sources of vibration present. The Inspectorate agrees that during operation it is unlikely that there would be the potential for a significant effect and therefore this matter can be scoped out.
4.4.3	Table 9.3 Paragraph 9.6.6	Road traffic noise - operation	With reference to ID 4.1.1 of this Scoping Opinion, the Inspectorate considers there is potential for significant effects from operational traffic and so an assessment of road vehicle noise emissions should also be scoped into the assessment of effects at this time.

ID	Ref	Description	Inspectorate's comments
4.4.4	Paragraph 9.3.4	Baseline	The Inspectorate notes the justification provided for the use of the 2009 baseline data. The site and the surrounding area could have changed substantially in the last 15 years. As such, the Inspectorate suggests the approach to the use of baseline data is agreed with relevant consultation bodies and such agreement included in the ES.

ID	Ref	Description	Inspectorate's comments
4.4.5	Paragraph 9.4.2	Methodology	The Scoping Report states that method 2 as set out in Annex E.3.3 of BS 5228-1:2009+A1:2014 is the 'more pragmatic and sensible method' but does not explain the justification for this. The ES should provide justification for the methodology chosen.
4.4.6	Table 9.2	Criteria for receptor sensitivity	The table states that very high sensitivity is identified 'subject to particular circumstances'. The ES should provide an explanation as to how high sensitivity is to be identified.
4.4.7	Paragraph 9.4.10	Determining significance	The Scoping Report states that a moderate effect would not automatically be considered significant but does not explain what approach would be taken to determine whether 'moderate' effects would be significant. This approach should be explained and justified in the ES.
4.4.8	Paragraph 9.4.11	Geographical scope	The Scoping Report states that the geographic scope will not extend beyond the nearest sensitive receptors. The Applicant should ensure that the study area includes all receptors which are likely to experience a significant effect.

4.5 Ecology

(Scoping Report Section 10)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.1	Tables 10.5 and 10.7 and Paragraphs 10.3.4 to 10.3.5	Effects on Fairburn and Newton Ings Site of Special Scientific Interest (SSSI) and Local Nature Reserve (LNR)- construction and operation	The Scoping Report proposes to scope this matter out on the basis that these sites are sufficient distance away from the Proposed Development to avoid significant effects. The Inspectorate considers that given the limited evidence of potential impact-pathways that it is not in a position to agree to scope this matter out. The ES should contain an 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. 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.
4.5.2	Tables 10.5 and 10.7 Paragraphs 10.3.4 to 10.3.5	Effects on Well Wood LNR - construction	The Scoping Report proposes to scope this matter out on the basis that the LNR is a sufficient distance from Proposed Development to avoid significant effects from air quality impacts. However, it is noted that the LNR is considered to be at risk from air quality impacts at this distance for the operational assessment (Scoping Report Table 10.6). The Inspectorate is therefore not content to scope this matter out.
4.5.3	Tables 10.5 and 10.7 Paragraphs 10.3.4 to 10.3.5	Effects on: <ul style="list-style-type: none"> • Bank of River Aire SINC • Byram Park SINC • Woodland at Edge of Byram Park SINC 	The Scoping Report proposes to scope these matters out on the basis that these sites are sufficient distance away from the Proposed Development to avoid significant effects. Limited information has been provided on these sites and the potential impact pathways considered. As such, the Inspectorate is not in a position to scope

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
		construction and operation	these matters out. The ES should set out the features of each site and the impact pathways that could lead to significant effects.
4.5.4	Tables 10.5 and 10.7 and Paragraphs 10.3.8 to 10.3.12	Habitat Loss: <ul style="list-style-type: none"> • Modified Grassland - amenity grassland • Neutral Grassland • Scattered Trees • Mixed scrub construction and operation	The Scoping Report proposes to scope these matters out on the basis that these habitats are of negligible ecological importance and so the loss or modification of them would not result in significant effects. The Inspectorate agrees that loss or modification of these habitats is unlikely to lead to significant effects. However, the ES should quantify the amount of habitat that would be affected and consider whether opportunities exist for biodiversity net gain or other environmental enhancement.
4.5.5	Tables 10.5 and 10.7 and Paragraph 10.3.14	Habitat Loss- Hardstanding – construction and operation	The Inspectorate agrees that the loss or modification of hardstanding is unlikely to result in significant effects. This matter can be scoped out from further assessment.
4.5.6	Table 10.7 Paragraph 10.3.17	Effects on Amphibians and Great Crested Newt (GCN) – construction and operation	Impacts to amphibians and GCN are proposed to be scoped out on the basis that although there is a pond on site that is suitable for amphibians (including GCN), it is an isolated waterbody, previous studies (2009) found no evidence of GCN, there are no records of GCN within 2km of the site and although the unmanaged grassland on site could provide suitable terrestrial habitat, it is considered unlikely to support amphibian populations locally. It is noted at paragraph 10.4.3 that an eDNA survey is currently being undertaken for the pond and notes that the area of the pond is 1,300m ² . The Inspectorate does not agree that this matter can be scoped out of the assessment at this time. Given the age of the last surveys carried out and the identification of the pond in Figure 3.1 as an area for 'above

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			ground installation', the ES should be supported by appropriate surveys for GCN and an assessment of effects should be provided.
4.5.7	Table 10.7 Paragraph 10.3.17	Effects on Bats – construction and operation	The Scoping Report proposes to scope this matter out on the basis that although there are limited foraging opportunities for bats on site, the small size of the habitats means that they are unlikely to be of importance to supporting bat populations locally. Roosting opportunities are also limited with no trees with roost potential and two buildings of unknown roost potential. Paragraph 10.4.3 of the Scoping Report states that a preliminary roost assessment is being undertaken. As such, the Inspectorate considers that it is premature to scope this matter out at this time. The ES should either provide further justification, including reference to the results of further survey, or assess the potential for significant effects to occur on bat species.
4.5.8	Paragraph 10.3.17 and Table 10.7	Effects on Birds – construction and operation	The Scoping Report proposes to scope this matter out on the basis that although some habitats on site are thought to support small populations of a number of bird species, these habitats are small and unlikely to be of importance for maintaining populations of breeding or over-wintering birds. Limited information has been provided on the size of the bird populations and supporting habitats. As such, the Inspectorate does not agree to scope this matter out. The ES should assess any potential effect on these bird populations from the construction and operation of the Proposed Development.
4.5.9	Paragraph 10.3.17 and Table 10.7	Effects on Reptiles – construction and operation	The Scoping Report proposes to scope this matter out on the basis that although suitable habitat exists on site, there are no recent records of within 2km of the site and significant earth movements have previously been carried out and so it is unlikely that reptile species would occur within the grassland habitats. On this basis, the Inspectorate is content to scope this matter out.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.5.10	Paragraph 10.3.17 and Table 10.7	Effects on Invertebrates – construction and operation	The Scoping Report proposes to scope this matter out on the basis that although the site contains suitable habitat for a range of invertebrate species, the habitat areas are small and contain limited forb species and so would not be important for maintaining invertebrate populations locally. On this basis, the Inspectorate is content to scope this matter out.
4.5.11	Paragraph 10.3.17 and Table 10.7	Effects on Water Voles – construction and operation	The Scoping Report proposes to scope this matter out on the basis that although vegetation around the pond has the potential to support water vole populations, the most recent record of water vole within 2km is from the 1990s and the pond is isolated. It is noted at Paragraph 10.4.3 that further water vole surveys are proposed if the final development layout would affect the pond and Scoping Report Figure 3.1 identifies that the area containing a pond to be where 'above ground installation' will be located. The Applicant's attention is drawn to the Environment Agency's records for water vole on site. As such, the Inspectorate does not agree to scope this matter out at this time. The Applicant should consult appropriate consultation bodies for further records of water vole. The ES should also be supported by appropriate surveys for water vole and an assessment of effects of the Proposed Development should be provided.
4.5.12	Paragraph 10.3.17 and Table 10.7	Effects on Badgers – construction and operation	The Scoping Report proposes to scope this matter out on the basis that the Proposed Development site is unsuitable for badgers. On this basis, the Inspectorate is content to scope this matter out from further assessment.

ID	Ref	Description	Inspectorate's comments
4.5.13	10.3.3	Baseline	The Scoping Report makes reference to ensuring collaboration with air quality consultants however, this should also include cross

ID	Ref	Description	Inspectorate's comments
			reference to the noise assessment to inform the assessment of effects from noise on ecological receptors.
4.5.14	10.5.6	Disturbance effects	The Scoping Report refers to the assessment of effects from noise on ecological receptors and potential intra-project effects. These effects do not appear within Tables 10.5 or 10.6 in the Scoping Report and there is no reference to the potential for disturbance effects on the identified ecological receptors. The ES should consider the potential for disturbance effects, such as from noise, vibration, lighting and/or changes to human activity as a result of all stages of the Proposed Development.
4.5.15	NA	Survey approach	The Inspectorate notes in paragraph 10.3.3 of the Scoping Report that further site ecological surveys are proposed. 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 be carried out in optimal survey time periods and to current guidance.
4.5.16	NA	Open Mosaic Habitat	The Scoping Report does not consider the potential environmental value of brownfield sites, given the location of the site is described in paragraph 2.3.1 as former industrial land. The Applicant's attention is drawn to the comments from Natural England in relation to Open Mosaic Land. This should be confirmed in the ES.
4.5.17	NA	Other waterbodies	Scoping Report Chapter 13 refers to both a number of small surface water features (settlement ponds) and the Fryston Beck being located within the Proposed Development site boundary. While the Fryston Beck is described (paragraph 13.3.12 of the Scoping Report) as culverted, it is not clear whether this is for the entirety of its length within the site. The size or location of other waterbodies within the

ID	Ref	Description	Inspectorate's comments
			site boundary is also not clear. The ES should clarify these potential ecological features and whether there is potential for significant effects from the Proposed Development.
4.5.18	NA	Great Crested Newt (GCN)– District Level Licence (DLL)	The Applicant's attention is drawn to the response from Natural England that indicates that a DLL may be in place within the area of the Proposed Development. The Inspectorate understands that the DLL approach includes strategic area assessment and the identification of risk zones and strategic opportunity area maps. The ES should include information to demonstrate whether the Proposed Development is located within a risk zone for GCN. If the Applicant enters into the DLL scheme, NE will undertake an impact assessment and inform the Applicant whether the Proposed Development is within one of the amber risk zones and therefore whether the Proposed Development is likely to have a significant effect on GCN. The outcome of this assessment will be documented on an Impact Assessment and Conservation Payment Certificate (IACPC). The IACPC can be used to provide additional detail to inform the findings in the ES, including information on the Proposed Development's impact on GCN and the appropriate compensation required.
4.5.19	NA	European Eel and other fish species	It is noted that the River Aire is a migratory route for European Eel, however the Scoping Report does not consider the potential presence of this species. The ES should consider the potential effects on European Eel and other fish species, where significant effects are likely to occur.
4.5.20	NA	Invasive Non-Native Species (INNS)	The Scoping Report identifies the presence of Himalayan balsam <i>Impatiens glandulifera</i> but does not consider the potential significant effects from the presence of INNS on site. Furthermore, it is noted from the response of the Environment Agency that there are records of Canadian waterweed on site. The ES should therefore identify and confirm the presence of INNS on site and consider the potential

ID	Ref	Description	Inspectorate's comments
			effects related to their presence. Where present, an Invasive Non-Native Species Management Plan should be prepared.

4.6 Landscape and Visual Impact Assessment

(Scoping Report Section 11)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.6.1	Table 11.8	Landscape and visual impacts – construction	<p>The Scoping Report proposes to scope out landscape and visual impacts for the construction phase on the basis that effects are likely to be short term, temporary and insignificant given the existing operational traffic associated with the Ferrybridge facilities and nearby land uses. Table 11.8 of the Scoping Report states that the scope of landscape and visual receptors assessed during the construction stage would be the same as those identified within the operation stage, but proposes to scope out all construction impacts. Clarification is required as to what is considered in scope for the LVIA for each project stage.</p> <p>The Inspectorate considers that in the absence of detailed site surveys to inform the Landscape and Visual Impact Assessment (LVIA) and a lack of certainty regarding the location of construction activities and facilities, the potential for significant effects during construction cannot be excluded. The ES should assess impacts on all receptors where significant effects are likely or otherwise present a justification in the ES as to why significant effects are not likely to occur.</p>
4.6.2	Table 11.8	Landscape and visual impacts – National Landscape Character Areas – operation	<p>The Scoping Report proposes to scope out landscape and visual impacts for the operation phase of the Proposed Development on the following National Landscape Character Areas (NCA):</p> <ul style="list-style-type: none"> - NCA30 Southern Magnesian Limestone; - NCA39 Humberhead Levels; and

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<ul style="list-style-type: none"> - NCA38 Nottinghamshire, Derbyshire and Yorkshire Coalfield. <p>on the basis that "NCAs will inform baseline assessments of the LVIA although due to the presence of more detailed LPA assessments, these will not be included as a specific receptor within the assessment of effects".</p> <p>The Inspectorate considers that while the National Landscape Character Areas will inform the baseline assessment, the impact on each identified NCA should be assessed where significant effects are likely. The Inspectorate is therefore unable to scope out this matter at this time.</p>
4.6.3	Table 11.8	Landscape and visual impacts – LCTs and LCAs – operation	<p>The Scoping Report proposes to scope out landscape and visual impacts for the operation phase of the Proposed Development on the following Landscape Character Types (LCT) and LCAs:</p> <ul style="list-style-type: none"> - Limestone Escarpment LCT; - Northern Coalfield LCT; - Magnesian Limestone Ridge LCT; - Wooded Farmland LCT; - Ledsham to Lotherton LCA; - Degraded River Valley LCT; and - Lower Aire Valley LCA <p>on the basis that effects would not be significant given the character of the existing site.</p> <p>Considering the nature and location of the Proposed Development and the characteristics of the surrounding area, the Inspectorate agrees that impacts on Limestone Escarpment LCT, Northern Coalfield LCT</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			and Magnesium Limestone Ridge LCT during operation can be scoped out. Given the presence of features of historical significance within the Wooded Farmland and Degraded River Valley LCTs and the Ledsham to Lotherton and Lower Aire Valley LCA's, the Inspectorate does not agree that these areas can be scoped out of the assessment.
4.6.4	Table 11.8	Landscape and visual impacts – visual receptor groups outside the ZVI – operation	<p>The Scoping Report proposes to scope out landscape and visual impacts on visual receptor groups outside the ZVI for the operation phase on the basis that they are "<i>located outside the ZVI once identified</i>".</p> <p>It is unclear what is meant by this statement and therefore the Inspectorate is unable to scope out this matter at this time. The Inspectorate expects the ZVI to include any receptor likely to experience a significant effect and therefore would expect that those receptors located outside of the ZVI to not be subject to a significant effect.</p>
4.6.5	Table 11.8	Development of Massing Model Visualisations / Photomontages – operation	<p>The Scoping Report proposes to scope out the development of Massing Model Visualisations / Photomontages for the operation phase on the basis of the industrial nature of the site and scale of the Proposed Development.</p> <p>The Inspectorate considers that limited evidence has been provided at this time to scope this matter out. The Applicant's attention is also drawn to the comments from the Canal and River Trust regarding the use of appropriate photo imagery to assess long distance visual impacts from the Proposed Development.</p>
4.6.6	Table 11.8	Night-Time Effects and Lighting Assessment – operation	The Scoping Report proposes to scope out an assessment of night-time effects and a lighting assessment for the operation phase on the basis of existing high lighting levels and the local context of the site.

