

ryan king

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**From:** ryan king  
**Sent:** 01 April 2010 18:06  
**To:** 'Barry Murphy'  
**Subject:** RE: 6159 - Drax Power Limited - Comments on Consultation Draft Core Strategy

Dear Mr Murphy

I acknowledge receipt of your comments in respect of the Draft Core Strategy.

Regards.

**Ryan King**  
Assistant Planning Officer (LDF Team)

SELBY DISTRICT COUNCIL  
*An 'Excellent' Council*

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Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB - DX 27408 Selby

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**From:** Barry Murphy [<mailto:bm@daltonwd.co.uk>]  
**Sent:** 01 April 2010 16:58  
**To:** ldf  
**Cc:** terry heselton; Keith Dalton  
**Subject:** 6159 - Drax Power Limited - Comments on Consultation Draft Core Strategy  
**Importance:** High

Dear Sir/Madam

Please see the attached representations, in respect of the Selby District Draft Core Strategy made on behalf of Drax Power Limited.

The representations are submitted on the Council's standard Comments Form, and backed up by a Statement to support the proposed changes.

Please confirm receipt of these representations and do not hesitate to contact me with any questions.

Regards

Barry

**Barry Murphy**  
Dalton Warner Davis LLP  
Chartered Surveyors, Commercial Property and Town Planning Consultants  
21 Garlick Hill, London, EC4V 2AU  
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06/04/2010



**Comments Form  
Consultation Draft Core Strategy  
for Selby District  
February 2010**

**LDF** LOCAL  
DEVELOPMENT  
FRAMEWORK

Office use  
ID No:

**Find out more and Let us Know your Views.....**

Consultation on the Draft Core Strategy begins on Thursday 18 February 2010 and comments should be submitted by **1 April 2010**.

Details of consultation events are available through the Council's Citizenlink newspaper, the local press, and our website [www.selby.gov.uk](http://www.selby.gov.uk).

Copies of the accompanying evidence base including the Sustainability Appraisal Report and Background Papers can also be viewed on our website or at Access Selby, contact centres in Sherburn in Elmet and Tadcaster and local libraries in the District.

You can now submit your comments directly online and we will keep you informed about future stages of the LDF. Please go to our dedicated consultation website for the LDF at <http://selby-consult.limehouse.co.uk> to register your details and submit comments.

Alternatively you can complete a comments form (like this one) which is available from the Core Strategy pages of our website [www.selby.gov.uk](http://www.selby.gov.uk) and e-mail to [ldf@selby.gov.uk](mailto:ldf@selby.gov.uk). Comments forms are also available from the 'consultation points' referred to above and may be posted to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby YO8 4SB. Faxed comments, using this form should be sent to (01757) 292090.

**Please submit your comments by 5pm on Thursday 1 April 2010**

**Please provide your contact details below. We do not accept anonymous comments.**

a) Personal details		a) Agent details if you are using one	
Name		Name	Keith Dalton
Organisation	Drax Power Limited	Organisation	Dalton Warner Davis
Address	Drax Power Station Selby North Yorkshire	Address	21 Garlick Hill London
Postcode	YO8 8PH	Postcode	EC4V 2AU
Tel		Tel	020 7489 0213
Fax		Fax	020 7248 4743
Email		Email	kd@daltonwd.co.uk

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

Section 4: Spatial Development  
Strategy

Do you agree with this text / policy? **Yes / No / Partly**

Please add any comments below

*What is wrong with it? How should it be changed? Does anything need adding?*

- 4.2 The "emerging PPS4 (Planning for Prosperous Economies)" has been superseded, reference should be made instead to "PPS4 (Planning for Sustainable Economic Growth)".
- 4.35 Add to the first sentence, the underlined text: ....*"National and regional guidance stresses the importance of new development being accessible by modes of transport other than the private car and where the need to travel is minimised; regional guidance also seeks to make the best use of existing transport infrastructure and capacity and to maximise the use of rail and water for uses generating large freight movements."*

Please copy / print extra sheets and use a new sheet for each section / policy

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

Section 6 Promoting Economic Prosperity

Do you agree with this text / policy? ~~Yes~~ / ~~No~~ / Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

- 6.3 Insert in the first sentence the underlined word: "*Selby District plays an important role in the local and regional labour market, traditionally accommodating employment in the manufacturing, brewing, energy and agricultural sectors*".
- 6.3 Add to the second sentence the underlined text: "*However evidence indicates that the District, as a result of a high level of out-commuting to Leeds and York, has become a dormitory location for these cities, supplying them with skilled labour, at the expense of the local economy and sustainable development objectives, highlighting the need to reinvigorate and develop the District's economy*".
- 6.4 The "*emerging PPS4 (Planning for Prosperous Economies)*" has been superseded, reference should be made instead to "*PPS4 (Planning for Sustainable Economic Growth)*". Replace the text with the underlined text. It requires LPAs to ensure that development plans, among other considerations, proactively encourage sustainable economic growth, support existing business sectors, prioritise the use of previously developed land, locate development which generates substantial transport movements in locations that are accessible and plan for the delivery of sustainable transport and other infrastructure needed to support future economic development, including development which achieves at least one of the following objectives, namely provides employment opportunities, generates wealth, produces or generates an economic output or product.
- 6.5 Add to the second sentence, the underlined text: "*In areas like Selby this means catering for additional office, retail and leisure uses, as well as supporting the ongoing restructuring and modernisation of the manufacturing sector, as well as energy development in suitable locations within the District*".
- 6.21 Insert at the beginning of the paragraph, the underlined text: "*As in the current development plan the Council supports Drax Power Station [and Eggborough] power station[s] in the utilisation of these sites for the development of infrastructure for purposes directly related to the production of energy, utilising where practicable, the site's rail connection.*"
- CP9 VIII Insert in the policy, the underlined text: "*Supporting the development at Drax [and Eggborough] power station[s] of additional energy infrastructure and of activities directly linked to existing rail infrastructure at the former Gascoigne Wood surface mine"*

Please copy / print extra sheets and use a new sheet for each section / policy

**Please tell us on which part of the document you are commenting:**

**Section Number / Paragraph(s) / Policy Number**

Section 7: Improving the Quality of Life

**Do you agree with this text / policy? Yes / No / Partly**

**Please add any comments below**

*What is wrong with it? How should it be changed? Does anything need adding?*

- 7.7 Insert in the paragraph, the underlined text: "Thus, both national and regional policies and strategies require that planning addresses the causes and potential impacts of climate change through reducing energy use, promoting water efficiency, reducing emissions (including CO<sub>2</sub>), promoting renewable and low carbon energy use, influencing the location and design of development and promoting sustainable and inclusive patterns of urban and rural development."
  
- 7.17 Insert in the paragraph, the underlined text: "Respondents to the Further Options Report outlined the need for an over-arching climate change policy, to reduce predicted CO<sub>2</sub> emissions in new development, how we will achieve national and regional targets, encourage higher energy efficiency, how we will meet zero carbon targets, promotion of sustainable construction and design techniques, encouragement of specific technologies such as Combined Heat and Power (CHP), clean coal and the need to promote Coal Bed Methane extraction and Carbon Capture technologies, especially associated with 'un-worked' shallow reserves, or short term extraction from the abandoned Selby mine sites within Selby District."
  
