

Date: 17 May 2019
Our Ref: 8086M



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Dear Mr Richmond,

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

EP UK INVESTMENTS LTD – PLANNING APPLICATION FOR THE INCREASED EXTRACTION AND EXPORT OF PULVERISED FUEL ASH FROM THE GALE COMMON ASH DISPOSAL SITE, COBCROFT LANE, CRIDLING STUBBS, KNOTTINGLEY, NORTH YORKSHIRE, WF11 0BB

I write on behalf of the EP UK Investments Ltd ('EPUKI' or the 'Applicant') to submit a planning application for the following (the 'Proposed Development'):

"The increased extraction of pulverised fuel ash ('PFA') from the Gale Common Ash Disposal Site and associated development, including highway improvement works, the provision of processing plant, extended site loading pad, upgraded site access arrangement and facilities, additional weighbridges and wheel wash facility, extended site office and other ancillary development."

PFA of all qualities can be used in a range of applications, such as road construction, embankments, general fills, grouting, cement and breeze blocks. It is classed as a recycled/ secondary aggregate, the use of which is supported in principle by planning policy at national and local level.

The application is submitted to North Yorkshire County Council ('NYCC') in its capacity as minerals planning authority under the Town and Country Planning Act 1990 (the 'TCPA 1990') (as amended).

The Applicant

EPUKI owns and operates a number of power stations in the UK, including the closed 2,000-megawatt ('MW') coal-fired power station at Eggborough in North Yorkshire (where EPUKI has recently received a Development Consent Order for a new 2,500 MW gas-fired power station) as well as the Langage and South Humber Bank power stations (both recently acquired from Centrica) and Lynemouth power station, which EPUKI is converting to biomass.

Eggborough Power Ltd ('EPL'), a subsidiary of EPUKI, owns and operates the Gale Common Ash Disposal Site.

Consultation

EPUKI has carried out a comprehensive and meaningful pre-application consultation exercise in respect of the Proposed Development, primarily focused on the local community, but also including

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consultation with NYCC and other key consultees. The consultation with NYCC included a formal request for pre-application advice, along with meetings and email correspondence.

EPUKI has listened to the views expressed by consultees, including the local community, and has made a number of significant changes and additions to the Proposed Development as a result, including:

- localised widening of the carriageway along Cobcroft Lane/ Whitefield Lane to improve the existing highway;
- significant highway improvement works to Whitefield Lane, which forms part of the main export route from the Gale Common Ash Disposal Site, at a defined trigger point relating to the volume of exported material;
- a comprehensive regime for the management of any potential dust emissions and dirt on the local highway network; and
- public access to the fully restored part of the Gale Common Ash Disposal Site in 2020 (or as soon as practicable) (known as the 'Stage 1 ash disposal area') and public access to appropriate parts of the remainder of the Gale Common Ash Disposal Site when it is safe to do so after operations have ceased.

The approach taken to consultation was akin to the consultation exercise which would have been carried out had the Proposed Development been classified as a Nationally Significant Infrastructure Project, notwithstanding that the Proposed Development does not fall into this category.

Environmental Impact Assessment

The planning application is accompanied by an Environmental Statement ('ES') prepared by AECOM Infrastructure and Environment Ltd ('AECOM') on behalf of EPUKI.

The ES sets out the results of an Environmental Impacts Assessment ('EIA') prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the 'EIA Regulations'). The ES is based on the Scoping Opinion issued by NYCC on 17 January 2019.

Site location

The Proposed Development Site (the 'Site'), as defined by the red line planning application boundary, encompasses:

- approximately 307 hectares ('ha') of land at the existing Gale Common Ash Disposal Site, which is in the ownership of the Applicant; and
- approximately 5 ha of land along Cobcroft Lane and Whitefield Lane between the Gale Common Ash Disposal Site and the A19.

The land along Cobcroft Lane and Whitefield Lane is included for highway improvement works.

The Site is located approximately 5 kilometres ('km') to the south-west of Eggborough Power Station, approximately 700 m to the east of the village of Cridling Stubbs and approximately 25 m south of the M62 Motorway. The nearest main settlements are Knottingley located approximately 2 km to the north-west of the Site, Goole located approximately 20 km to the east of the Site and Askern located approximately 9 km to the south.