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			The Inspectorate is content that the level of additional lighting generated during operation is unlikely to result in a significant effect and therefore this matter can be scoped out.
4.6.7	Table 11.8	Residential Visual Amenity Assessment – operation	<p>The Scoping Report proposes to scope out the development of a separate residential visual amenity assessment for the operation phase on the basis of the industrial context of the site and lack of predicted visibility between the Proposed Development and residential areas.</p> <p>Considering the nature of the study area and the Proposed Development, the Inspectorate is content that a separate residential visual amenity assessment for the operation phase can be scoped out.</p>

ID	Ref	Description	Inspectorate's comments
4.6.8	Paragraph 7.8.4	Visible water vapour plumes	The Scoping Report states at paragraph 7.8.4 (Air Quality) that plumes of water vapour from the stack could have a landscape and visual effect, and that dispersion modelling will be used to assess the frequency and length of visible plumes and the significance of this effect. However, the Inspectorate is unable to find reference to this in the Landscape and Visual Impact Assessment aspect chapter. The LVIA should draw upon and cross-reference to the findings of the air quality assessment as appropriate.
4.6.9	Figure 11.1 and Table 11.1	Preliminary LVIA viewpoints / potential receptors	The Scoping Report proposes ten viewpoint locations. The number and location of viewpoints and visualisations should be justified and shown in the ES and effort should be made to agree these details with relevant consultation bodies, including local planning authorities.

ID	Ref	Description	Inspectorate's comments
			The Applicant's attention is drawn to the comments from the Canal and River Trust regarding the inclusion of boaters using the River Aire as a potential receptor in the LVIA.
4.6.10	Paragraph 11.3.5	Study area	The Scoping Report states that a 5km study area is considered appropriate but does not provide any justification. The ES should clearly set out how the study area was defined and how it represents the maximum extent of likely significant effects. The selection of study areas should be discussed and agreed with relevant consultation bodies.
4.6.11	Paragraphs 11.7.1 and 11.7.3	Detailed site surveys	<p>The Scoping Report states that the LVIA has been informed by a desk-based assessment of the site, and detailed site surveys will be undertaken during the summer months of 2024 depending on programme constraints, with judgements made with consideration to the likely winter conditions.</p> <p>The ES should assess a worst-case scenario and therefore winter site surveys should be used to inform the LVIA, or justification should be provided as to why the use of site surveys from the summer season are appropriate.</p>

4.7 Water Resources and Flood risk

(Scoping Report Section 12)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.7.1	Table 12.4	Change in potable water usage – operation	<p>The Scoping Report proposes to scope out an assessment of the change in potable water use during operation of the Proposed Development as limited numbers of operational staff on the site will lead to only a negligible increase in potable water use.</p> <p>Section 3.2.18 of the Scoping Report states that a continuous flow of water may be required for the cooling process, which may be sourced via the public (town) water supply. It is unclear whether the potential change in potable water use associated with the cooling process has been assessed. In the absence of further details, the Inspectorate does not agree to scope out changes in potable water usage during operation at this time.</p> <p>The Applicant's attention is also drawn to the comments of the Environment Agency which recommends that the water resources assessment considers all possible water requirements during the operational phase and any potential increases in potable water demand from Yorkshire Water.</p>

ID	Ref	Description	Inspectorate's comments
4.7.2	N/A	Study Area	<p>The Inspectorate notes that while the geographical scope of the Flood Risk Assessment (FRA) is broadly described in the Scoping Report, no study area has been defined.</p> <p>The ES should clearly set out how the study area was defined and how it represents the maximum extent of likely significant effects. This should be supported by appropriate figures. The selection of</p>

ID	Ref	Description	Inspectorate's comments
			study areas should be discussed and agreed with relevant consultation bodies.
4.7.3	Paragraph 12.3.5	Flood zone identification	<p>The Scoping Report references that the site is located in flood zone 3 however does not go on to explain how this is split between flood zones 3a and 3b. The Scoping Report does acknowledge the policy test for land in flood zone 3b but does not carry this through the chapter. The ES should clearly set out the extent of flood zones 3a and 3b that may be affected by the Proposed Development within the ES.</p> <p>The Applicant's attention is drawn to the comments from the Environment Agency regarding development within flood zones 3a and 3b and the requirement to design and construct the Proposed Development in accordance with the National Planning Policy Framework.</p>
4.7.4	Paragraph 12.3.12	Surface and groundwater quality – scope of assessment.	The Scoping Report states at paragraph 12.3.12 that surface and groundwater quality are discussed in detail within the Geology, Hydrogeology and Soils section of the report. However, the Inspectorate is unable to find reference to this information in Section 13 of the Scoping Report (Geology, Hydrogeology and Soils). The ES should ensure adequate cross-referencing to ensure a robust assessment.

4.8 Geology, Hydrogeology and Soils

(Scoping Report Section 13)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.8.1	Table 13.6	Soil resources and geology – construction and operation	<p>The Scoping Report proposes to scope out an assessment of soil resources and geology for the construction and operation phase on the basis that the site is previously developed land with low resource potential.</p> <p>The Inspectorate is content that impacts on soil resources and geology during construction and operation are unlikely to result in a significant effect and therefore this matter can be scoped out.</p>

ID	Ref	Description	Inspectorate's comments
4.8.2	Paragraph 13.1.3	Study area	<p>The Inspectorate notes that paragraph 13.1.3 of the Scoping Report defines the study area for Geology, Hydrogeology and Soils as "<i>within the site and the wider study area within 250 m of the site</i>" but then states in paragraph 13.4.8 that "<i>relevant issues within 500m of the site boundary will also be considered</i>".</p> <p>The ES should clearly set out how the study area was defined and how it represents the maximum extent of likely significant effects. This should be supported by appropriate figures. The selection of study areas should be discussed and agreed with relevant consultation bodies.</p>
4.8.3	Paragraph 13.6.2	Existing mine entry on site	<p>The Inspectorate notes that the Applicant has identified an existing mine entry on the site which may be affected during the construction phase of the Proposed Development. The Applicant's attention is drawn to the comments from The Coal Authority regarding the lack of information on the exact location of the mine entry and the</p>

ID	Ref	Description	Inspectorate's comments
			requirement to consider risk to surface stability and public safety in the ES.

4.9 Historic Environment

(Scoping Report Section 14)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.9.1	Table 14.4	Archaeological Assets - operation	The Inspectorate agrees that significant effects on buried archaeology are not likely to occur once the Proposed Development is operational. This matter can be scoped out of the ES.

ID	Ref	Description	Inspectorate's comments
4.9.2	Paragraph 14.4.3	Ledston Hall Grade 1 Listed Building	The Scoping Report states that there is one Grade I listed building within the study area, Ferrybridge bridge. However, it is noted that the Grade 1 Listed Ledston hall is also within the study area shown on the preliminary ZTV. The ES should therefore also consider any potential impacts to the setting of this heritage asset and its estate. The Applicant's attention is drawn to Leeds County Council's consultation response for further information on this asset.
4.9.3	Paragraph 14.5.13	Study Area	It is not clear how the 1km study area was established. The ES should clearly set out how the study area was defined and how it represents the maximum extent of likely significant effects. Cross reference should be included to the Landscape and Visual Assessment. This should include reference to the ZTV and Zone of Influence (ZOI) of the Proposed Development.
4.9.4	NA	Photomontages	The Applicant should consider the use of photomontages and section drawings to ensure that all impacts are fully understood.

4.10 Population and Health

(Scoping Report Section 15)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.10.1	Table 15.6	Changes in opportunities for recreation and physical activity – construction and operation	<p>The Scoping Report proposes to scope out an assessment of the impact on resources used for recreation and physical activity during the construction and operation phase on the basis that the Proposed Development is located on land already owned by the Applicant.</p> <p>The Inspectorate agrees that given the industrial nature of the site and areas surrounding the Proposed Development that significant effects on opportunities for recreation and physical activity are unlikely to occur and this can be scoped out of the assessment.</p>
4.10.2	Table 15.6	Health effects of changes in transport nature and flow rate – operation	<p>The Scoping Report proposes to scope out an assessment of the health effects associated with changes in transport nature and flow rate on the basis that changes in operational traffic are expected to be minor, with no potential for significant population and health effects.</p> <p>With reference to ID 4.1.1 and 4.2.3 of this Scoping Opinion, the Inspectorate considers there is potential for significant human health effects from changes in operational traffic and is unable to agree to scope this matter out at this time.</p>

ID	Ref	Description	Inspectorate's comments
4.10.3	Paragraph 15.4.11-15.4.12	Study area	The Scoping Report proposes a study area that comprises the wards of Knottingley and Airedale and Ferry Fryston for local environmental health determinants such as air quality and noise exposure, and the

ID	Ref	Description	Inspectorate's comments
			<p>wider Yorkshire and Humber region for wider socio-economic determinants such as employment and income generation.</p> <p>The Inspectorate notes that limited information has been provided to explain how the study area was selected. The study area for the assessment and its extent should be clearly explained in the ES and justification provided. The study area should be represented on accompanying figures.</p>
4.10.4	Paragraph 15.4.3	Study area consistency with inter-related technical disciplines	<p>Paragraph 15.4.13 of the Scoping Report states that "<i>The study area defining the relevant sensitive receptors identified for assessment purposes is proposed to remain consistent with the inter-related technical disciplines assessed within the ES, which the population and health topic relies upon such as air quality, noise and traffic</i>".</p> <p>It is unclear how the study area for the Human Health assessment is consistent with the study areas for traffic, air quality or noise and this should be explained in the ES, taking into account the study areas identified for inter-related aspects.</p>
4.10.5	Paragraph 15.5.3	Socio-economic impacts	<p>Paragraph 15.5.3 of the Scoping Report states that "<i>Socio-economic impacts associated with the Proposed Development are anticipated to be beneficial in nature, and enhancement measures will be explored during the ES process</i>".</p> <p>It is unclear how the Applicant has determined that socio-economic impacts associated with the Proposed Development will be beneficial. The ES should provide an explanation and justification for any conclusions reached.</p>
4.10.6	Paragraphs 15.2.9 and 15.6.1	Scope of human health assessment	<p>Paragraph 15.2.9 of the Scoping Report states that the Institute of Environmental Management and Assessment (IEMA) Guide to Effective Scoping of Human Health in EIA will be followed for the assessment of population and health. The Inspectorate notes that the referenced IEMA Guidelines set out a number of categories and health</p>

ID	Ref	Description	Inspectorate's comments
			determinants which are not referenced or discussed in the Scoping Report. The ES should clearly explain and justify the matters identified for the human health assessment.
4.10.7	Paragraph 15.6.3	Risk perception	<p>Paragraph 15.6.3 of the Scoping Report states that an additional section on risk perception is proposed to be included outside of the main assessment to address specific areas of community concern (such as the use of amine scrubbers and the pumping of CO₂ for export) that may be raised during the consultation process. However, it is unclear whether this is considered within the scope of the assessment.</p> <p>For clarity, the Inspectorate considers that an assessment of risk perception should be scoped into the ES to address any identified areas of community concern. Please also see the Inspectorate's comments on Major Accidents and Disasters in Section 4.11 of this Scoping Opinion. The ES should also therefore ensure appropriate cross references to the Major Accidents and Disasters assessment.</p>
4.10.8	NA	Health assessment approach	The health assessment should summarise key information, risk assessments, proposed mitigation measures, conclusions and residual impacts relating to human health.