- 7.18 Insert, at the end of the paragraph, the underlined text: "However, Government energy policy has highlighted security of supply issues arising from planned closures of a number of older coal fired and nuclear power stations in the period to 2020, requiring greater reliance on continuing use of fossil fuelled generating plants and new investment in renewable and low carbon forms of energy generation<sup>1</sup>; implementation of this policy is demonstrated at Drax by the co-firing of biomass and the proposal to develop a biomass fuelled electricity generating plant. The policy recognises that energy is vital to economic prosperity and social well-being and so it is important to ensure the country has secure and affordable energy<sup>2</sup>.
  
- 7.26 Insert in the paragraph the underlined text: "Increasing renewable and low carbon energy capacity, by supporting stand alone schemes from all 'green' technologies, to meet established targets (but especially from biomass and energy from waste which are being promoted locally]"
  
- 7.26 Insert in the paragraph the underlined text: "Supporting coal bed methane, clean coal technology, carbon capture and storage technologies and environmental improvements to existing generating plant", where appropriate.

<sup>1</sup> Meeting The Energy Challenge – A White Paper on Energy (2007); Energy Markets Outlook Report December 2008/2009; Ofgem's Sustainable Development Report 2008/2009; The UK Low Carbon Transition Plan – National Strategy for Climate and Energy 2009

<sup>2</sup> Draft Overarching National Policy Statement for Energy (EN-1)

**Policy CP12: Climate Change**

Insert in the policy the underlined text:

"(i) Support the provision of renewable and low carbon forms of energy generation"

- 7.29 Insert, in the paragraph, the underlined text: "Most recently, The 2009 UK Renewable Energy Strategy and the UK Low Carbon Transition Plan 2009 are explicit that the planning system must support carbon reduction, actions to combat climate change and deployment of renewable energy; furthermore the energy can be generated from dedicated biomass fuelled power stations, or co-firing with coal and with CCS in large power stations.
- 7.40 Insert, in the paragraph the underlined text: "Selby District is particularly well placed for biomass, energy from waste and combined heat and power, as well as potential for clean coal technology, carbon capture and coal bed methane, in the light of known planned schemes, and the existence of local coal mines and traditional coal fired power stations."
- 7.44 Both Eggborough Power Station and Drax Power Station produce energy from co-firing biomass. Drax Power has received planning permission for additional biomass handling equipment and infrastructure which will provide the capability to deliver a target of 500 MW; i.e. 12.5% of its output from renewable fuels. In addition, Drax has applied to the Department of Energy and Climate Change for permission to build a dedicated biomass-fired renewable energy plant on land adjacent to Drax Power Station capable of producing nearly 300 MW of grid-connected electricity.

**Policy CP14: Renewable Energy**

Insert in the policy, the underlined text: "The Council will support new sources of renewable and low carbon energy generation provided that development proposals can demonstrate that the wider environmental, economic and social benefits outweigh harm caused to the environment and local amenity, and impacts on local communities are minimised. Schemes may utilise the full range of available technology including:

- a) Renewable energy schemes, which contribute, to meeting regional and sub-regional targets,
- b) Micro-generation schemes, which are not necessarily grid-connected but which nevertheless, reduce reliance on scarce, non-renewable energy resources, and
- c) Clean Coal Bed Methane extraction, Clean Coal Generation and Carbon Capture and Storage technologies."

**Policy CP15: Protecting and Enhancing the Environment**

Insert at the end of the policy, an additional item underlined: "The high quality of the natural and man-made environment will be sustained by:...

7. Encouraging the re-use of secondary aggregates such as ash, which may contribute to the production of building materials from a sustainable source"

**Please copy / print extra sheets and use a new sheet for each section / policy**

Please add any further comments you may have about the Draft Core Strategy including:

- Any omissions
- The Background Papers / Reports
- The Sustainability Appraisal

Please see the attached statement in support of the suggested changes outlined on this form.

Please sign and date the form

Signed 

Date 1 April 2010

If you have any questions or need some further information please contact the Local Development Framework Team on 01757 292034 or by email to [ldf@selby.gov.uk](mailto:ldf@selby.gov.uk).

Please return this form **no later than 17.00hrs (5pm) on Thursday 1 April 2010** to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB

**Please answer a few more questions on the attached sheet which will help us to improve the way we consult in the future**



## Selby District Consultation Draft Core Strategy

February 2010

### Representations – Drax Power Ltd

#### Introduction

1. These representations, in respect of the Selby District Consultation Draft Core Strategy February 2010 (SDCDCS), are made on behalf of Drax Power Ltd (DPL) which operates Drax Power Station (Drax). We are seeking changes to certain paragraphs and consequential policies to ensure that the Core Strategy is "sound". In the matters on which we have commented, concerning the provision of renewable and low carbon energy, we consider that the present document has paid insufficient regard to DPL's support for Government energy policy. Because there is a lack of recognition of the important economic and energy role performed by Drax and insufficient regard paid to the lead taken by Government in relation to renewable and low carbon energy, we find it necessary to make these representations pending further discussions with the planning authority.

#### Key issues and Challenges

2. The SDCDCS 2.8 describes the economy of the District as being varied and including two major coal fired power stations (Drax and Eggborough), which it states afford a prominence to energy. Selby is described as the main employment centre, with significant employment at Sherburn and, to a lesser degree, at Tadcaster. On the matter of developing the economy, the point is made that among the key issues and challenges *"Reinvigorating and developing the economy of the District has emerged as a major priority if a more self-contained, sustainable way of life for District residents is to be created"* (SDCDCS 2.16). This priority will require both the retention and creation of jobs within the District, matching the skill sets and aspirations of residents with opportunities, while ensuring that the District is attractive to investment and viewed as a place to do business.

#### Vision Aims and Objectives

3. The Vision for Selby to 2026 seeks achievement of *"a diverse economy .... job opportunities .... and sustainable communities which are less dependant on surrounding towns and cities"* (SDCDCS 3.1). In response to the vision, among the objectives to be delivered through the Core Strategy spatial strategy and core policies and other development documents (DPDs) are the following:

- *developing the economy of the District by capitalising on local strengths, nurturing existing business, supporting entrepreneurs and innovation and promoting diversification into new growth sectors (3.5-(9))*
- *making best use of natural resources by promoting energy efficiency, sustainable construction techniques and renewable energy operations (3.5-(15)).*

As with DPL's earlier comments on the Core Strategy Consultation on Further Options (November 2008), these representations recommend that the Core Strategy includes support for the provision of energy and infrastructure development at Drax and textual amendments to bring the SDCDCS in line with national and regional planning policy.