The Site is located within the administrative area of NYCC and Selby District Council ('SDC'). The former is the minerals planning authority and will determine the planning application for the Proposed Development.

Site description and history

The Gale Common Ash Disposal Site, forming the majority of the Site, was originally consented in October 1963 by the County Council of the West Riding of Yorkshire. The consent established the principle for the progressive implementation of an ash disposal operation within a defined area divided into three stages (Stages I to III). It became operational in 1967 and since then has been used for the disposal of PFA from both Eggborough and Ferrybridge 'C' power stations.

The Gale Common Ash Disposal Site is not currently receiving PFA (following closure of the aforementioned power stations in 2016 and 2018); however, operations previously encompassed the following main areas:

- the Stage I ash disposal area;
- the Stage II ash disposal area;
- the Stage III ash disposal area;
- the Lagoons C and D (previously used for ash settlement); and
- the Ash Slurry Dewatering Plant ('ASDP').

PFA was previously transported to the Site in the form of a slurry (mixed with water) via pipelines. The Stage I ash disposal area comprises the north-eastern section of the Site and was completed in 1994, reaching a level of approximately 69 m Above Ordnance Datum ('AOD') in height. It has since been restored and landscaped. The other main areas of the Site are not yet complete or restored.

The Gale Common Ash Disposal Site benefits from a planning permission granted by NYCC in 2003 (Reference: C8/40/60A/PA) that allows for the extraction and export (by road) of up to 30,000 tpa of ash. This has been an ongoing operation since the planning permission was granted, with the material delivered by HGV to customers for processing into aircrete blocks.

The historic and existing operations at the Site mean that it already benefits from infrastructure geared towards extracting and exporting material.

The Proposed Development

It is proposed to increase the extraction at the Site from the currently permitted 30,000 tpa to a maximum of 1 million tpa over a period of approximately 25 years.

Importantly, extraction would only occur within the following areas of the Gale Common Ash Disposal Site that have not yet been restored:

- Lagoons C and D;
- Stage II ash disposal area; and
- Stage III ash disposal area.

Importantly, the Stage I ash disposal area, which comprises the most prominent and fully restored part of the Gale Common Ash Disposal Site, would be retained in its current form and opened for public recreational access.

The Proposed Development includes a number of management and mitigation measures, including the proposed highway improvement and re-alignment works to Whitefield Lane noted earlier in this letter.

The Planning Statement demonstrates that the Proposed Development, on balance, complies with planning policy, and that pursuant to the EIA carried out for the Proposed Development the majority of impacts would be not significant. The Proposed Development would also ensure that early public access is provided to the Stage I disposal area. Additionally, the proposed restoration scheme includes public access to appropriate areas after extraction operations cease on the remainder of the Site (in addition to the Stage I disposal area), which could not otherwise be delivered as it is not permitted by the approved scheme.

The application submission

4x CD copies of the application submission are enclosed with this letter. The application submission consists of the following documents:

- Application Form and Certificates;
- Community Infrastructure Levy ('CIL') form;
- Planning Statement;
- Consultation Report;
- Plans (the full list of plans is itemised in the Planning Statement);
- Environmental Statement Non-Technical Summary;
- Environmental Statement Volume 1 (Main Report);
- Environmental Statement Volume 2 (Technical Appendices);
- Environmental Statement Volume 3 (Figures);
- Draft Section 106 Agreement;
- Sustainability and Carbon Review;
- Site Waste Management Plan;
- Flood Risk Assessment;
- Sustainable Transport Feasibility Report; and
- Arboricultural Impact Assessment.

The application is accompanied by the necessary fee of £78,000 payable to NYCC.

The scope and content of the above have been determined with reference to NYCC's Local Validation Check-List. I trust that everything has been submitted to allow you to validate the application and look forward to receiving confirmation of this in due course.

In the meantime, if you require any further information please do not hesitate to contact me using the details below.

Yours sincerely,

A handwritten signature in black ink that reads 'J Barnes-Gott'.

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Enc.

4x CD copies of the planning application submission