4.11 Other Environmental impacts: Major accidents and disasters

(Scoping Report Section 16.2)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.11.1	Paragraph 16.2.22	Major Accidents and Disasters Chapter	<p>The Applicant proposes to scope out consideration of major accidents and disasters within the ES on the basis that control measures during construction and operation of the Proposed Development would ensure that risks of major accidents and disasters would be 'as low as reasonably practicable' (ALARP). '</p> <p>Given the nature of the Proposed Development, the Inspectorate considers it may be vulnerable to major accidents and disasters. There is limited justification from the methods that have been used to determine that significant effects will not arise, or details provided of the measures that are proposed to be implemented. The Inspectorate does not therefore agree that this aspect can be scoped out at this time.</p> <p>The ES should describe the nature, location and extent of potential hazards and risks and a description of the methodology and / or measures that would be used for the assessment. Where control measures are used to address any identified risks, these should be described and delivery mechanisms secured. Effort should be made to agree measures with the relevant consultation bodies.</p>
4.11.2	Paragraph 16.2.8	Use of amine solvents	<p>The Scoping Report references that hazards associated with the use of amine solvents will be considered in the population, human health and socio-economic and air quality topics. The Inspectorate is content to scope this matter out on this basis that these matters are covered in the proposed scope of assessment within the human health and air quality chapters in the Scoping Report. The ES should nevertheless ensure sufficient cross referencing between chapters is present.</p>

ID	Ref	Description	Inspectorate's comments
4.11.3	NA	Hazardous chemicals	The Scoping Report does not include information on the hazard classification of chemicals to be used in the Proposed Development. The ES should explain the storage, use and quantities of any hazardous chemicals and its potential for accidents. The Applicant should seek to agree the scope of the assessment with the relevant consultation bodies including the Health and Safety Executive (HSE).
4.11.4	NA	Mine entry - operation	ES should consider the risks associated with the presence of the mine entry and potential for coal workings identified by the Coal Authority and noted within the Scoping Report paragraph 13.6.2. The ES should describe the risks and any measures necessary, including investigatory and remedial works, used to ensure the safety and stability of the development.
4.11.5	NA	Major Accident Hazard Pipelines (MAHPs) and High Pressure Gas Mains	The Applicant's attention is drawn to the comments from Northern Gas Networks on the presence of gas infrastructure in the vicinity of the Proposed Development. The ES should consider the potential for these assets to be present within the Proposed Development and address the potential risks. The Applicant should consult the relevant consultation bodies, including Northern Gas Networks and the HSE. The ES should assess risks to or from the Proposed Development from MAHPs and High Pressure Gas Mains where significant effects are likely to occur.
4.11.6	NA	Existing and future electricity infrastructure	The Applicant's attention is drawn to the comments from National Grid in relation to the presence of high voltage electricity overhead transmission lines, underground cables and a high voltage substation within and in close to the Proposed Development as well as the need to consult with National Grid on appropriate safeguards. The ES should assess risks to or from the Proposed Development from

ID	Ref	Description	Inspectorate's comments
			existing and future electricity infrastructure where significant effects are likely to occur.
4.11.7	NA	Assessment	The ES should include an assessment of the cumulative effects between projects and between aspects within the Proposed Development. Mitigation for any likely significant effects should be explained and residual effects discussed.

4.12 Other Environmental impacts: Materials and Waste

(Scoping Report Section 16.3)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.12.1	Table 5-1	Materials and waste – whole aspect	<p>The Scoping Report seeks to scope out an assessment of materials and waste from the ES during construction and operation on the basis that materials and waste would be covered by other assessments, or due to waste management plans being in place during construction.</p> <p>The Inspectorate considers that the Proposed Development will generate wastes during both the construction and operation phases. Information on the likely quantities, types and disposal of solid and liquid wastes is not provided in the Scoping Report and so the Inspectorate considers that this matter cannot be scoped out of the assessment at this time.</p>
4.12.2	Paragraph 16.3.4	Waste generation – construction	<p>The Scoping Report proposes to scope out consideration of construction waste as the DCO would secure a site waste management plan and Construction Environmental Management Plan. In the absence of information on quantities of waste which are likely to be produced during the construction phase the Inspectorate is not content to scope this matter out at this time. The ES should include an assessment of the wastes generated by the construction (including demolition, where relevant) of the Proposed Development and an outline of the mitigation and management measures proposed.</p>
4.12.3	Paragraph 16.3.4	Waste generation – operation	<p>The Scoping Report proposes to scope out consideration of operational in operation as the operation of the Proposed Development would only generate low quantities of waste (spent solvents). No details of the likely quantity of wastes that could be</p>

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
			<p>generated is provided in the Scoping Report. The ES should specify and assess the likely quantities and disposal routes and methods for operational wastes, including if off-site disposal is to be used. The Inspectorate considers this matter cannot be scoped out of the assessment at this time.</p>
4.12.4	Paragraphs 16.3.2 and 16.3.3	Material and waste effects - construction	<p>The Scoping Report seeks to scope out the following matters, stating that these are matters assessed as part of other assessments:</p> <ul style="list-style-type: none"> • Embodied carbon of construction materials will be assessed within the Climate Change assessment; and • Sources of contamination are assessed in the Geology, hydrogeology and soils assessment. • A Construction Environmental Management Plan (CEMP) will also be provided setting out standard site waste management measures. <p>The Inspectorate is content to scope these matters out on the basis that they will be considered within other aspect chapters within the ES. Sufficient cross referencing should be provided within the ES to demonstrate that the assessment has been undertaken in the aspects identified and mitigation secured through the CEMP and/or other control documents.</p>

ID	Ref	Description	Inspectorate's comments
4.12.5	NA	Types and quantities of materials and waste	<p>The ES should contain details of the nature and quantities of materials required and solid and liquid wastes that will be generated, including any hazardous wastes, across all phases of the Proposed Development. This should include characterisation of all contaminated materials both chemically and physically.</p>

ID	Ref	Description	Inspectorate's comments
			Where relevant, this information should be used to inform other aspect assessments and appropriate cross referencing should be made in the ES.
4.12.6	NA	Hazardous waste production	The Applicant's attention is drawn to the comments made by the Environment Agency with respect to registering as a hazardous waste producer.

4.13 Other Environmental impacts: Aviation

(Scoping Report Section 16.4)

ID	Ref	Applicant's proposed aspect to scope out	Inspectorate's comments
4.13.1	Section 16.4	Aviation effects - construction and operation	<p>The Scoping Report states that an assessment is not required of the new stacks to be included in the Proposed Development as the nearest airport is Church Fenton airfield which is 15km from the site and is currently not in operation.</p> <p>Considering the comments received from NATS En-Route Safeguarding identifying no infrastructure within 10km of the Proposed Development, the Inspectorate is content to scope this aspect out.</p>

4.14 Other Environmental impacts: Electromagnetic Interference

(Scoping Report Section 16.5)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.14.1	Section 16.5	Operational impacts and effects	<p>The Inspectorate agrees that distance from receptors and relationship to existing tall structures means that the Proposed Development is unlikely to result in significant effects on electromagnetic interference (normally related to tv and radio).</p> <p>However, the ES should demonstrate how the Proposed Development will comply, as a minimum, with relevant EMF guidelines in respect of these components (if they are required) to demonstrate that it will not give rise to significant effects.</p>

4.15 Cumulative Effects

(Scoping Report Section 17)

ID	Ref	Applicant's proposed matters to scope out	Inspectorate's comments
4.15.1	NA	NA	No matters have been proposed to be scoped out of the assessment.

ID	Ref	Description	Inspectorate's comments
4.15.2	Section 4.7	Methodology	The methodology for the cumulative impact assessment should be set out in the ES. Agreement should be sought on the list of plans and projects to be included in the cumulative effects assessment with the relevant consultation bodies. The methodology should set out how significance of effects is determined.
4.15.3	Paragraph 4.7.3	Assessment	The ES should include a full assessment of the intra-project effects between aspects within the Proposed Development. The Scoping Report states that the conclusions of the assessment will be qualitative and would not assign significance levels. The Inspectorate considers however that the ES should be clear where the conclusions of the assessment would result in significant effects. Mitigation for any likely significant effects should be explained and residual effects discussed.

APPENDIX 1: CONSULTATION BODIES FORMALLY CONSULTED

TABLE A1: PRESCRIBED CONSULTATION BODIES¹

SCHEDULE 1 DESCRIPTION	ORGANISATION
The Health and Safety Executive	Health and Safety Executive
NHS England	NHS England
The relevant Integrated Care Board	NHS West Yorkshire Integrated Care Board
Natural England	Natural England
The Historic Buildings and Monuments Commission for England	Historic England
The relevant fire and rescue authority	West Yorkshire Fire and Rescue Service
The relevant police and crime commissioner	West Yorkshire Combined Authority
The Environment Agency	The Environment Agency
The Civil Aviation Authority	Civil Aviation Authority
The Relevant Highways Authority	Wakefield Council
The relevant strategic highways company	National Highways
The Coal Authority	The Coal Authority
The relevant internal drainage board	Selby Area Internal Drainage Board
The relevant internal drainage board	Danvm Drainage Commissioners
The Canal and River Trust	The Canal and River Trust
United Kingdom Health Security Agency, an executive agency of the Department of Health and Social Care	United Kingdom Health Security Agency

¹ Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the 'APFP Regulations')

TABLE A2: RELEVANT STATUTORY UNDERTAKERS²

STATUTORY UNDERTAKER	ORGANISATION
The Crown Estate Commissioners	The Crown Estate
The Forestry Commission	Yorkshire and North East
The relevant Integrated Care Board	NHS West Yorkshire Integrated Care Board
NHS England	NHS England
The relevant NHS Trust	Yorkshire Ambulance Service NHS Trust
Railways	Network Rail Infrastructure Ltd
Railways	National Highways Historical Railways Estate
Canal Or Inland Navigation Authorities	The Canal and River Trust
Civil Aviation Authority	Civil Aviation Authority
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En-Route Safeguarding
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
The relevant public gas transporter	Northern Gas Networks Limited
The relevant public gas transporter	Scotland Gas Networks Plc
The relevant public gas transporter	Southern Gas Networks Plc
The relevant public gas transporter	CNG Services Ltd
The relevant public gas transporter	Energy Assets Pipelines Limited

² 'Statutory Undertaker' is defined in the APFP Regulations as having the same meaning as in Section 127 of the Planning Act 2008 (PA2008)

STATUTORY UNDERTAKER	ORGANISATION
The relevant public gas transporter	ES Pipelines Ltd
The relevant public gas transporter	ESP Connections Ltd
The relevant public gas transporter	ESP Networks Ltd
The relevant public gas transporter	ESP Pipelines Ltd
The relevant public gas transporter	Fulcrum Pipelines Limited
The relevant public gas transporter	GTC Pipelines Limited
The relevant public gas transporter	Harlaxton Gas Networks Limited
The relevant public gas transporter	Independent Pipelines Limited
The relevant public gas transporter	Indigo Pipelines Limited
The relevant public gas transporter	Last Mile Gas Ltd
The relevant public gas transporter	Leep Gas Networks Limited
The relevant public gas transporter	Mua Gas Limited
The relevant public gas transporter	Quadrant Pipelines Limited
The relevant public gas transporter	Squire Energy Limited
The relevant public gas transporter	National Gas
The relevant electricity distributor with CPO Powers	Northern Powergrid (Yorkshire) plc
The relevant electricity distributor with CPO Powers	Aidien Ltd
The relevant electricity distributor with CPO Powers	Eclipse Power Network Limited
The relevant electricity distributor with CPO Powers	Energy Assets Networks Limited
The relevant electricity distributor with CPO Powers	ESP Electricity Limited
The relevant electricity distributor with CPO Powers	Fulcrum Electricity Assets Limited

STATUTORY UNDERTAKER	ORGANISATION
The relevant electricity distributor with CPO Powers	Harlaxton Energy Networks Limited
The relevant electricity distributor with CPO Powers	Independent Distribution Connection Specialists Ltd
The relevant electricity distributor with CPO Powers	Independent Power Networks Limited
The relevant electricity distributor with CPO Powers	Indigo Power Limited
The relevant electricity distributor with CPO Powers	Last Mile Electricity Ltd
The relevant electricity distributor with CPO Powers	Leep Electricity Networks Limited
The relevant electricity distributor with CPO Powers	Mua Electricity Limited
The relevant electricity distributor with CPO Powers	Optimal Power Networks Limited
The relevant electricity distributor with CPO Powers	Squire Energy Metering Ltd
The relevant electricity distributor with CPO Powers	The Electricity Network Company Limited
The relevant electricity distributor with CPO Powers	UK Power Distribution Limited
The relevant electricity distributor with CPO Powers	Utility Assets Limited
The relevant electricity distributor with CPO Powers	Vattenfall Networks Limited
The relevant electricity transmitter with CPO Powers	National Grid Electricity Transmission Plc
The relevant electricity transmitter with CPO Powers	National Grid Electricity System Operation Limited

TABLE A3: SECTION 43 LOCAL AUTHORITIES (FOR THE PURPOSES OF SECTION 42(1)(B))³

LOCAL AUTHORITY⁴
Wakefield Council
City of Doncaster Council
Barnsley Borough Council
North Yorkshire Council
Kirklees Council
Leeds City Council

TABLE A4: NON-PRESCRIBED CONSULTATION BODIES

ORGANISATION
West Yorkshire Combined Authority

³ Sections 43 and 42(B) of the PA2008

⁴ As defined in Section 43(3) of the PA2008

APPENDIX 2: RESPONDENTS TO CONSULTATION AND COPIES OF REPLIES

CONSULTATION BODIES WHO REPLIED BY THE STATUTORY DEADLINE:
Canal and River Trust
CNG Services Ltd
Danvm Drainage Commissioners
Environment Agency
Forestry Commission
Health and Safety Executive
Historic England
Leeds City Council
National Gas Transmission
National Grid
National Highways
NATS En-Route Safeguarding
Natural England
Network Rail
North Yorkshire Council
Northern Gas Networks
Royal Mail
The Coal Authority
UK Health Security Agency
Wakefield Metropolitan Borough Council



**Canal &
River Trust**

Making life better by water

Your Ref EN710002

Our Ref IPP-225

Wednesday 15 May 2024

BY EMAIL ONLY ferrybridgeccs@planninginspectorate.gov.uk

EN710002 Ferrybridge CCS - EIA Scoping Notification, Comments for 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.

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

The red line boundary of the project does not directly adjoin the River Aire, with parts of the original power station site (next to the river) not included within the boundary line. As a result, impacts for the Trust are likely to be primarily related to long distance views from the waterway, in addition to any potential impacts to the biodiversity and water quality of the waterway caused by existing potential pollution pathways from the site.