4. Planning Policy Statement (PPS): Local Spatial Planning (PPS12) states that core strategies may allocate strategic sites for development; the alternative is to allocate sites in a development plan document (DPD) which have not been identified in a core strategy although, having recourse to this alternative, is not justification for not allocating a site in core strategy, when sites are central to the achievement of the strategy (PPS12, 4.5, 5.3). Having regard to the role of Drax Power Station, both as a generator of electricity and as a major provider of skilled jobs, the Core Strategy should make provision through site specific policies and land use allocations, as well as generic policies for energy/infrastructure development at Drax. The Core Strategy should also give clear guidance that Drax is an appropriate location for the development of energy infrastructure as well as related activities. This would demonstrate an understanding of existing business needs and likely changes, which would be relevant to the evidence base. It is also pertinent that the present Policy EMP10 in the Selby District Local Plan, which is a permissive policy, gives a strong indication of the Council's commitment to the longevity of Drax as a major provider of energy.

#### **Spatial Development Strategy**

5. Reference is made to national policy PPG 4 *Industrial, Commercial Development and Small Firms* (1992) as providing the context for economic development (SDCDCS 6.4). PPG 4 has been superseded by PPS 4 *Planning for Sustainable Economic Growth* (2009) (SDCDCS paragraph 4.2).

6. The SDCDCS refers to national planning policy and to the regional spatial strategy as providing a context in respect of the location of development. Comments in these representations at paragraph 14(h) point out that national policy statements (NPSs) in respect of energy infrastructure should be considered by regional planning bodies and local planning authorities when preparing their plans at regional and local level and that, emerging policy in a draft NPS, may also be relevant. The Core Strategy should therefore take account of NPSs relevant to energy having regard to SDCDCS 2.8 that the existence of Drax and Eggborough affords a certain prominence to energy.
7. On the matter of locational principles and accessibility, The Yorkshire and Humber Plan Regional Spatial Strategy to 2026 (YHP) at Policy YH7 (Location of Development) states in Part B that in identifying sites for development, LPAs should adopt a transport-oriented approach to ensure that development makes the best use of existing transport infrastructure and capacity, takes into account capacity constraints in the strategic road network, addresses public transport accessibility criteria and maximises the use of rail/water for large freight movements. This should be addressed in SDCDCS 4.35 emphasising the value of existing transport infrastructure and utilisation of sustainable means of freight transport.

#### **Promoting Economic Prosperity**

8. SDCDCS 2.8 refers to the energy sector being especially prominent because of the existence of Drax and Eggborough power stations. The SDCDCS defines the District as playing an important role in the local and regional labour market; it is concerned that the District now experiences a high level of out-commuting to Leeds and York, supplying these centres *"with skilled labour, at the expense of the local economy and sustainable development objectives"* (SDCDCS 6.3). In the introduction to the scale and distribution of growth, reference should therefore be made to energy as a significant employer and to the importance of reinvigorating and developing the District's economy, otherwise the Core Strategy will be failing to optimise opportunities for economic prosperity (SDCDCS 6.3).
9. PPS4 *Planning for Sustainable Economic Growth* (2009) defines economic development as including development within B Use Classes and other forms of investment and other development which achieves at least one of the following objectives:
- provides employment opportunities
  - generates wealth

- produces or generates an economic output or product.

SDCDCS 6.4 should be amended accordingly and refer to PPS4 Policy EC2 (Planning for Sustainable Economic Growth). Furthermore, PPS 4, Policy EC2.1, requires regional planning bodies and local planning authorities to ensure that development plans, among others, proactively encourage sustainable economic growth, support existing business sectors, prioritise the use of previously developed land and plan for the delivering of infrastructure needed to support future economic development. The business of generating electricity satisfies each of the objectives above and is therefore economic development within the meaning of PPS4; therefore, as a prominent contributor to economic prosperity it is necessary to refer to energy development within the District that will require provision of land for energy development (SDCDCS 6.5).

10. The RSS at Section 11 (Economy) in Policy E1 (Creating a Successful and Competitive Regional Economy) envisages initiatives that include:

- a modern manufacturing sector and modernisation of industries
- development related to important sectors/clusters and individual employers important to the local economy with specific property requirements
- opportunities for business relating to the Region's unique environmental assets and challenges including renewable energy, resource and waste efficiency and environmental technologies and the low carbon economy .

DPL's current activities and its plans for ongoing investment at Drax are consistent with Policy E1, in particular, as an employer which is important to the local economy.

11. On RSS Policy E3 (Land and Premises for Economic Development), it is noted that in addition to the generic issues associated with land provision, "*employment land reviews will need to consider, on a case by case basis, special land use requirements*" (RSS 11.19). The paragraph does not prescribe all types of development falling within this category but gives as examples land for airport/port related development, inter-modal freight terminals/wharves, specialist waste facilities, mixed uses and replacement sites for bad neighbour activities. It can be concluded that DPL's current and planned activities at Drax are also wholly consistent with this policy and therefore the Council should recognise the special energy/infrastructure requirements of Drax and give every support in its Core Strategy and subsequent LDDs to the continuing of its activities.

12. Reference is made in the SDCDCS to the re-use of buildings at the former Gascoigne Wood mine provided this is directly linked to the use of the existing rail infrastructure and possible former employment/institutional sites outside Development Limits for employment uses compatible with the countryside location and to former mine sites at Whitemoor and Riccall as acknowledged locations for meeting the needs of existing indigenous employment (SDCDCS 6.21/22). It is therefore surprising that the SDCDCS has failed to take account of the need for investment in energy infrastructure set out in Government Policy and in the YHP. DPL has stated in its previous representations that its recent and future plans for development at Drax are consistent with the YHP Policy ENV5. This is evidenced by its further investment in biomass handling with co-firing and rail infrastructure improvements at Drax where DPL has already developed expertise in co-firing and the sourcing of local fuels as well as supplies from overseas, making this site the largest co-firing operation of its kind in the country. DPL is also proposing to develop a new 290 MW biomass electricity generating plant (currently the subject of an application under the Electricity Act 1989, made to the Secretary of State for Energy and Climate Change). Policy CP9 VIII should therefore be amended to make it clear that Drax is an important site for future economic growth.

#### **Improving the Quality of Life**

13. The SDCDCS 7.2 aims to reduce greenhouse gas emissions and protect resources whilst providing opportunities to promote renewable energy. The context refers to the Climate Change Background Paper and to national policies and strategies from which it concludes that a common theme is that there should be provision for renewable/low carbon energy and clean fossil fuels generation with carbon capture and storage.
14. Government energy policy is set out in numerous policy documents and, while some are referred to in the SDCDCS, all of the following are relevant to the consideration of renewable and low carbon energy policies:
- (a) *Our Energy Future – Creating a Low Carbon Economy Cm 5761 (2003)* identifies three challenges, first climate change, second decline in the UK's indigenous energy supplies and third the need to update much of the UK's energy infrastructure. On the issue of maintaining reliability of energy supplies, the stated goal is that people and businesses can rely on secure supplies of energy at predictable prices delivered through the market.