Transport (Chapter 6)

Paragraphs 6.6.2 and 6.6.3 confirm that construction traffic will likely comprise of HGV trips, which could impact upon driver delay, and that the impact of this will be scoped into the EIA.

We note that this chapter does not 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 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 Eggborough 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

Canal & River Trust

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

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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 alternative non-road based construction transport to and from the site, including use of the river, 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.

Ecology (Chapter 10)

The Trust take no issue with the section of the report relating to potential impacts on sites, habitats and species. Regarding mitigation, the document states that details of these measures will be provided through CEMP and LEMP. We would wish to comment on the framework documents when these are available, as these could have a significant impact on the effectiveness of any mitigation regime.

We note from section 10.7 that impacts on the Banks of the River Aire SINC during both construction and operation phase are to be scoped out of the assessment. We wish to highlight that 13.3.12 of the Scoping Report shows that there is a potential pollution pathway between the River Aire and the application site due to the presence of Fryston Beck. Effective mitigation to limit the potential for contaminants to reach the Beck during construction and operation phase is imperative to avoid any contamination that could otherwise affect the river corridor. Should impacts on the SINC be scoped out, then this should be based on robust construction and operation phase practices and associated remediation works to control for pollution events (discussed in chapter 13).

Landscape and Visual Effects (Chapter 11)

The above ground installation of the proposed carbon capture plant would result in the formation of new equipment that would be likely to be visible from the River Aire to the east of the site.

The proposed assessment of landscape and visual effects would follow GVLVIA 3 guidelines and we consider these to be broadly suitable. Potential receptors are listed in 11.3.13. Whilst this does include walkers who may be visiting the riverside area, we would ask that boaters are specifically listed, so that the impact on this group is explored within the Environmental Report. Boaters would likely travel through the area at low speed, and would be exposed to any landscape impacts potentially longer than other users, including cyclists and road users.

Table 11.8 states that landscape and visual impacts on the River Aire and Calder towpath 0.5km to the east of the site would be scoped into the assessment. We consider this appropriate, as this location would be more exposed to long distance views of new stacks.

We note that the table states that long distance montages will not be scoped in. We do question how the assessment of the impact on the towpath will be properly assessed without the use of photo imagery, and request that the Environmental Report ensures that robust information will be provided to allow for conclusions to be made with regards to the impact on the towpath, where the assessment is scoped in.

Should the assessment conclude that there is an impact on the river, then we ask that consideration is given to offsite works to plant additional tree cover where trees are less sparse to provide cover. Further native tree planting around the wider site adjacent to the river could help bolster the natural characteristics of the river's outward views, and help reduce the prominence of the proposal.

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Water Resources and Flood Risk (Chapter 12)

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.

3.3.10 of the Scoping Report identifies that it is anticipated that the existing site clean surface water drainage infrastructure will be used to manage any additional runoff from new impermeable areas. We are unsure if the existing equipment involves any discharge to the River Aire.

12.3.16 – 12.3.17 identify that investigations will be used to inform the proposed Drainage Strategy.

We would request that the Trust is consulted as part of the 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. 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.

Geology, Hydrogeology and Soils (Chapter 13)

The site comprises of settlement ponds that discharge to Fryston Beck, which interlinks with the River Aire (13.3.12). It is pertinent to ensure that works on site do not result in the exposure of the water environment to pollution that could otherwise impact the river.

Section 13.6 identifies that a preliminary risk assessment will be used to assess contamination risks on site. To limit the risk to the wider water environment, this should include an assessment of potential pollution pathways to the Beck.

We take no issue with the proposed EIA scope listed in table 13.6.

Other Comments

Should the red line boundary of the scheme be amended to include land closer to the River Aire (or any other Trust waterway), then the Trust would wish to be reconsulted on the proposals so that any impact on Trust assets can be fully assessed.

Proposals that include works in close proximity to the Trust's waterways would likely be required to comply with the Trust's 'Code of Practice for Works affecting the Canal & River Trust'; which could apply if the scheme is amended to incorporate land incorporating/close to Trust assets. The applicant/developer is advised to contact the Canal & River Trust's Works Engineering 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

Harvey, Molly

From: Colin Brewster [REDACTED]@cngservices.co.uk>
Sent: 29 April 2024 11:36
To: Ferrybridge CCS
Cc: info
Subject: FW: EN010710002 - Ferrybridge CCS - EIA Scoping Notification
Attachments: Letter to stat cons_Scoping & Reg 11 Notification.pdf

You don't often get email from [REDACTED]

Dear Katherine

Thank you for your e-mail.

CNG Services Ltd believes that it is not a consultation body for this project as defined in the EIA Regulations.

Kind regards

Colin

Colin Brewster
Business Development Director
Email: [REDACTED]@cngservices.co.uk
Phone: [REDACTED]

cna serv
ENGINEERING NET ZERO THROUGH RENEWABLE GASES



From: info <info@cngservices.co.uk>
Sent: Friday, April 26, 2024 8:34 AM
To: Colin Brewster [REDACTED]@cngservices.co.uk>
Subject: FW: EN010710002 - Ferrybridge CCS - EIA Scoping Notification

Harvey, Molly

From: Liam Plater [redacted]@yorkshirehumberdrainage.gov.uk>
Sent: 26 April 2024 11:49
To: Ferrybridge CCS
Subject: Re: Ferrybridge Carbon Capture and Storage consultation

You don't often get email from [redacted]

Good morning,

Thank you for consulting Danvm Drainage Commissioners regarding the above proposal.

Having assessed the site boundary, the proposal falls wholly outside the Danvm internal drainage district. We would therefore only be required to comment if the proposal increased the volume of surface water within any ordinary watercourse within the Board's district. Given that there appears to be no hydrological connectivity between the site and any ordinary watercourses within the Board's district, the Board has no comment to make at this stage.

If you require any clarification on the Board's position please do not hesitate to get in touch.

Kind regards,

Development Team



Black Drain Drainage Board
Cowick & Snaith Internal Drainage Board

Yorkshire
Drainage Bo

24 Innovat
Newport
Fast Ridin

Planning Inspectorate

Our ref: XA/2024/100082/01-L01

Your ref: EN0710002

Via email:

ferrybridgeccs@planninginspectorate.gov.uk

Date: 23 May 2024

Dear Sir/Madam

EIA SCOPING OPINION: FERRYBRIDGE CARBON CAPTURE AND STORAGE, WAKEFIELD.

Thank you for consulting us on the EIA Scoping Opinion for the above project. We have reviewed the submitted Scoping Report, dated April 2024, and have the following advice:

We broadly agree with the topics to be scoped in and out of further assessment within the Environmental Statement (ES), with the exception of some specific ecology and water resource impacts that we consider need to be scoped back in. In addition, there are some topics, such as water quality and groundwater, where we have raised concerns regarding the scope or methodology of assessment.

Environmental Permitting

This development will require a variation to the existing environmental permits, Ferrybridge 1 (SP3239FU) and Ferrybridge 2 (XP3833DK), under the Environmental Permitting (England and Wales) Regulations 2016 (EPR), issued by Environment Agency. The applicant is advised to begin pre-application discussions with the Environment Agency at the earliest opportunity.

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 application(s), then it is likely that we would reject any application(s) received for an environmental permit under EPR.

Post combustion carbon capture (PCC) plants utilising an amine process is recognised as an 'emerging technique' for CO₂ capture processes in the Large Combustion Plant Best Available Techniques (BAT) reference document for Large Combustion Plants

(2017). Under Article 14(6) of the Industrial Emissions Directive, the Environment Agency will issue BAT guidance, in consultation with industry, for both new plants and in retrofitting PCC to existing power generation plant. As a retrofit to an existing power generating activity, the environmental permit variation application(s) will be assessed against this BAT guidance: [Post-combustion carbon dioxide capture: emerging techniques - GOV.UK \(www.gov.uk\)](http://www.gov.uk).

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

- Process efficiency including energy, water, raw materials and waste.
- Processes and emissions monitoring.
- Solvent selection.
- Emissions to air. Emissions will be monitored continuously via Monitoring Certification (MCERTs) approved units, where available, and/or by periodic extractive sampling to specified standards. The air impact assessment must take into effect in-combination affects from other industrial sources of ambient pollutants. Careful consideration needs to be given to the impact on local sensitive receptors.
- Emissions to air from PCC introduce additional pollutants to flue gasses than would otherwise be expected from energy from waste combustion namely amine solvent degradation products, which, through atmospheric process will include carcinogenic nitramines and nitrosamines. Monitoring of solvent quality as a measure to minimise degradation will be a permit requirement as will the requirement for solvent composition in any permit application to understand likely emissions.
- 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.
- Odour control.
- Groundwater and land contamination. The Site Condition Report (SCR) will introduce a system to assess the potential for pollution from the 'baseline' in order to demonstrate that there has been no impact through the life of the facility.
- Consumable (chemical) materials storage & handling.
- Process waste including its storage, handling and movement.

The Environmental Permit application(s) 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.
- Consumable materials storage and handling.
- Waste storage and handling.

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 wastes.
- 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 Advice to the Applicant

The applicant is also advised to “twin track” the EPR permitting application with the planning application. See the “*If you need planning and environmental consents*” section of the [Developers: get environmental advice on your planning proposals - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals) guidance.

The applicant should also consider any permitting requirements any remediation works that could be required. This includes for the treatment and discharge following treatment. More information can be found here:

[Discharges to surface water and groundwater: environmental permits](https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits) - GOV.UK (www.gov.uk)

Ecology

We note that an ‘extended’ Phase 1 Habitat Survey has been undertaken, as well as a desk-based study, and that a number of protected species surveys were recommended. Table 5-1 indicates that impacts on species during construction and operation have been scoped out of further assessment. However, we do not consider this approach to be appropriate until the presence or absence of species has been established, specifically in relation to water vole, great crested newts and fish. We request that these are scoped back in at this stage and expand on this advice below.

Protected Species - Water Vole

Table 10.5 and 10.6 of the scoping report relate to construction and operational phases effects on ecology. These state that the impacts on water vole are neutral, while section 10.2.17 indicates that the presence of water vole is unlikely. However, section 10.4.3 indicates that once the layout of development is confirmed, a water vole survey may be required if the on-site pond is to be affected. We have records of water vole on site, within the open water habitat. We therefore recommend a water vole survey be carried out to establish whether there is a current population on the proposed site.

Tables 10.5 and 10.6 have a footnote stating the assessment of the impacts to these species will be confirmed following completion of surveys and analysis of ecological data. We are therefore currently unable to agree with the conclusions within these tables and look forward to reviewing the updated assessment of significant effects.

Protected Species – Great Crested Newts

As stated above, Tables 10.5 and 10.6 have a footnote stating the assessment of the impacts to these species will be confirmed following completion of surveys and analysis of ecological data. It should be noted that the proposed site is potentially suitable habitat for Great Crested Newts (GCN). With records of GCN to the south of the site we recommend suitable surveys be undertaken and support the intention to undertake an eDNA survey to establish a presence or absence (section 10.4.3).

Protected Species - Fish

Section 10 of the report does not mention the potential presence of fish and European eel within the open water habitat on site, but the River Aire towards the East of the site is a migratory route of European Eel. It is not clear from the report whether any proposed construction or operation will impact the open water habitat on the site and

therefore it is not clear whether these species will need to be considered. There is high potential for both of these species to be present, so we recommend that impacts on them are scoped in at this stage.

Invasive Non-Native Species

There are records of Himalayan balsam and Canadian waterweed on site and there are likely to be other non-native species. An Invasive Non-Native Species Management Plan will need to be produced at the appropriate stage.

Additional Comment

We welcome the proposals for a Water Framework Directive Assessment and Biodiversity Net Gain Report to be produced.

Water Resources

The scope of potential impacts for the requirement of water as a resource does not appear to have been considered adequately in the Water Resources and Flood Risk section of the scoping report.

The project description (Section 3) suggests significant water requirements, potentially for construction, and certainly for the operations of the development, which include continuous flows for cooling and for the carbon capture process itself. These are discussed in turn below.

Construction Phase - Dewatering

It is not clear from the report whether construction of the new facility will require dewatering to take place, either for below ground excavation, or to lower water levels from depth. If dewatering is required, the Applicant should be advised that an abstraction licence will be required.

Groundwater levels are such that there is a risk of introducing saline water into the aquifer as a result of increased abstraction from the Sandstone groundwater unit, so this location is closed to new abstraction and a licence would not be issued for any pumping from depth. Abstraction from the Limestone aquifer, alluvium or other superficial sands or gravels would be assessed on a case-by-case basis.

If de-watering is required during the construction of the facility, we recommend early engagement with our National Permitting Service to establish abstraction requirements and potential obstacles or restrictions. If de-watering can be deemed non-consumptive (discharged to the same source of supply without intervening use) this will increase the chances of a licence being issued.

Construction Phase – Consumptive Uses

In addition to de-watering, the scoping report does not provide adequate information on other sources of water for consumptive uses on site. These may include dust suppression, plant machinery washing, production of building materials such as (e.g. concrete), and potable water and domestic use of water by employees.

Consumptive uses of water from non-water company sources (surface water or

groundwater) require an abstraction licence. This will determine the impacts on the environment and may impose restrictive conditions.

If the consumptive uses described above amount to more than 20m³ per day from non-water company sources then this needs to be scoped in to the assessment to include the impact on any other sources of supply which need to be explored, either from surface water or from groundwater. Assessing these impacts and identifying problems early will also expedite the permitting process later on.

Operational Phase – Existing Abstraction Licences

[The Water Resources Act 1991](#) is not included in the legislation considered. The Water resources section of the report does not make reference to the use of existing licences held by enfinium (NE/027/0018/023 and NE/027/0018/031), which are included in the project description as a resource for the cooling requirement or for the continuous flow operations of the facility.

Only licence NE/027/0018/023 contains the purpose of evaporative cooling. The use of either or both licences as sources of water should consider whether the licence requires changes to purposes through formal application. Additionally, the increase in uptake in these licences may have the potential to impact on groundwater dependent surface water features or lawful users.

Whilst there may be availability for water from the Magnesian Limestone aquifer, any licence changes provide an opportunity to review the sustainability of the operation and we would like to see the potential impact of increased abstraction from these licences particularly during drought years to be scoped in.

Operational Phase – Potable Water Supply

Table 5-1 identifies scope for increased water supply demand. It also scopes out the increase in potable water as a negligible amount. It is inferred that the negligible increase is to water company supply (from Yorkshire Water) however this is not explicitly stated in the report.

Without understanding quantities required for potable and domestic supply requirement, it is difficult to determine if this can be considered negligible. Water companies work to water resource management plans which allocate finite quantities to new development and we encourage early engagement with them to establish availability.

Section 12.4.3 states that ‘an assessment will be undertaken considering water demand on the capacity of water supply’. We encourage an assessment which considers all possible water requirements in construction and operational phases and considers increased demand from Yorkshire water and also increased uptake from existing licensed abstraction as well as any proposed new sources of water to be explored.

Water Quality

Table 5-1 confirms that changes in foul and trade flows from the site will be scoped in for both construction and operational phases and we agree with this approach. However, we have some concerns in regard to the scope and assessment methodology for water quality.

Scope of Assessment

However, we do not feel that water quality has been appropriately considered within the Scoping Report. Section 12.1.2 states that impacts on surface water quality in respect to potential wastewater effluent generated during operation will be considered. However, Table 12.4 goes on to confirm that only changes in flow rate will be considered and not changes in effluent quality. Very little information on the baseline environment for water quality is provided within this chapter.

Section 12.3.12 states that surface and groundwater quality will be discussed within the Geology, Hydrogeology and Soils chapter. However, there are very few references to water quality within this chapter. Although Table 13.6 confirms that effects on controlled waters are scoped in for further assessment, the lack of information provided within this chapter makes it difficult to understand whether all potential effects on surface water quality will be assessed.

Overall, we would like to see greater clarity provided on the scope of the assessment with regards to water quality. There is a risk that potential water quality impacts may be missed by splitting the assessment between two chapters. If water quality is to be considered within both chapters, the difference in scope should be more clearly defined. The baseline environment for receptors that could be impacted by changes in water quality should be more detailed.

Section 3.2 focuses on the typical carbon capture process and equipment. Reference is made to new processes which present a risk to water quality, including the storage of new chemicals (i.e. solvent) and new wastewater streams. These new activities will present new risks to water quality, which will need to be managed.

Magnitude of Change

The only method for determining impacts to water quality within Table 12.1 is based on a change in Water Framework Directive (WFD) classification. A medium or high magnitude of effect will only be determined when there is an associated change in WFD classification.

Significant pollutions or deterioration in water quality can occur without resulting in a change in WFD status. This can be because the effect is short term, it occurs in a non-designated water body, or it takes place in a location that is not actively monitored. The proposed methodology risks the underestimation of water quality impacts as a result.

Changes to water quality that do not impact WFD status should still be considered as having the potential to cause medium or high magnitude effects, depending on the extent, severity and duration of that change.

Sensitivity Criteria

Table 12.2 sets out the proposed sensitivity of surface and foul water sewers, and Main River and other watercourses. Surface and foul water sewer sensitivity has been based on the land use of the area, with no regard for the capacity of the sewer or the receiving treatment works. The sensitivity for Main River and other watercourses is based solely on WFD classification, with no regard for the ability of a watercourse to attenuate discharges or potential pollution from the proposed development. This current methodology will not accurately reflect the sensitivity of water receptors to changes in water quality.

The methodology should be resolved so that it can accurately describe the sensitivity of water receptor to changes in water quality because of new discharges or pollutions from the proposed development. This also applies to the methodology within the Geology, Hydrogeology and Soils chapter.

Flood Risk

We agree with the Applicant's intent to scope in flood risk for both construction and operational phases to ensure the proposed development is functional in times of a flood and remains safe.

Parts of the proposed site is located within Flood Zone 2 and 3, land assessed as having between a 1 in 100 and 1 in 1,000 annual probability (1% - 0.1%) and land assessed as having a 1 in 100 or greater annual probability of river flooding (>1%) in any given year. Other parts are located within Flood Zone 1 which is land defined as a less than 1 in 1,000 annual probability of river or sea flooding (<0.1%) in any given year.

Where development is located within Flood Zone 3a and 3b (functional floodplain), essential infrastructure (such as power stations and sub stations etc.) that has passed the Exception Test, and water-compatible uses, 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

In accordance with [National Planning Policy Framework](#) and the sequential test (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 any opportunities for development to be located outside of Flood Zones 2 and 3 and into Flood Zone 1, this should be prioritised.

Any above ground construction that is in an undefended area or any increases in the footprint of the buildings will require floodplain compensation; the flood risk assessment (FRA) needs 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 annual probability plus 31% allowance for climate change flood level as the 'design' flood level. The FRA also needs to ensure that there is no increase in flood risk to third parties because of this development, for example by altering flood flow routes.

Additional Advice to Applicant

Within the report it is stated the Applicant have already contacted the Environment Agency for data regarding the site. 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 the applicant 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 online at [Using modelling for flood risk assessments - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/using-modelling-for-flood-risk-assessments).

There is modelling available for the River Aire, but 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. It will be necessary for the applicant to model Fryston Beck to appropriately understand and mitigate for the flood risk.

Geology, Hydrogeology and Soils

We are pleased to note that land contamination and risks to hydrogeology from contamination at the site have been scoped into the ES. The site is partly underlain by superficial deposits consisting of Alluvium and Glaciofluvial Deposits. These are both classified as a Secondary A aquifers. The superficial deposits are underlain by the Cadeby Formation which is classified as a Principal aquifer. The site is not within a groundwater source protection zone. Made ground is anticipated across the whole site, due to the industrial nature of the site and surroundings.

Contaminated Land

A Preliminary Risk Assessment to support the ES will include recommendations for additional works. This may include ground investigation, risk assessment and remediation. Section 13.5.1 of the Scoping Report discusses securing these works as a requirement of the DCO.

Until the risks are known it is difficult to establish what mitigation measures may be required. It would therefore be prudent to include the reporting of any recommended additional works (i.e., intrusive investigation, risk assessment and remediation requirements, within the ES so that informed decisions about the mitigation measures can be made.

Sensitivity of Receptors

Table 13.3 lists the receptor sensitivity. A Principal aquifer not used for public water supply is listed as a medium sensitivity receptor. Principal aquifers are important resources that must be protected from contamination regardless of whether it is currently used for public water supply abstraction. Principal aquifers should be classified as high sensitivity receptors in any case.

Private water supplies have not been mentioned with the report. Private water supplies are vulnerable receptors that must be protected from contamination. The Local Authority should be contacted to identify whether there are any private water supplies locally that need to be considered in future assessments.

Air Quality

Where development involves the use of any non-road going mobile machinery 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](https://eur-lex.europa.eu/eli/reg/2016/1628/oj) (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 Air Quality Management Area 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 LPAs 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 (CA), which is usually the local authority.

The Environment Agency can also require this same standard to be applied to sites which it regulates. To avoid dual regulation this informative should only be applied to the site preparation, construction, and demolition phases at sites that may require an environmental permit.

Non-Road Mobile Machinery 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, to which this then can be applied.

Waste Management

We note that waste is to be scoped out of further assessment and have concerns with this approach. We can offer the additional advice below to the Applicant in regard to waste management:

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 or not excavated material arising from site during remediation and/or land development works are waste.

The Applicant 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 Environment Agency should be contacted for advice at an early stage to avoid any delays.

- The Environment Agency recommends that the applicant should refer to our: Position statement on the Definition of Waste: Development Industry Code of Practice and;
- website at <https://www.gov.uk/government/organisations/environment-agency> for further guidance

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

The applicant 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 proposed treatment or disposal activity is clear. If in doubt, the Environment Agency 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. Refer to our website at www.gov.uk/government/organisations/environment-agency for more information.

If you require anything further, please do not hesitate to contact me on the details below.

We trust this advice is useful.

Yours faithfully

Lizzie Griffiths
Planning Specialist – National Infrastructure Team

Direct dial [REDACTED]

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

Harvey, Molly

From: Cooper, Sam [REDACTED]@forestrycommission.gov.uk>
Sent: 23 May 2024 16:51
To: Ferrybridge CCS
Subject: FW: NSIP- DEADLINE 23rd May FW: EN010710002 - Ferrybridge CCS - EIA Scoping Notification
Attachments: Letter to stat cons_Scoping & Reg 11 Notification.pdf

You don't often get email from [REDACTED]

Thank you for consulting the Forestry Commission on this proposal.

As the Government's forestry experts, we endeavour to provide as much relevant information to enable the project to reduce any impact on irreplaceable habitat such as Ancient semi natural woodland as well as other woodland. We are particularly concerned about any impact on Ancient semi natural woodland and will expect to see careful consideration of any impact and any weightings which may be applied to any assessment of route options or site choice.

The UK Forestry Standard (UKFS) sets out the Government's approach to sustainable forestry and woodland management, including standards and requirements as a basis for regulation, monitoring and reporting requirements. The UKFS has a presumption against deforestation. Page 23 of the Standard states that: "Areas of woodland are material considerations in the planning process..."
In addition, lowland mixed deciduous woodland is on the Priority Habitat Inventory (England).

The project red line boundary does not include any ancient woodland, however there are areas of lowland mixed deciduous woodland within the site and areas planted in the 1990's under the Forestry Commission administered Woodland Grant Scheme (these will have now passed out of contract obligation period). The impact of potential future pipeline route from the site cannot be commented on at this stage, if/when this is considered the impact on woodlands should be taken into account in planning, design, mitigation and delivery.

It is expected that there will be a thorough assessment of any loss of all trees and woodlands within the project boundary (and potential pipeline) and the development of mitigation measures to minimise any risk of net deforestation because of the scheme.

We also particularly refer you to further technical information set out in Natural England and Forestry Commission's [Standing Advice on Ancient Woodland](#) – plus supporting [Assessment Guide](#) and ["Keepers of Time" – Ancient and Native Woodland and Trees Policy in England](#).

As highlighted in Paragraph 180 (c) of the National Planning Policy Framework, which states: "Development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists". While Nationally Significant Infrastructure Projects are not subject to the NPPF, it sets out the importance of these habitats.

With the Government aspirations to plant 30,000 ha of woodland per year across the UK by 2025. The Forestry Commission is seeking to ensure that tree planting is a consideration in every development not just as compensation for loss. However, as already mentioned there are a number of issues that need to be considered when proposing significant planting schemes :

- Biosecurity of all planting stock
- Woodlands need to be climate, pest and disease resilient
- Maximise the ecosystem services benefits of all new woodland wherever possible (eg, flood reduction)

- Planting contributes to a resilient treescape by maximising connectivity across the landscape
- Plans are in place to ensure long term management and maintenance of the woodland

We hope these comments have been useful to you. If you need any further information on woodland creation, protection or management, please don't hesitate to contact me.

Regards
Sam

Sam Cooper

Partnership & Expertise Manager - Yorkshire
Forestry Commission
Foss House, Kings Pool
1-2 Peasholme Green
York
YO17PX

██████████ [forestrycommission.gov.uk](mailto:██████████@forestrycommission.gov.uk)

+██████████
www.gov.uk/forestrycommission

From: FS, Yorkshire and North East Area <yne@forestrycommission.gov.uk>
Sent: Thursday, May 9, 2024 12:19 PM
To: Cooper, Sam ██████████@forestrycommission.gov.uk>
Subject: NSIP- DEADLINE 23rd May FW: EN010710002 - Ferrybridge CCS - EIA Scoping Notification

Hi Sam

This is a EIA Scoping Notification for Ferrybridge with a deadline of **23rd May**.

Map here:  [Forester Map EN010710002 - Ferrybridge CCS - EIA Scoping Notification.pdf](#)

Lis report here:  [LIS report EN010710002 - Ferrybridge CCS - EIA Scoping Notification.pdf](#)

Documents in folder:  [EN010710002 - Ferrybridge CCS - EIA Scoping Notification](#)

Thanks
Jen

Jen Woodcock (nee Jackson) (She/her)
Area Admin Officer – Yorkshire & North East
Forestry Commission England

██████████ [@forestrycommission.gov.uk](mailto:██████████@forestrycommission.gov.uk)

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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

Email: ferrybridgeccs@planninginspectorate.gov.uk

Dear Ms King (Senior EIA Advisor)

Date: 13/05/2024

**PROPOSED THE FERRYBRIDGE CARBON CAPTURE AND STORAGE (the project)
PROPOSAL BY ENFINIUM LIMITED (the applicant)
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as
amended) REGULATIONS 10 and 11**

Thank you for your letter of 25 April 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 there are no major accident hazard installations with Hazardous Substances Consent or pipelines in the vicinity of the infrastructure project and, therefore, we would not wish to comment on its siting. If in the intervening period we are notified of a change to this situation, the developer would need to seek advice from us.

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



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

Our ref: PL00795809
Your ref: EN0710002

23 May 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 enfinium Limited (the Applicant) for an Order granting Development Consent for the Ferrybridge Carbon Capture and Storage (the Proposed Development)

Thank you for your letter of 25th April 2024 consulting us about the above EIA Scoping Report.

This development could, potentially, have an impact upon designated heritage assets and their settings in the area around the site. In line with the advice in the National Planning Policy Framework (NPPF), we would expect the Environmental Statement to contain a thorough assessment of the likely effects which the proposed development might have upon those elements which contribute to the significance of these assets.

Our initial assessment shows that the proposals may change the setting of the following highly graded heritage assets and therefore have an impact upon their significance;

- Scheduled Monument 1005799 – Ferrybridge, which is also listed GI,
- Scheduled Monument 1005789 – Ferrybridge Henge.