- (b) *The Energy Challenge – Energy Review Cm 6887 (2006)* refers to two major long term challenges of tackling climate change and delivering secure and clean energy at affordable prices. On the matter of energy generation, it notes that the UK will need substantial new investment in electricity generation capacity to replace closing coal, oil and nuclear power stations and to meet expected growth in electricity demand.
- (c) *Meeting the Energy Challenge – A White Paper on Energy Cm 7124 (2007)*, commenting on reducing CO<sub>2</sub> emissions notes that the sector has made some progress on decarbonising since 1990 and that, over the next two decades, the UK will need substantial investment in new electricity generation capacity. It predicts that around 22.5 GW of existing power stations may close by 2020 and that to maintain equivalent levels of supply, new generating capacity will need to be built.
- (d) *Energy Markets Outlook Report (2009)* restates the position that security of supply is a key element of Government energy policy and correspondingly Ofgem's role in protecting consumers.
- (e) *Ofgem Sustainable Development Report (2009)* reaffirms earlier advice that one of the challenges facing the energy industry, is to ensure adequate levels of generation as old plants are phased out and new plants come on line; it refers to the Government's ambitious renewables targets of 30% of electricity being sourced from renewables by 2020, compared with 5% today; it emphasises that renewable and low carbon heat will contribute to targets of reducing CO<sub>2</sub> emissions.
- (f) *The UK Low Carbon Transition Plan – National Strategy for Climate and Energy (2009)* recognises the ongoing role of coal and gas in energy generation; it observes that coal power stations have higher power emissions than other fuel options but that carbon capture storage (CCS) offers the prospect of a solution to reduce emissions from fossil fuelled power stations by up to 90%.
- (g) *The UK Low Carbon Transition Plan – National Strategy for Climate and Energy (2009)* aims to transform the power sector by generating electricity from clean sources, including renewables and fossil fuelled plants fitted with CCS equipment; to make this transition, the Government needs to maintain the right conditions for energy companies to invest very large sums in new power stations. It acknowledges that, while it is not possible to predict the exact mix

of electricity generating technologies in the future, the strategy needs to be sufficiently flexible to adopt technical developments in any sector. It is noted that bio energy comes from a wide range of renewables including wood, energy crops and organic wastes and that electricity can be generated from dedicated biomass power stations, or co-firing with coal and with CCS in large power stations.

- (h) *Draft Overarching National Policy Statement (NPS) for Energy (EN-1) and Draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)*. EN-1 sets out the national policy for national infrastructure, namely onshore generating power stations of more than 50 MW. It notes that energy is vital to economic prosperity and social wellbeing and so it is important to ensure that there is secure and affordable energy. To achieve this, it envisages a requirement for capacity to meet simultaneous demand at all times, including a greater proportion of low carbon energy with a safety margin of spare capacity to accommodate fluctuations in supply and demand, and a diverse mix of technologies and fuels. EN-2 refers to factors influencing site selection as being land use, transport, energy infrastructure, water resources and grid connection. A letter from the DCLG Chief Planner to Chief Planning Officers in LPAs dated 9.11.09, draws attention to the then draft NPSs. It states that regional planning bodies and LPAs must have regard to NPSs when preparing their plans at regional and local level and that emerging policy in a draft NPS may also be relevant.
- (i) *Ofgem Project Discovery Options for delivering secure and sustainable energy supplies (2010)* confirms a need for unprecedented levels of investment to be sustained over many years in energy infrastructure in difficult financial conditions and the potential to incur greater decarbonisation costs in the future if investment in low carbon technology is delayed or deferred.

15. Against the background of Government's energy policies (paragraph XX) and recent reports published by Ofgem and DECC (paragraph XXX) it is necessary, for reasons of consistency and to avoid ambiguity, to make alterations to the following paragraphs:

- 7.7 Clarify that reduction of emissions including CO<sub>2</sub> and that both renewable and low carbon energy use is to be promoted
- 7.17 Include reference to clean coal alongside other sustainable technologies such as coal bed methane extractions and carbon capture

7.18 When referring to existing coal fired power stations as contributing to the emission of GHGs, there should be recognition of the need to retain certain fossil fuelled generation plants while investing in other forms of renewable and low carbon energy as is occurring at Drax.

7.26 Clarify that both renewable and low carbon energy generation is consistent with policy and that clean coal and other environmental improvements to existing generation plant should be supported alongside CCS.

Consistent with the above, Policy CP12 should be amended to include reference to renewable and low carbon forms of energy generation as a means of addressing the causes of climate change.

16. With regard to the improvement of resource efficiency and renewable energy, the further changes necessary to be consistent with national policy are as follows:

7.29 When referring to national policy, include reference to its support for co-firing, biomass fuelled power stations and CCS in large power stations.

7.40 Clarify that the reference to Selby, should be to the District and include clean coal technology alongside references to CCS and coal bed methane.

7.44 When referring to Drax, also refer to its investment in co-firing that will produce a substantial savings in carbon emissions.

Policy CP14 – include reference to low carbon energy generation as well as renewable energy generation and clean coal generation as well as CCS and coal bed methane extraction.

Policy CP15 – in protecting environment, supports the re-use of secondary aggregates by the re-use of ash, where practicable.

**Dalton Warner Davis LLP**

**1 April 2010**



**ryan king**

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**From:** terry heselton  
**Sent:** 06 April 2010 10:22  
**To:** ryan king  
**Subject:** FW: 6159 - Drax Power Limited - Comments on Consultation Draft Core Strategy  
**Importance:** High  
**Attachments:** 6159.Selby Core Strategy.Comments Form.1.4.10.pdf; 6159 Sleby Core Strategy Reps 1.4.10 - Drax Power Limited.pdf

addendum to drax power comments

**Terry Heselton BA (Hons), Dip TP, MRTPI**  
**Principal Planner (LDF Team)**

**SELBY DISTRICT COUNCIL**  
*An 'Excellent' Council*

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Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB - DX 27408 Selby

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**From:** Barry Murphy [<mailto:bm@daltonwd.co.uk>]  
**Sent:** 01 April 2010 17:39  
**To:** terry heselton  
**Cc:** Keith Dalton  
**Subject:** FW: 6159 - Drax Power Limited - Comments on Consultation Draft Core Strategy  
**Importance:** High

Terry

I have just noticed paragraph references were omitted on the attached Core Strategy representations. For clarification the paragraph references in paragraph 15 should read:

"Against the background of Government's energy policies (paragraph 14 (a), (b), (c), (f), (g), (h)) and recent reports published by Ofgem and DECC (paragraph (d), (e), (i)) it is necessary, for reasons of consistency and to avoid ambiguity, to make alterations to the following paragraphs"

King regards

Barry

**Barry Murphy**  
**Dalton Warner Davis LLP**  
**Chartered Surveyors, Commercial Property and Town Planning Consultants**  
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06/04/2010

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**From:** Barry Murphy  
**Sent:** 01 April 2010 17:02  
**To:** 'terry heselton'  
**Cc:** Keith Dalton; Chris Brake  
**Subject:** FW: 6159 - Drax Power Limited - Comments on Consultation Draft Core Strategy  
**Importance:** High

Dear Mr Heselton

Further to my email below, please contact Keith Dalton (020 7489 0213) to discuss the attached representations.

Many thanks

**Barry Murphy**  
Dalton Warner Davis LLP  
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**From:** Barry Murphy  
**Sent:** 01 April 2010 16:58  
**To:** 'ldf@selby.gov.uk'  
**Cc:** 'terry heselton'; Keith Dalton  
**Subject:** 6159 - Drax Power Limited - Comments on Consultation Draft Core Strategy  
**Importance:** High

Dear Sir/Madam

Please see the attached representations, in respect of the Selby District Draft Core Strategy made on behalf of Drax Power Limited.

The representations are submitted on the Council's standard Comments Form, and backed up by a Statement to support the proposed changes.

Please confirm receipt of these representations and do not hesitate to contact me with any questions.

Regards

Barry

**Barry Murphy**  
Dalton Warner Davis LLP  
Chartered Surveyors, Commercial Property and Town Planning Consultants  
21 Garlick Hill, London, EC4V 2AU  
DDL: 020 7332 2116 Fax: 020 7248 4743

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**Comments Form  
Consultation Draft Core Strategy  
for Selby District  
February 2010**



Office use  
ID No:

**Find out more and Let us Know your Views.....**

Consultation on the Draft Core Strategy begins on Thursday 18 February 2010 and comments should be submitted by **1 April 2010**.

Details of consultation events are available through the Council's Citizenlink newspaper, the local press, and our website [www.selby.gov.uk](http://www.selby.gov.uk).

Copies of the accompanying evidence base including the Sustainability Appraisal Report and Background Papers can also be viewed on our website or at Access Selby, contact centres in Sherburn in Elmet and Tadcaster and local libraries in the District.

You can now submit your comments directly online and we will keep you informed about future stages of the LDF. Please go to our dedicated consultation website for the LDF at <http://selby-consult.limehouse.co.uk> to register your details and submit comments.

Alternatively you can complete a comments form (like this one) which is available from the Core Strategy pages of our website [www.selby.gov.uk](http://www.selby.gov.uk) and e-mail to [ldf@selby.gov.uk](mailto:ldf@selby.gov.uk). Comments forms are also available from the 'consultation points' referred to above and may be posted to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby YO8 4SB. Faxed comments, using this form should be sent to (01757) 292090.

**Please submit your comments by 5pm on Thursday 1 April 2010**

**Please provide your contact details below. We do not accept anonymous comments.**

a) Personal details		a) Agent details if you are using one	
Name		Name	Keith Dalton
Organisation	Drax Power Limited	Organisation	Dalton Warner Davis
Address	Drax Power Station Selby North Yorkshire	Address	21 Garlick Hill London
Postcode	YO8 8PH	Postcode	EC4V 2AU
Tel		Tel	020 7489 0213
Fax		Fax	020 7248 4743
Email		Email	<a href="mailto:kd@daltonwd.co.uk">kd@daltonwd.co.uk</a>

**Please tell us on which part of the document you are commenting:**

**Section Number / Paragraph(s) / Policy Number**

Section 4: Spatial Development  
Strategy

**Do you agree with this text / policy? Yes / No / Partly**

**Please add any comments below**

*What is wrong with it? How should it be changed? Does anything need adding?*

4.2 The "emerging PPS4 (Planning for Prosperous Economies)" has been superseded, reference should be made instead to "PPS4 (Planning for Sustainable Economic Growth)".

4.35 Add to the first sentence, the underlined text: ....*"National and regional guidance stresses the importance of new development being accessible by modes of transport other than the private car and where the need to travel is minimised; regional guidance also seeks to make the best use of existing transport infrastructure and capacity and to maximise the use of rail and water for uses generating large freight movements."*

**Please copy / print extra sheets and use a new sheet for each section / policy**

Please tell us on which part of the document you are commenting:

Section Number / Paragraph(s) / Policy Number

Section 6 Promoting Economic Prosperity

Do you agree with this text / policy? Yes / No / Partly

Please add any comments below

What is wrong with it? How should it be changed? Does anything need adding?

- 6.3 Insert in the first sentence the underlined word: *"Selby District plays an important role in the local and regional labour market, traditionally accommodating employment in the manufacturing, brewing, energy and agricultural sectors"*.
- 6.3 Add to the second sentence the underlined text: *"However evidence indicates that the District, as a result of a high level of out-commuting to Leeds and York, has become a dormitory location for these cities, supplying them with skilled labour, at the expense of the local economy and sustainable development objectives, highlighting the need to reinvigorate and develop the District's economy"*.
- 6.4 The *"emerging PPS4 (Planning for Prosperous Economies)"* has been superseded, reference should be made instead to *"PPS4 (Planning for Sustainable Economic Growth)"*. Replace the text with the underlined text. It requires LPAs to ensure that development plans, among other considerations, proactively encourage sustainable economic growth, support existing business sectors, prioritise the use of previously developed land, locate development which generates substantial transport movements in locations that are accessible and plan for the delivery of sustainable transport and other infrastructure needed to support future economic development, including development which achieves at least one of the following objectives, namely provides employment opportunities, generates wealth, produces or generates an economic output or product.
- 6.5 Add to the second sentence, the underlined text: *"In areas like Selby this means catering for additional office, retail and leisure uses, as well as supporting the ongoing restructuring and modernisation of the manufacturing sector, as well as energy development in suitable locations within the District"*.
- 6.21 Insert at the beginning of the paragraph, the underlined text: *"As in the current development plan the Council supports Drax Power Station [and Eggborough] power station[s] in the utilisation of these sites for the development of infrastructure for purposes directly related to the production of energy, utilising where practicable, the site's rail connection."*
- CP9 VIII Insert in the policy, the underlined text: *"Supporting the development at Drax [and Eggborough] power station[s] of additional energy infrastructure and of activities directly linked to existing rail infrastructure at the former Gascoigne Wood surface mine"*