We would also expect the Environmental Statement to consider the potential impacts on non-designated features of historic, architectural, archaeological or artistic interest, since these can also be of national importance and make an important contribution to the character and local distinctiveness of an area and its sense of place. This information is available via the local authority Historic Environment Record (www.heritagegateway.org.uk) and relevant local authority staff.



37 TANNER ROW YORK YO1 6WP

Telephone [REDACTED]





We would strongly recommend that you involve the Conservation Officer and the archaeological advisers at North Yorkshire Council as well as West Yorkshire Archaeology Service and Wakefield Council in the development of this assessment. They are best placed to advise on: local historic environment issues and priorities; how the proposal can be tailored to avoid and minimise potential adverse impacts on the historic environment; the nature and design of any required mitigation measures; and opportunities for securing wider benefits for the future conservation and management of heritage assets.

It is important that the assessment is designed to ensure that all impacts are fully understood. Section drawings and techniques such as photomontages are a useful part of this.

The assessment should also take account of the potential impact which associated activities (such as construction, servicing and maintenance, and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits, and can also lead to subsidence of buildings and monuments.

If you have any queries about any of the above, or would like to discuss anything further, please contact me.

Yours sincerely

Andrew Burn

Development Advice Team Leader - Yorkshire

E-mail: [REDACTED] [\[REDACTED\]@historicengland.org.uk](mailto:[REDACTED]@historicengland.org.uk)



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

Merrion House
110 Merrion Centre
Leeds
LS2 8BB

Contact: Louise White
Our ref: PREAPP/24/00178

Email:  leeds.gov.uk

14th May 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 enfinium Limited (the Applicant) for an Order granting Development Consent for the Ferrybridge Carbon Capture and Storage (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 letter of 25th April 2024 in respect of the above.

Leeds City Council wishes to inform the Planning Inspectorate of the information we consider should be provided in the Environmental Statement, as follows:

Ecology:

We do not agree with the applicant's proposal to scope-out environmental assessment of the construction and operational phases of the proposed development on the Fairburn and Newton Ings SSSI/LNR, located within Leeds. The EIA Scoping Report (at pgs. 26 and 28) identifies that the applicant's reason for scoping-out Fairburn & Newton Ings SSSI is due to the site being notified for its bird populations, not habitats and therefore they consider that the SSSI is not sensitive to airborne sources of nitrogen.

We would like to draw to your attention that the Fairburn and Newton Ings SSSI 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 is 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, the content of Tables 5.1 and 10.7 of the applicant's Scoping Report are incorrect and contradictory to Natural England's 'Views about Management' for the SSSI.

For these reasons we consider that the Fairburn and Newton Ings SSSI should be scoped-in to the Environmental Statement, for both the construction and operational phases of the proposed development, as the proposal presents likely significant environmental effects to the SSSI's large bird population and habitat types.

Historic Environment:

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, are shown within the applicant's preliminary ZTV study area. Whilst it appears that the applicant intends to scope-in assessment of likely significant environmental effects of the proposal on the Grade II* Listed Ledston Hall Registered Park and Garden, there is no specific mention made to do the same for the Grade I Listed Ledston Hall (ref. pgs 33 and 34). 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 estate. The same request applies to the numerous listed buildings located within Ledsham Village, which is itself a designated heritage asset as a Conservation Area.

Landscape:

The applicant proposes to scope-out environmental assessment of the proposal on the defined Leeds 'Wooded Farmland LCT' / 'Ledsham to Lotherton LCA' and the 'Degraded River Valley LCT / Lower Aire Valley LCA'. However, we consider that both should be proportionately scoped-in to the assessment, as the features of historical significance (noted above) lie within and have views over the land within the defined LCT's and LCA's; having a clear and valuable relationship within and between each other.

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

Cumulative Effects:

The predicted isolated and cumulative effects of the proposal on the matters addressed above should be assessed within the applicant's Environmental Statement.

Recommendations:

The LPA recommends that the applicant should scope-in environmental assessment of the matters identified above.

The applicant is recommended to have due regard to the planning policies contained within the adopted development plan for Leeds, and its emerging draft policies under the Local Plan Update 1 and Local Plan Update 2040.

Finally, for ease of reference, we recommend that the applicant should clearly identify the district boundary between the Leeds and Wakefield districts in its project documentation moving forward.

Kind regards

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

Harvey, Molly

From: .Box.Assetprotection (National Gas) <box.assetprotection@nationalgas.com>
Sent: 25 April 2024 14:37
To: Ferrybridge CCS
Subject: FW: [EXTERNAL] EN010710002 - Ferrybridge CCS - EIA Scoping Notification
Attachments: Letter to stat cons_Scoping & Reg 11 Notification.pdf

Good Afternoon,

Thank you for your email.

Regarding EIA Scoping for EN010710002 - Ferrybridge CCS there are no National 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

Hayley White
Asset Protection Assistant

+44 (0) [REDACTED]
[REDACTED]@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 CCS <ferrybridgeccs@planninginspectorate.gov.uk>
Sent: 25 April 2024 13:52
Subject: [EXTERNAL] EN010710002 - Ferrybridge CCS - EIA Scoping Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed Ferrybridge Carbon Capture and Storage.

Please note the deadline for consultation responses is 23 May 2024 which is a statutory requirement that cannot be extended.

Kind regards

Tiffany Bate
Development Liaison Officer
UK Land and Property
[REDACTED]@nationalgrid.com
+44 (0) [REDACTED]

www.nationalgrid.com

SUBMITTED ELECTRONICALLY:
ferrybridgeccs@planninginspectorate.gov.uk

23 May 2024

Dear Sir/Madam

APPLICATION BY ENFINIUM LIMITED (THE APPLICANT) FOR AN ORDER GRANTING DEVELOPMENT CONSENT FOR THE FERRYBRIDGE CARBON CAPTURE AND STORAGE Ferrybridge (THE PROPOSED DEVELOPMENT)

SCOPING CONSULTATION RESPONSE

I refer to your letter dated 25th April 2024 in relation to the above proposed application. This is a response on behalf of National Grid Electricity Transmission PLC (NGET).

Having reviewed the scoping report, I would like to make the following comments regarding NGET existing or future infrastructure within or in close proximity to the current red line boundary.

NGET has high voltage electricity overhead transmission lines, underground cables and a high voltage substation within and in close proximity to the scoping area. The overhead lines and substation forms an essential part of the electricity transmission network in England and Wales.

Existing Infrastructure

Substation

- FERRYBRIDGE C 400 kV Sub Station (4C)
- FERRYBRIDGE C 275 kV Sub Station (2C)
- FERRYBRIDGE B 132 kV Sub Station (1)
- Associated overhead and underground apparatus including cables

Overhead Lines

4ZU 400 kV OHL	ELLAND - FERRYBRIDGE C
4YR 400 kV OHL	EGGBOROUGH - FERRYBRIDGE 'C'
4ZT 275 kV OHL	FERRYBRIDGE 'C' - FERRYBRIDGE 'B' - MONK FRYSTON FERRYBRIDGE 'C' - MONK FRYSTON

4ZS 275 kV OHL FERRYBRIDGE 'C' - FERRYBRIDGE 'B' - SKELTON GRANGE 1
FERRYBRIDGE 'C' - SKELTON GRANGE 2

XFG 275 kV OHL FERRYBRIDGE A, B, C 1

Cable Apparatus

- FERRYBRIDGE Cable 275 kV 3 FERR2BFERR2C3 K1 01
- FERRYBRIDGE C/MONK FRYSTON 275KV CABLE (FERRYBRIDGE B 132 kV)
FERR1L5K
- SKELTON GRANGE A1 275 kV CABLE
- SKELTON GRANGE A2 275 kV CABLE
- SGT1B 275 kV CABLE
- Cable Fibre (OBJECT ID 4643)
- Cable Fibre (OBJECT ID 4642)
- Cable Fibre (OBJECT ID 4601)

New infrastructure

Please refer to the Holistic Network Design (HND) and the National Grid ESO website to view the strategic vision for the UK's ever growing electricity transmission network. <https://www.nationalgrideso.com/future-energy/the-pathway-2030-holistic-network-design/hnd>

NGET requests that all existing and future assets are given due consideration given their criticality to distribution of energy across the UK. We remain committed to working with the promoter in a proactive manner, enabling both parties to deliver successful projects wherever reasonably possible. As such we encourage that ongoing discussion and consultation between both parties is maintained on interactions with existing or future assets, land interests, connections or consents and any other NGET interests which have the potential to be impacted prior to submission of the Proposed DCO.

The Great Grid Upgrade is the largest overhaul of the electricity grid in generations, we are in the middle of a transformation, with the energy we use increasingly coming from cleaner greener sources. Our infrastructure projects across England and Wales are helping to connect more renewable energy to homes and businesses. To find out more about our current projects please refer to our network and infrastructure webpage. <https://www.nationalgrid.com/electricity-transmission/network-and-infrastructure/infrastructure-projects>. Where it has been identified that your project interacts with or is in close proximity to one of NGET's infrastructure projects, we would welcome further discussion at the earliest opportunity.

These projects are all essential to increase the overall network capability to connect the numerous new offshore wind farms that are being developed, and transport new clean green energy to the homes and businesses where it is needed.

I enclose a plan showing the location of NGET's apparatus in the scoping area.

Specific Comments – Electricity Infrastructure:

- NGET's Overhead Line/s is protected by a Deed of Easement/Wayleave Agreement which provides full right of access to retain, maintain, repair and inspect our asset
- Statutory electrical safety clearances must be maintained at all times. Any proposed buildings must not be closer than 5.3m to the lowest conductor. NGET recommends that no permanent structures are built directly beneath overhead lines. These distances are set out in EN 43 – 8 Technical Specification for “overhead line clearances Issue 3 (2004)”.
- If any changes in ground levels are proposed either beneath or in close proximity to our existing overhead lines then this would serve to reduce the safety clearances for such overhead lines. Safe clearances for existing overhead lines must be maintained in all circumstances.
- The relevant guidance in relation to working safely near to existing overhead lines is contained within the Health and Safety Executive's (www.hse.gov.uk) Guidance Note GS 6 “Avoidance of Danger from Overhead Electric Lines” and all relevant site staff should make sure that they are both aware of and understand this guidance.
- Plant, machinery, equipment, buildings or scaffolding should not encroach within 5.3 metres of any of our high voltage conductors when those conductors are under their worse conditions of maximum “sag” and “swing” and overhead line profile (maximum “sag” and “swing”) drawings should be obtained using the contact details above.
- If a landscaping scheme is proposed as part of the proposal, we request that only slow and low growing species of trees and shrubs are planted beneath and adjacent to the existing overhead line to reduce the risk of growth to a height which compromises statutory safety clearances.
- Drilling or excavation works should not be undertaken if they have the potential to disturb or adversely affect the foundations or “pillars of support” of any existing tower. These foundations always extend beyond the base area of the existing tower and foundation (“pillar of support”) drawings can be obtained using the contact details above.
- NGET high voltage underground cables are protected by a Deed of Grant; Easement; Wayleave Agreement or the provisions of the New Roads and Street Works Act. These provisions provide NGET full right of access to retain, maintain, repair and inspect our assets. Hence we require that no permanent / temporary structures are to be built over our cables or within the easement strip. Any such proposals should be discussed and agreed with NGET prior to any works taking place.
- Ground levels above our cables must not be altered in any way. Any alterations to the depth of our cables will subsequently alter the rating of the circuit and can compromise the reliability, efficiency and safety of our electricity network and requires consultation with National Grid prior to any such changes in both level and construction being implemented.

To download a copy of the HSE Guidance HS(G)47, please use the following link:
<http://www.hse.gov.uk/pubns/books/hsg47.htm>

Further Advice

We would request that the potential impact of the proposed scheme on NGET's existing and future assets as set out above and including any proposed diversions is considered in any subsequent reports, including in the Environmental Statement, and as part of any subsequent application.

Where any diversion of apparatus may be required to facilitate a scheme, NGET is unable to give any certainty with the regard to diversions until such time as adequate conceptual design studies have been undertaken by NGET. Further information relating to this can be obtained by contacting the email address below.

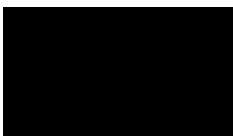
Where the promoter intends to acquire land, extinguish rights, or interfere with any of NGET apparatus, protective provisions will be required in a form acceptable to it to be included within the DCO.

NGET requests to be consulted at the earliest stages to ensure that the most appropriate protective provisions are included within the DCO application to safeguard the integrity of our apparatus and to remove the requirement for objection. All consultations should be sent to the following email address: box.landandacquisitions@nationalgrid.com

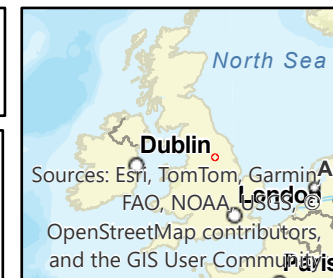
I hope the above information is useful. If you require any further information, please do not hesitate to contact me.

The information in this letter is provided notwithstanding any discussions taking place in relation to connections with electricity customer services.