Please copy / print extra sheets and use a new sheet for each section / policy

**Please tell us on which part of the document you are commenting:**

**Section Number / Paragraph(s) / Policy Number**

Section 7: Improving the Quality of Life

**Do you agree with this text / policy? ~~Yes~~/No/ Partly**

**Please add any comments below**

*What is wrong with it? How should it be changed? Does anything need adding?*

- 7.7 Insert in the paragraph, the underlined text: "Thus, both national and regional policies and strategies require that planning addresses the causes and potential impacts of climate change through reducing energy use, promoting water efficiency, reducing emissions (including CO<sub>2</sub>), promoting renewable and low carbon energy use, influencing the location and design of development and promoting sustainable and inclusive patterns of urban and rural development."
- 7.17 Insert in the paragraph, the underlined text: "Respondents to the Further Options Report outlined the need for an over-arching climate change policy, to reduce predicted CO<sub>2</sub> emissions in new development, how we will achieve national and regional targets, encourage higher energy efficiency, how we will meet zero carbon targets, promotion of sustainable construction and design techniques, encouragement of specific technologies such as Combined Heat and Power (CHP), clean coal and the need to promote Coal Bed Methane extraction and Carbon Capture technologies, especially associated with 'un-worked' shallow reserves, or short term extraction from the abandoned Selby mine sites within Selby District."
- 7.18 Insert, at the end of the paragraph, the underlined text: "However, Government energy policy has highlighted security of supply issues arising from planned closures of a number of older coal fired and nuclear power stations in the period to 2020, requiring greater reliance on continuing use of fossil fuelled generating plants and new investment in renewable and low carbon forms of energy generation<sup>1</sup>; implementation of this policy is demonstrated at Drax by the co-firing of biomass and the proposal to develop a biomass fuelled electricity generating plant. The policy recognises that energy is vital to economic prosperity and social well-being and so it is important to ensure the country has secure and affordable energy<sup>2</sup>.
- 7.26 Insert in the paragraph the underlined text: "Increasing renewable and low carbon energy capacity, by supporting stand alone schemes from all 'green' technologies, to meet established targets (but especially from biomass and energy from waste which are being promoted locally]"
- 7.26 Insert in the paragraph the underlined text: "Supporting coal bed methane, clean coal technology, carbon capture and storage technologies and environmental improvements to existing generating plant", where appropriate.

<sup>1</sup> Meeting The Energy Challenge – A White Paper on Energy (2007); Energy Markets Outlook Report December 2008/2009; Ofgem's Sustainable Development Report 2008/2009; The UK Low Carbon Transition Plan – National Strategy for Climate and Energy 2009

<sup>2</sup> Draft Overarching National Policy Statement for Energy (EN-1)

**Policy CP12: Climate Change**

Insert in the policy the underlined text:

"(i) Support the provision of renewable and low carbon forms of energy generation"

- 7.29 Insert, in the paragraph, the underlined text: "Most recently, The 2009 UK Renewable Energy Strategy and the UK Low Carbon Transition Plan 2009 are explicit that the planning system must support carbon reduction, actions to combat climate change and deployment of renewable energy; furthermore the energy can be generated from dedicated biomass fuelled power stations, or co-firing with coal and with CCS in large power stations.
- 7.40 Insert, in the paragraph the underlined text: "Selby District is particularly well placed for biomass, energy from waste and combined heat and power, as well as potential for clean coal technology, carbon capture and coal bed methane, in the light of known planned schemes, and the existence of local coal mines and traditional coal fired power stations."
- 7.44 Both Eggborough Power Station and Drax Power Station produce energy from co-firing biomass. Drax Power has received planning permission for additional biomass handling equipment and infrastructure which will provide the capability to deliver a target of 500 MW; i.e. 12.5% of its output from renewable fuels. In addition, Drax has applied to the Department of Energy and Climate Change for permission to build a dedicated biomass-fired renewable energy plant on land adjacent to Drax Power Station capable of producing nearly 300 MW of grid-connected electricity.

**Policy CP14: Renewable Energy**

Insert in the policy, the underlined text: "The Council will support new sources of renewable and low carbon energy generation provided that development proposals can demonstrate that the wider environmental, economic and social benefits outweigh harm caused to the environment and local amenity, and impacts on local communities are minimised. Schemes may utilise the full range of available technology including:

- a) Renewable energy schemes, which contribute, to meeting regional and sub-regional targets,
- b) Micro-generation schemes, which are not necessarily grid-connected but which nevertheless, reduce reliance on scarce, non-renewable energy resources, and
- c) Clean Coal Bed Methane extraction, Clean Coal Generation and Carbon Capture and Storage technologies."

**Policy CP15: Protecting and Enhancing the Environment**

Insert at the end of the policy, an additional item underlined: "The high quality of the natural and man-made environment will be sustained by:...

7. Encouraging the re-use of secondary aggregates such as ash, which may contribute to the production of building materials from a sustainable source"

**Please copy / print extra sheets and use a new sheet for each section / policy**



Please add any further comments you may have about the Draft Core Strategy including:

- Any omissions
- The Background Papers / Reports
- The Sustainability Appraisal

Please see the attached statement in support of the suggested changes outlined on this form.

Please sign and date the form

Signed Datten Warner Davis LLP Date 1 April 2010

If you have any questions or need some further information please contact the Local Development Framework Team on 01757 292034 or by email to [ldf@selby.gov.uk](mailto:ldf@selby.gov.uk).

Please return this form **no later than 17.00hrs (5pm) on Thursday 1 April 2010** to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB

Please answer a few more questions on the attached sheet which will help us to improve the way we consult in the future

**Selby District Consultation Draft Core Strategy**  
**February 2010**  
**Representations – Drax Power Ltd**

**Introduction**

1. These representations, in respect of the Selby District Consultation Draft Core Strategy February 2010 (SDCDCS), are made on behalf of Drax Power Ltd (DPL) which operates Drax Power Station (Drax). We are seeking changes to certain paragraphs and consequential policies to ensure that the Core Strategy is “sound”. In the matters on which we have commented, concerning the provision of renewable and low carbon energy, we consider that the present document has paid insufficient regard to DPL’s support for Government energy policy. Because there is a lack of recognition of the important economic and energy role performed by Drax and insufficient regard paid to the lead taken by Government in relation to renewable and low carbon energy, we find it necessary to make these representations pending further discussions with the planning authority.

**Key issues and Challenges**

2. The SDCDCS 2.8 describes the economy of the District as being varied and including two major coal fired power stations (Drax and Eggborough), which it states afford a prominence to energy. Selby is described as the main employment centre, with significant employment at Sherburn and, to a lesser degree, at Tadcaster. On the matter of developing the economy, the point is made that among the key issues and challenges *“Reinvigorating and developing the economy of the District has emerged as a major priority if a more self-contained, sustainable way of life for District residents is to be created”* (SDCDCS 2.16). This priority will require both the retention and creation of jobs within the District, matching the skill sets and aspirations of residents with opportunities, while ensuring that the District is attractive to investment and viewed as a place to do business.

**Vision Aims and Objectives**

3. The Vision for Selby to 2026 seeks achievement of *“a diverse economy .... job opportunities .... and sustainable communities which are less dependant on surrounding towns and cities”* (SDCDCS 3.1). In response to the vision, among the objectives to be delivered through the Core Strategy spatial strategy and core policies and other development documents (DPDs) are the following:

- *developing the economy of the District by capitalising on local strengths, nurturing existing business, supporting entrepreneurs and innovation and promoting diversification into new growth sectors (3.5-(9))*
- *making best use of natural resources by promoting energy efficiency, sustainable construction techniques and renewable energy operations (3.5-(15)).*

As with DPL's earlier comments on the Core Strategy Consultation on Further Options (November 2008), these representations recommend that the Core Strategy includes support for the provision of energy and infrastructure development at Drax and textual amendments to bring the SDCDCS in line with national and regional planning policy.

4. Planning Policy Statement (PPS): Local Spatial Planning (PPS12) states that core strategies may allocate strategic sites for development; the alternative is to allocate sites in a development plan document (DPD) which have not been identified in a core strategy although, having recourse to this alternative, is not justification for not allocating a site in core strategy, when sites are central to the achievement of the strategy (PPS12, 4.5, 5.3). Having regard to the role of Drax Power Station, both as a generator of electricity and as a major provider of skilled jobs, the Core Strategy should make provision through site specific policies and land use allocations, as well as generic policies for energy/infrastructure development at Drax. The Core Strategy should also give clear guidance that Drax is an appropriate location for the development of energy infrastructure as well as related activities. This would demonstrate an understanding of existing business needs and likely changes, which would be relevant to the evidence base. It is also pertinent that the present Policy EMP10 in the Selby District Local Plan, which is a permissive policy, gives a strong indication of the Council's commitment to the longevity of Drax as a major provider of energy.

#### **Spatial Development Strategy**

5. Reference is made to national policy PPG 4 *Industrial, Commercial Development and Small Firms* (1992) as providing the context for economic development (SDCDCS 6.4). PPG 4 has been superseded by PPS 4 *Planning for Sustainable Economic Growth* (2009) (SDCDCS paragraph 4.2).

6. The SDCDCS refers to national planning policy and to the regional spatial strategy as providing a context in respect of the location of development. Comments in these representations at paragraph 14(h) point out that national policy statements (NPSs) in respect of energy infrastructure should be considered by regional planning bodies and local planning authorities when preparing their plans at regional and local level and that, emerging policy in a draft NPS, may also be relevant. The Core Strategy should therefore take account of NPSs relevant to energy having regard to SDCDCS 2.8 that the existence of Drax and Eggborough affords a certain prominence to energy.
7. On the matter of locational principles and accessibility, The Yorkshire and Humber Plan Regional Spatial Strategy to 2026 (YHP) at Policy YH7 (Location of Development) states in Part B that in identifying sites for development, LPAs should adopt a transport-oriented approach to ensure that development makes the best use of existing transport infrastructure and capacity, takes into account capacity constraints in the strategic road network, addresses public transport accessibility criteria and maximises the use of rail/water for large freight movements. This should be addressed in SDCDCS 4.35 emphasising the value of existing transport infrastructure and utilisation of sustainable means of freight transport.

#### **Promoting Economic Prosperity**

8. SDCDCS 2.8 refers to the energy sector being especially prominent because of the existence of Drax and Eggborough power stations. The SDCDCS defines the District as playing an important role in the local and regional labour market; it is concerned that the District now experiences a high level of out-commuting to Leeds and York, supplying these centres "*with skilled labour, at the expense of the local economy and sustainable development objectives*" (SDCDCS 6.3). In the introduction to the scale and distribution of growth, reference should therefore be made to energy as a significant employer and to the importance of reinvigorating and developing the District's economy, otherwise the Core Strategy will be failing to optimise opportunities for economic prosperity (SDCDCS 6.3).
9. PPS4 *Planning for Sustainable Economic Growth* (2009) defines economic development as including development within B Use Classes and other forms of investment and other development which achieves at least one of the following objectives:
  - provides employment opportunities
  - generates wealth

- produces or generates an economic output or product.

SDCDCS 6.4 should be amended accordingly and refer to PPS4 Policy EC2 (Planning for Sustainable Economic Growth). Furthermore, PPS 4, Policy EC2.1, requires regional planning bodies and local planning authorities to ensure that development plans, among others, proactively encourage sustainable economic growth, support existing business sectors, prioritise the use of previously developed land and plan for the delivering of infrastructure needed to support future economic development. The business of generating electricity satisfies each of the objectives above and is therefore economic development within the meaning of PPS4; therefore, as a prominent contributor to economic prosperity it is necessary to refer to energy development within the District that will require provision of land for energy development (SDCDCS 6.5).

10. The RSS at Section 11 (Economy) in Policy E1 (Creating a Successful and Competitive Regional Economy) envisages initiatives that include:

- a modern manufacturing sector and modernisation of industries
- development related to important sectors/clusters and individual employers important to the local economy with specific property requirements
- opportunities for business relating to the Region's unique environmental assets and challenges including renewable energy, resource and waste efficiency and environmental technologies and the low carbon economy .

DPL's current activities and its plans for ongoing investment at Drax are consistent with Policy E1, in particular, as an employer which is important to the local economy.

11. On RSS Policy E3 (Land and Premises for Economic Development), it is noted that in addition to the generic issues associated with land provision, "*employment land reviews will need to consider, on a case by case basis, special land use requirements*" (RSS 11.19). The paragraph does not prescribe all types of development falling within this category but gives as examples land for airport/port related development, inter-modal freight terminals/wharves, specialist waste facilities, mixed uses and replacement sites for bad neighbour activities. It can be concluded that DPL's current and planned activities at Drax are also wholly consistent with this policy and therefore the Council should recognise the special energy/infrastructure requirements of Drax and give every support in its Core Strategy and subsequent LDDs to the continuing of its activities.

12. Reference is made in the SDCDCS to the re-use of buildings at the former Gascoigne Wood mine provided this is directly linked to the use of the existing rail infrastructure and possible former employment/institutional sites outside Development Limits for employment uses compatible with the countryside location and to former mine sites at Whitemoor and Riccall as acknowledged locations for meeting the needs of existing indigenous employment (SDCDCS 6.21/22). It is therefore surprising that the SDCDCS has failed to take account of the need for investment in energy infrastructure set out in Government Policy and in the YHP. DPL has stated in its previous representations that its recent and future plans for development at Drax are consistent with the YHP Policy ENV5. This is evidenced by its further investment in biomass handling with co-firing and rail infrastructure improvements at Drax where DPL has already developed expertise in co-firing and the sourcing of local fuels as well as supplies from overseas, making this site the largest co-firing operation of its kind in the country. DPL is also proposing to develop a new 290 MW biomass electricity generating plant (currently the subject of an application under the Electricity Act 1989, made to the Secretary of State for Energy and Climate Change). Policy CP9 VIII should therefore be amended to make it clear that Drax is an important site for future economic growth.

#### **Improving the Quality of Life**

13. The SDCDCS 7.2 aims to reduce greenhouse gas emissions and protect resources whilst providing opportunities to promote renewable energy. The context refers to the Climate Change Background Paper and to national policies and strategies from which it concludes that a common theme is that there should be provision for renewable/low carbon energy and clean fossil fuels generation with carbon capture and storage.
14. Government energy policy is set out in numerous policy documents and, while some are referred to in the SDCDCS, all of the following are relevant to the consideration of renewable and low carbon energy policies:
- (a) *Our Energy Future – Creating a Low Carbon Economy Cm 5761 (2003)* identifies three challenges, first climate change, second decline in the UK's indigenous energy supplies and third the need to update much of the UK's energy infrastructure. On the issue of maintaining reliability of energy supplies, the stated goal is that people and businesses can rely on secure supplies of energy at predictable prices delivered through the market.