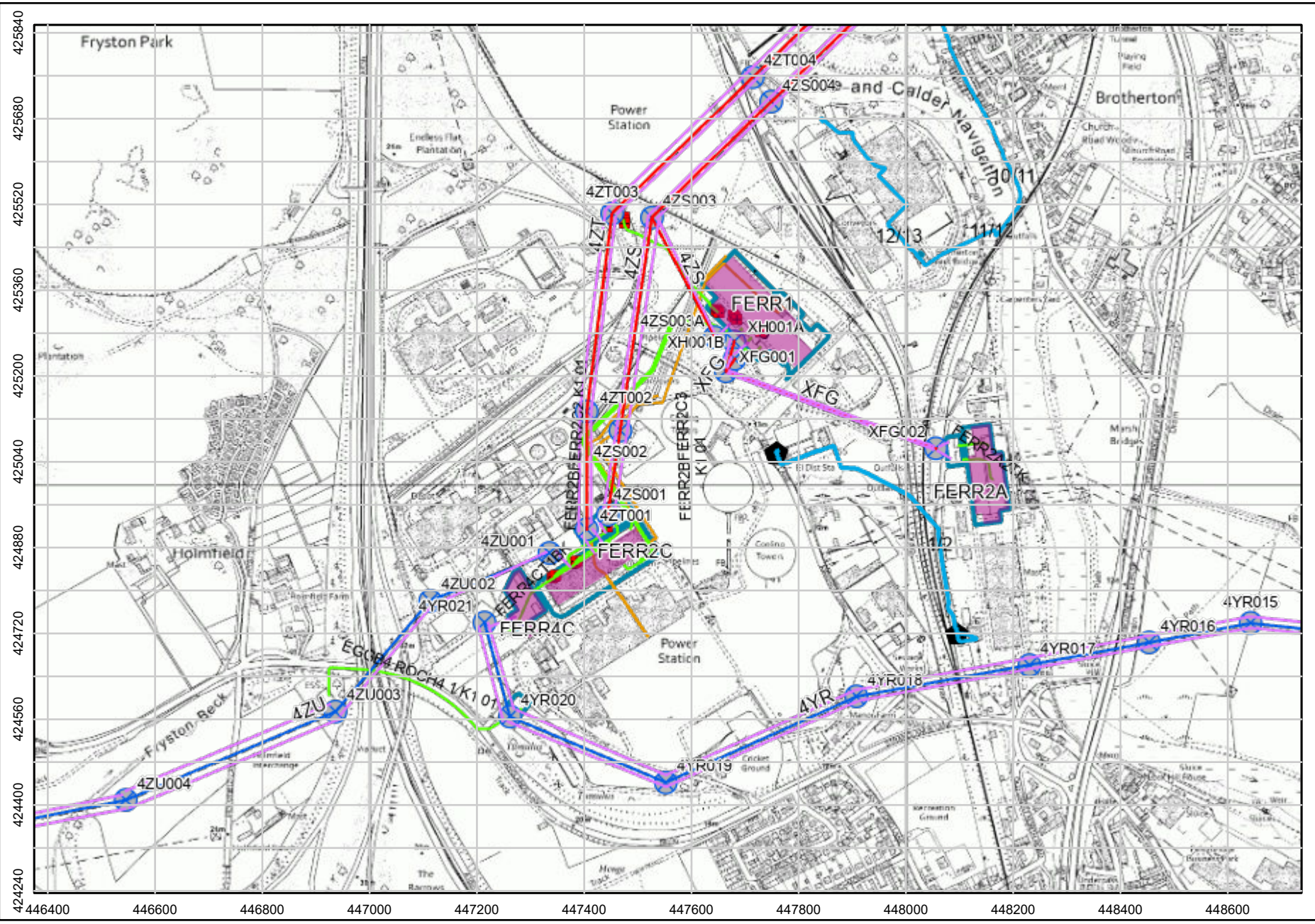
Yours faithfully



**Tiffany Bate
Development Liaison Officer
Commercial and Customer Connections
Electricity Transmission Property Land and Property**



Dublin
London
Paris
Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community



Legend

Electric Land Ownership	Buried Cable
Electric Land Ownership - Leasehold	Buried Cable Commissioned
Telecoms	Towers
RAMM	Towers Commissioned
Cable Accessories	OHL 275kV
Cable Joint	OHL 275kV Commissioned
Joint Bay	OHL 400kV
Gauge	OHL 400kV Commissioned
Link Box	OHL Circuits
Oil Tank	Commissioned
Pilot Cable	Substations
Fibre Cable	Substations Commissioned
Fibre Cable Commissioned	

Notes



Our ref: NH/24/06102
Your ref: EN0710002

Planning Inspectorate
Room 3/OP
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Paula Bedford
Planning and Development
National Highways
2 City Walk
Leeds
LS11 9AR

Tel: [REDACTED]

14th May 2024

FAO: Ferrybridge CCS Team

Dear Sir / Madam,

CARBON CAPTURE AND STORAGE TECHNOLOGY FOR THE FERRYBRIDGE 1 & 2 ENERGY FROM WASTE FACILITIES ALONG WITH ASSOCIATED INFRASTRUCTURE WORKS.

National Highways welcomes the opportunity to comment upon the pre-application stage in relation to the above development.

The development proposals are located adjacent to the A1(M), which forms part of the Strategic Road Network (SRN), and have the potential to impact upon the capacity, operation and safety of the SRN, namely the A1(M), A162 and M62, hence the need for National Highways to provide comments in our role as a statutory consultee.

The Environmental Impact Assessment (EIA) Scoping Request has been produced by Savills on behalf of enfinium (the applicant), who are planning to install post combustion Carbon Capture Technology and Storage (CCS) to serve Energy from Waste (EfW) facilities and intend to apply for a Development Consent Order (DCO) to the Secretary of State, to approve this.

National Highways has reviewed the relevant sections of the EIA in the order in which the issues have been presented, to influence the scope and contents of the Environmental Statement (ES) – which is stated to be prepared by the applicant – as well as other supplementary documents such as a Transport Assessment (TA), Travel Plan (TP) and Construction Traffic Management Plan (CTMP).

Relevant Planning Applications

National Highways has reviewed the list of planning applications presented in this section of the EIA. However, confirmation from Wakefield Council would be welcomed on this matter, especially as committed developments within the study area will have to be taken into account for inclusion within the subsequent TA.

The Proposed Development

It is stated in the EIA that the purpose of the development is to capture carbon dioxide (CO₂) from the flue gas stream of the EfWs, separate this from the other flue gases, and compress the CO₂ either for initial storage as liquefied carbon before onward rail

transport or compression to pressurised gas for onward transport by pipeline to geological storage. It is further stated that this will provide secure long-term storage of the CO₂.

Construction and Operation

Demolition

It is stated in the EIA that it may prove necessary to demolish existing warehouses and workshops to the south of the site, subject to further design refinement, discussion, and agreement.

This is noted by National Highways, and this should be accounted for within the TA and CTMP by the applicant as this will form part of the construction phase of the development proposals. Information should also be provided within the application in relation to the location of such potential demolition activities and the possible need for this to be subject to a Demolition Management Plan.

Construction Programme

The EIA states that the development proposals will be built over a two-to-three-year period; and that subject to planning consent and final investment decision, construction could commence from mid-2026, allowing for operation by 2030.

This is noted by National Highways, and it is considered that this information, alongside any 'first principles' information relating to similar sites that the applicant may have constructed and operated should be incorporated into the TA and CTMP, as this is likely to be more accurate than using generic assumptions and / or trip rates.

Furthermore, the EIA states that there is good access to the SRN and the viability for construction materials to be transported via rail is also being considered. Again, this is noted by National Highways, and National Highways would support the movement of construction materials via rail, which has the potential to reduce the impact of the construction phase at the SRN. This would need to be confirmed in the CTMP to ensure a planning control of this proposed approach.

Decommissioning

The EIA states that there is no limit to the operational lifespan of the CCS facilities and therefore decommissioning is not being considered within the DCO application, as the applicant does not intend to seek a time-limited consent.

However, given that no timescales are presented within the EIA regarding decommissioning, it is considered by National Highways that it would be difficult to undertake an assessment of the decommissioning phase for an unknown assessment year. However, it is considered by National Highways that applicant should undertake a form of assessment closer to the time, to identify any potential issues involving HGVs and / or abnormal loads and the SRN.

As such, it is recommended by National Highways that the applicant prepares a Decommissioning Traffic Management Plan in due course, to ensure that the operation of the SRN is not significantly impacted upon by decommissioning activities, and this

could be secured by a suitably worded planning condition should the development proposals gain consent.

Summary of the Proposed EIA Scope

National Highways has reviewed the contents of Table 5-1 which sets out the proposed scope of the EIA in relation to the transport impacts of the development proposals.

The scoping 'in' of transport effects relating to the construction phase of the development proposals is welcomed by National Highways.

However, the scoping 'out' of transport effects relating to the operational phase of the development proposals cannot be accepted by National Highways at this time without clear justification being provided. While the reasons for scoping 'out' is in relation to the EIA guidelines, in the interests of understanding the potential operational impacts, it is considered by National Highways that an evidence-based assessment of the operational phase should be included within the TA, in order for National Highways to assess the impact of the operational phase at the SRN.

Transport

Proposed approach to surveys and further baseline data collection

With regard baseline data, a single location of survey data has been identified from the Department for Transport (DfT) database and this is located on the local road network. However, it is considered by National Highways that the A1(M), A162 and M62 should be included within the study area within the TA to determine potential impacts, in line with other assessments of developments within the vicinity of the development proposals. National Highways looks forward to engaging in pre-application discussions with the applicant to agree the scope of the study area and associated flows to enable the SRN to be assessed within the TA.

Furthermore, it is stated that information on the net impact of the development proposals upon vehicular traffic generation at the site during both the construction period and operational period will be provided by the site operator, enfinium; and this is stated as being the most accurate approach given the specialist nature of the development proposals. As discussed previously within the letter by National Highways, a 'first principles' approach to trip generation to welcomed.

In overall terms, the approach set out within the EIA is welcomed, however, it is considered by National Highways that the TA will be the main focus on review and the scope and parameters of the TA should be discussed and agreed with National Highways before the TA is prepared and submitted as part of the planning submission, to secure early agreement on the issues and to avoid abortive work being undertaken.

Embedded mitigation and enhancement measures

It is stated in the EIA that as part of the design process several embedded mitigation measures and additional mitigation measures will be included within the development to reduce the overall impact of the scheme.

To this end, it is noted by National Highways that the removal of captured carbon material from the site via pipeline and / or rail is a key scheme feature that minimises the impact

of the scheme on road transport. In principle, this approach is welcomed by National Highways. This would need to be ensured in planning terms, potentially via an Operational Management Plan condition.

Furthermore, regarding additional mitigation to reduce the impacts of the development, it is stated that a comprehensive CTMP will be implemented, and this is welcomed by National Highways, and this could be secured by a suitably worded planning condition should the development proposals gain consent.

Scope of Environmental Impacts and Effects

Construction

The EIA states that for the construction phase there will be a moderate increase in trips to / from the site; and it is expected by the applicant that HGV trips will be spread evenly throughout the day to minimise focused times of increase. However, it is further stated that the extent of this will not be known until further assessment is undertaken. This is noted by National Highways, but will have to be demonstrated within the TA, for National Highways to assess the impact of the construction phase at the SRN.

Operation

The EIA states that in relation to the scoping of the impacts of the operational phase, given the modest number of vehicle trips anticipated and the existing flows on the surrounding network it is anticipated that the impact will be negligible. This is noted by National Highways, but will have to be demonstrated within the TA, for National Highways to assess the impact of the operational phase at the SRN and advise on any further required assessment.

Other Issues and Next Steps

It is considered by National Highways that the contents of the EIA have demonstrated a clear expectation that a TA and CTMP will be prepared as part of the planning submission. This is welcomed by National Highways, and it is further considered that at TP will need to be prepared as well. Furthermore, National Highways considers that these documents should be compliant with the most up-to-date policy, including DfT Circular 01/2022.

In addition to this, it is considered by National Highways that these documents should be scoped and agreed with National Highways in advance of planning submission, to secure early agreement on the issues and to avoid abortive work being undertaken.

Given the proximity of the development proposals to the SRN, namely the A1(M) mainline, it is recommended by National Highways that further information should be supplied to confirm there are no issues with regards to matters such as earthworks, drainage, structures, boundary treatment and any construction safeguards that may need to be put in place and secured within relevant policy provisions. This information is required so that National Highways can rule out any issues that will not have a significant impact on the SRN at the earliest stage.

Furthermore, contact should be made with National Highways to discuss issues pertaining to Abnormal Loads at the earliest opportunity once more details regarding the trip generation of the construction and operational phases are known by the applicant.

I trust this response is helpful. However, please do not hesitate to contact me should you wish to discuss anything further.

Yours sincerely

Paula Bedford

Paula Bedford
Planning and Development
Yorkshire, North East and Humberside
Email: [REDACTED] [@nationalhighways.co.uk](mailto:[REDACTED]@nationalhighways.co.uk)

Harvey, Molly

From: ROSSI, Sacha [REDACTED]
Sent: 25 April 2024 16:19
To: Ferrybridge CCS
Cc: NATS Safeguarding
Subject: RE: EN010710002 - Ferrybridge CCS - EIA Scoping Notification [SG37326]

Categories: EST

You don't often get email from [REDACTED]

Dear Sirs,

NATS operates no infrastructure within 10km of the proposal's site. As such it anticipates no impact from the development and has no comments to make on the application.

Regards
S. Rossi
NATS Safeguarding Office



Mr Sacha Rossi
ATC Systems Safeguarding Engineer

D: [REDACTED]

E: [REDACTED]

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



From: Ferrybridge CCS <ferrybridgeccs@planninginspectorate.gov.uk>
Sent: Thursday, April 25, 2024 1:52 PM
Subject: EN010710002 - Ferrybridge CCS - EIA Scoping Notification

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Dear Sir/Madam

Please see attached correspondence on the proposed Ferrybridge Carbon Capture and Storage.

Please note the deadline for consultation responses is 23 May 2024 which is a statutory requirement that cannot be extended.

Kind regards



The Planning
Inspectorate

Katherine King (pronouns: She/Her)
Senior EIA Advisor
The Planning Inspectorate
T [REDACTED]

 [@PINSgov](https://twitter.com/PINSgov)  [The Planning Inspectorate](https://www.linkedin.com/company/the-planning-inspectorate/)  [planninginspectorate.gov.uk](https://www.planninginspectorate.gov.uk)

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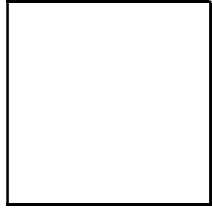
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Date: 22 May 2024
Our ref: 474454
Your ref: EN0710002



Environmental Services,
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Bristol, BS1 6PN
ferrybridgeccs@planninginspectorate.gov.uk
BY EMAIL ONLY

Consultations
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

Dear Sir/Madam,

Environmental Impact Assessment Scoping consultation (Regulation 15 (4) of the Town and Country Planning EIA Regulations 2017): Ferrybridge Carbon Capture and Storage
Location: Land North of Stranglands Lane and East of A1, Knottingley WF11 8DX.

Thank you for seeking our advice on the scope of the Environmental Statement (ES) in the consultation dated 25 April 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,

Emma Gallagher
Yorkshire and Northern Lincolnshire Area Team
Natural England

Annex A – Natural England Advice on EIA Scoping

General Principles

[Schedule 4](#) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, sets out the information that should be included in an Environmental Statement (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
- Expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc.) resulting from the operation of the proposed development
- An assessment of alternatives and clear reasoning as to why the preferred option has been chosen
- 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
- A non-technical summary of the information
- An indication of any difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information

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.

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
- 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.

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.

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 [National Planning Policy Framework](#) (paragraphs 180-181 and 185-188) sets out how to take account of biodiversity and geodiversity interests in planning decisions. Further guidance is set out in Planning Practice Guidance on the [natural environment](#).

The potential impact of the proposal upon sites and features of nature conservation interest and opportunities for nature recovery and biodiversity net gain should be included in the assessment.

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](#) have been developed by the Chartered Institute of Ecology and Environmental Management (CIEEM).

Local planning authorities have a [duty](#) to conserve and enhance biodiversity as part of their decision making. Conserving biodiversity can include habitat restoration or enhancement. Further information is available [here](#).

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 Geoportal](#).

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

Regionally and Locally Important Sites

The ES should consider any impacts upon local wildlife and geological sites, including local nature reserves. Local Sites are identified by the local wildlife trust, geoconservation group or other local group and protected under the NPPF (paragraph 180 and 181). The ES should set out proposals for mitigation of any impacts and if appropriate, compensation measures and opportunities for enhancement and improving connectivity with wider ecological networks. Contact the relevant local body for further information.

Protected Species

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.*](#)

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 licence 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 licence 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

Priority Habitats and Species are of particular importance for nature conservation and included in the England Biodiversity List published under section 41 of the Natural Environment and Rural Communities Act 2006. Most priority habitats will be mapped either as Sites of Special Scientific Interest, on the Magic website or as Local Wildlife Sites. Lists of priority habitats and species can be found [here](#). Natural England does not routinely hold species data. Such data should be collected when impacts on priority habitats or species are considered likely.

Consideration should also be given to the potential environmental value of brownfield sites, often found in urban areas and former industrial land. Sites can be checked against the (draft) national Open Mosaic Habitat (OMH) inventory published by Natural England and freely available to [download](#). Further information is also available [here](#).

An appropriate level habitat survey should be carried out on the site, to identify any important habitats present. In addition, ornithological, botanical, and invertebrate surveys should be carried out at appropriate times in the year, to establish whether any scarce or priority species are present.

The Environmental Statement should include details of:

- Any historical data for the site affected by the proposal (e.g. from previous surveys)
- Additional surveys carried out as part of this proposal
- The habitats and species present
- The status of these habitats and species (e.g. whether priority species or habitat)
- The direct and indirect effects of the development upon those habitats and species
- Full details of any mitigation or compensation measures
- Opportunities for biodiversity net gain or other environmental enhancement

Ancient Woodland, ancient and veteran trees

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

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

Paragraph 180 of the NPPF states that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Biodiversity Net Gain is additional to statutory requirements relating to designated nature conservation sites and protected species.

Proposals for mandatory biodiversity net gain should be in line with the Environment Act 2021 and supporting regulations. Further information on biodiversity net gain, including [draft Planning Practice Guidance](#), can be found [here](#).

The statutory [biodiversity metric](#), together with ecological advice, should be used to calculate the change in biodiversity resulting from proposed development and demonstrate how proposals can achieve a net gain.

The metric should be used to:

- assess or audit the biodiversity unit value of land within the application area
- calculate the losses and gains in biodiversity unit value resulting from proposed development
- demonstrate that the required percentage biodiversity net gain will be achieved

Biodiversity Net Gain outcomes can be achieved on site, off-site or through a combination of both.

On-site provision should be considered first. Delivery should create or enhance habitats of equal or higher value. When delivering net gain, opportunities should be sought to link delivery to relevant plans or strategies e.g. Green Infrastructure Strategies or Local Nature Recovery Strategies.

Opportunities for wider environmental gains should also be considered.

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 ES 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 and Institute of Environmental Assessment 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 the Landscape Institute and the Institute of Environmental Assessment and Management. 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.

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 in line with paragraphs 180 and 181 of the NPPF. Further guidance is set out in the Natural England [Guide to assessing development proposals on agricultural land](#).

As set out in paragraph 217 of the NPPF, new sites or extensions to sites for peat extraction should not be granted planning permission.

The following issues should be considered and, where appropriate, included as part of the Environmental Statement (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 best and most versatile (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 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.scail.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

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. Further information can be obtained from the Local Planning Authority.

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

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

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.

Harvey, Molly

From: Aaron Walsh <[REDACTED]@networkrail.co.uk> on behalf of Town Planning LNE <TownPlanningLNE@networkrail.co.uk>
Sent: 21 May 2024 11:56
To: Ferrybridge CCS
Subject: RE: EN010710002 - Ferrybridge CCS - EIA Scoping Notification

You don't often get email from townplanninglne@networkrail.co.uk. [Learn why this is important](#)

OFFICIAL

Network Rail Consultation Response

FAO:	The Planning Inspectorate
Date:	21/05/2024
Application reference:	EN010710002
Proposal:	Ferrybridge Carbon Capture and Storage project Scoping Opinion
Location:	Ferrybridge Carbon Capture and Storage

Thank you for your recent correspondence relating to the above scoping consultation.

Network Rail is a statutory undertaker responsible for maintaining and operating the railway infrastructure and associated estate. It owns, operates, maintains and develops the main rail network. Network Rail aims to protect and enhance the railway infrastructure therefore any proposed development which is in close proximity to the railway line or could potentially affect Network Rail's specific land interests, will need to be carefully considered.

Impact on Network Rail Infrastructure

With reference to the protection of the railway, the Environmental Statement should consider any impact of the scheme upon the railway infrastructure and upon operational railway safety. It should also include a Transport Assessment to identify any HGV traffic/haulage routes associated with the construction and operation of the site that may utilise railway assets such as bridges and level crossings during the construction and operation of the site.

In addition, should any part of the scheme require the use of, or access across of railway land including the operational railway itself, the developer will be required to obtain the necessary agreements and consents from Network Rail going forward. We would strongly recommend that they engage with us early in the development of their scheme to ensure such matters are resolved well in advance.

Summary

Network Rail would be grateful if the comments above are considered by The Planning Inspectorate. Network Rail would welcome further discussion and negotiation with The Planning Inspectorate and enfinium Limited in relation to the proposed development as required going forward. If you have any questions or require more information in relation to the above please let me know.

Kind regards



Aaron Walsh
Town Planning Technician
Network Rail Property (Eastern Region)
George Stephenson House, Toft Green, York, YO1 6JT

From: Ferrybridge CCS <ferrybridgeccs@planninginspectorate.gov.uk>
Sent: Thursday, April 25, 2024 2:02 PM
To: Town Planning LNE <TownPlanningLNE@networkrail.co.uk>
Cc: Stephen Sprei <Stephen.SPREI@networkrail.co.uk>
Subject: EN010710002 - Ferrybridge CCS - EIA Scoping Notification

Some people who received this message don't often get email from ferrybridgeccs@planninginspectorate.gov.uk. [Learn why this is important](#)

Dear Sir/Madam

Please see attached correspondence on the proposed Ferrybridge Carbon Capture and Storage.

Please note the deadline for consultation responses is 23 May 2024 which is a statutory requirement that cannot be extended.

Planning Inspectorate
By Email
ferrybridgeccs@planninginspectorate.gov.uk

Our Ref: Michael Reynolds
Your Ref:
EN0710002

Date: 22 May 2024

Michael Reynolds
Business and Environmental Services
East Block
County Hall
Racecourse Lane
Northallerton
DL7 8AD

Tel: [REDACTED]

Email:

[REDACTED]@northyorks.gov.uk

Dear Sirs

Ferrybridge CCS – Scoping Report

Thanks you for your letter dated 25 April 2024 inviting the Council to comment on the Scoping Report.

The scheme in its current scale is outside of our administrative area. Our technical officers have reviewed the scoping report and at this point are happy for the scoping opinion to come from our colleagues in West Yorkshire. At this point we have no comments to make.

Please continue to include The North Yorkshire Council in future correspondence related to the development.

Yours faithfully

Michael Reynolds
Senior Policy Officer (Infrastructure)

Harvey, Molly

From: Before You Dig <BeforeYouDig@northerngas.co.uk>
Sent: 25 April 2024 14:51
To: Ferrybridge CCS; Before You Dig
Subject: RE: EXT:EN010710002 - Ferrybridge CCS - EIA Scoping Notification

You don't often get email from beforeyoudig@northerngas.co.uk. [Learn why this is important](#)

Hi

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.

(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)

Kind regards,

Donna Casey

Admin Assistant – Customer Operation Support
Northern Gas Networks

Direct line: [REDACTED]





Proposed DCO Application by Enfinium for Ferrybridge Carbon Capture and Storage

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 April 2024. There are five operational Royal Mail properties within 10km of the proposed works.

The construction of this infrastructure proposal has been identified as having potential to impact on Royal Mail operational interests, particularly if combined with cumulative construction impacts from other major development schemes nearby. 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, at this point 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

Daniel Parry-Jones ([REDACTED]@realestate.bnpparibas) BNP Paribas Real Estate

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

End



The Coal
Authority

200 Lichfield Lane
Mansfield
Nottinghamshire
NG18 4RG

T: [REDACTED] (Planning Enquiries)

E: planningconsultation@coal.gov.uk

W: www.gov.uk/coalauthority

For the attention of: Ms K King – Senior EIA Advisor

The Planning Inspectorate

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

14th May 2024

Dear Ms King

Re: EN010710002 - Application by enfinium Limited (the Applicant) for an Order granting Development Consent for the Ferrybridge Carbon Capture and Storage (the Proposed Development) - Scoping consultation; Ferrybridge 1&2 EFWS, Knottingley, West Yorkshire

Thank you for your notification of the 25th April 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.

Our records indicate that there is a mine entry (adit) within the site for which we hold no treatment details. This means its exact location is unknown and may differ from its recorded position. This feature may pose a potential risk to surface stability and public safety.

It is noted that the EIA Scoping Report makes reference to the mine entry at Section 13.6.2 where it is identified as being likely to effect the construction stage. The mine entry is recorded to be in the area of the flue gas pre-treatment and carbon capture plant. We would therefore expect that consideration is given to the risks posed by this feature to

future development on the site and any measures necessary, including investigatory and remedial works carried out, to ensure the safety and stability of the development.

Although land instability associated with the mine entry is not identified as scoped in at the construction phase we note that the soil contamination section does make reference to the DCO requiring site investigations and we would expect this to include risks posed by the recorded mine entry. It would be helpful if this was made more explicit in any updated EIA report.

If you would like to discuss this matter further, please contact me on the above number.

Yours sincerely



Melanie Lindsley *BA (Hons), DipEH, DipURP, MA, PGCertUD, PGCertSP, MRTPI*
Principal Planning & Development Manager

Disclaimer

The above consultation response is provided by the Coal Authority as a statutory consultee and is based upon the latest available data and the electronic consultation records held by the Coal Authority since 1 April 2013. The comments made are also based on the information provided to the Coal Authority by the Local Planning Authority and/or information that has been published on the Council's website for consultation purposed in relation to this specific planning application. The views and conclusions contained in this response may be subject to review and amendment by the Coal Authority if additional or new data/information (such as a revised Coal Mining Risk Assessment) is provided by the Local Planning Authority or the applicant for consultation purposes.



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: EN0710002
Our Ref: 65812CIRIS

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

22nd May 2024

Dear Ms King

**Nationally Significant Infrastructure Project
Ferrybridge Carbon Capture and Storage Plant,
EN0710002 - 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 understand that the promoter will wish to avoid unnecessary duplication and that many issues including air quality, emissions to water, waste, contaminated land etc. will be covered elsewhere in the Environmental Statement (ES).

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 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.

Recommendations

Air Quality

- 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.
- We note that the applicant currently proposes that carbon dioxide capture would be facilitated through a method of post-combustion amine stripping and welcome their commitment to assess the potential impact of amine and amine degradation product emissions to atmosphere. We note that the applicant proposes to do this using

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>

Environmental Assessment Levels (EALs). Our understanding is that amine stripping may involve some novel amines for which EALs are not available. We would expect to see an appropriate methodology for the assessment of these amines.

Yours sincerely

On behalf of UK Health Security Agency

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

Environmental Services
Temple Quay House
2 The Square
Bristol, BS1 6PN

Our Ref:
Your Ref: EN0710002
Please reply to: Ian Pollard
Tel No: [REDACTED]
Email: [REDACTED]@wakefield.gov.uk
Date: 28 May 2024

Service Director Planning and Transportation

Joe Jenkinson
Planning Services
Wakefield One
PO Box 700
Burton Street
Wakefield
WF1 2EB
Typetalk calls welcome

By email only

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 enfinium Limited (the Applicant) for an Order granting Development Consent for the Ferrybridge Carbon Capture and Storage (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 letter dated 25 April 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 'EIA Scoping Request' dated April 2024, I can confirm that Wakefield Council has no objections to the proposed information to be contained within the ES and has no further comments to make at this stage.

Should you require any further information which would assist you, please do not hesitate to contact me.

Yours faithfully

[REDACTED]

Ian Pollard
Service Manager – Development Management & Building Control