- (b) *The Energy Challenge – Energy Review Cm 6887 (2006)* refers to two major long term challenges of tackling climate change and delivering secure and clean energy at affordable prices. On the matter of energy generation, it notes that the UK will need substantial new investment in electricity generation capacity to replace closing coal, oil and nuclear power stations and to meet expected growth in electricity demand.
- (c) *Meeting the Energy Challenge – A White Paper on Energy Cm 7124 (2007)*, commenting on reducing CO<sub>2</sub> emissions notes that the sector has made some progress on decarbonising since 1990 and that, over the next two decades, the UK will need substantial investment in new electricity generation capacity. It predicts that around 22.5 GW of existing power stations may close by 2020 and that to maintain equivalent levels of supply, new generating capacity will need to be built.
- (d) *Energy Markets Outlook Report (2009)* restates the position that security of supply is a key element of Government energy policy and correspondingly Ofgem's role in protecting consumers.
- (e) *Ofgem Sustainable Development Report (2009)* reaffirms earlier advice that one of the challenges facing the energy industry, is to ensure adequate levels of generation as old plants are phased out and new plants come on line; it refers to the Government's ambitious renewables targets of 30% of electricity being sourced from renewables by 2020, compared with 5% today; it emphasises that renewable and low carbon heat will contribute to targets of reducing CO<sub>2</sub> emissions.
- (f) *The UK Low Carbon Transition Plan – National Strategy for Climate and Energy (2009)* recognises the ongoing role of coal and gas in energy generation; it observes that coal power stations have higher power emissions than other fuel options but that carbon capture storage (CCS) offers the prospect of a solution to reduce emissions from fossil fuelled power stations by up to 90%.
- (g) *The UK Low Carbon Transition Plan – National Strategy for Climate and Energy (2009)* aims to transform the power sector by generating electricity from clean sources, including renewables and fossil fuelled plants fitted with CCS equipment; to make this transition, the Government needs to maintain the right conditions for energy companies to invest very large sums in new power stations. It acknowledges that, while it is not possible to predict the exact mix

of electricity generating technologies in the future, the strategy needs to be sufficiently flexible to adopt technical developments in any sector. It is noted that bio energy comes from a wide range of renewables including wood, energy crops and organic wastes and that electricity can be generated from dedicated biomass power stations, or co-firing with coal and with CCS in large power stations.

- (h) *Draft Overarching National Policy Statement (NPS) for Energy (EN-1) and Draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)*. EN-1 sets out the national policy for national infrastructure, namely onshore generating power stations of more than 50 MW. It notes that energy is vital to economic prosperity and social wellbeing and so it is important to ensure that there is secure and affordable energy. To achieve this, it envisages a requirement for capacity to meet simultaneous demand at all times, including a greater proportion of low carbon energy with a safety margin of spare capacity to accommodate fluctuations in supply and demand, and a diverse mix of technologies and fuels. EN-2 refers to factors influencing site selection as being land use, transport, energy infrastructure, water resources and grid connection. A letter from the DCLG Chief Planner to Chief Planning Officers in LPAs dated 9.11.09, draws attention to the then draft NPSs. It states that regional planning bodies and LPAs must have regard to NPSs when preparing their plans at regional and local level and that emerging policy in a draft NPS may also be relevant.
- (i) *Ofgem Project Discovery Options for delivering secure and sustainable energy supplies (2010)* confirms a need for unprecedented levels of investment to be sustained over many years in energy infrastructure in difficult financial conditions and the potential to incur greater decarbonisation costs in the future if investment in low carbon technology is delayed or deferred.

15. Against the background of Government's energy policies (paragraph XX) and recent reports published by Ofgem and DECC (paragraph XXX) it is necessary, for reasons of consistency and to avoid ambiguity, to make alterations to the following paragraphs:

7.7 Clarify that reduction of emissions including CO<sub>2</sub> and that both renewable and low carbon energy use is to be promoted

7.17 Include reference to clean coal alongside other sustainable technologies such as coal bed methane extractions and carbon capture



7.18 When referring to existing coal fired power stations as contributing to the emission of GHGs, there should be recognition of the need to retain certain fossil fuelled generation plants while investing in other forms of renewable and low carbon energy as is occurring at Drax.

7.26 Clarify that both renewable and low carbon energy generation is consistent with policy and that clean coal and other environmental improvements to existing generation plant should be supported alongside CCS.

Consistent with the above, Policy CP12 should be amended to include reference to renewable and low carbon forms of energy generation as a means of addressing the causes of climate change.

16. With regard to the improvement of resource efficiency and renewable energy, the further changes necessary to be consistent with national policy are as follows:

7.29 When referring to national policy, include reference to its support for co-firing, biomass fuelled power stations and CCS in large power stations.

7.40 Clarify that the reference to Selby, should be to the District and include clean coal technology alongside references to CCS and coal bed methane.

7.44 When referring to Drax, also refer to its investment in co-firing that will produce a substantial savings in carbon emissions.

Policy CP14 – include reference to low carbon energy generation as well as renewable energy generation and clean coal generation as well as CCS and coal bed methane extraction.

Policy CP15 – in protecting environment, supports the re-use of secondary aggregates by the re-use of ash, where practicable.

**Dalton Warner Davis LLP**

**1 April 2010**

Committee ID 416314

Agent ID 416316

Committee ID DCS/77

**ryan king**

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**From:** ryan king  
**Sent:** 01 April 2010 18:02  
**To:** 'alex.willis@bnpparibas.com'  
**Subject:** RE: Representations to the Selby Consultation Draft Local Development Framework Core Strategy On behalf of Harworth Estates

Dear Alex

i acknowledge receipt of your submitted comments in respect of the Draft Core Strategy.

Regards.

**Ryan King**  
**Assistant Planning Officer (LDF Team)**

**SELBY DISTRICT COUNCIL**

*An 'Excellent' Council*

**Tel:** 01757 292034  
**Fax:** 01757 292090  
**Email:** [rking@selby.gov.uk](mailto:rking@selby.gov.uk)  
**Web:** [www.selby.gov.uk](http://www.selby.gov.uk)

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Selby District Council, Civic Centre, Portholme Road, Selby, North Yorkshire, YO8 4SB - DX 27408 Selby

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**From:** alex.willis@bnpparibas.com [mailto:alex.willis@bnpparibas.com]  
**Sent:** 01 April 2010 17:02  
**To:** ldf  
**Subject:** Representations to the Selby Consultation Draft Local Development Framework Core Strategy On behalf of Harworth Estates

Dear Sir / Madam

Please see attached report and response form further to the above.

Could you please confirm receipt by return email?

Kind regards

**Alex Willis BA (Hons) MA MRICS**

Planning and Development Surveyor

**BNP Paribas Real Estate**

Belgrave House, Bank Street, Sheffield, S1 2DR

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01/04/2010

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**Comments Form  
Consultation Draft Core Strategy  
for Selby District  
February 2010**

**LDF** LOCAL  
DEVELOPMENT  
FRAMEWORK

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**Find out more and Let us Know your Views.....**

Consultation on the Draft Core Strategy begins on Thursday 18 February 2010 and comments should be submitted by **1 April 2010**.

Details of consultation events are available through the Council's Citizenlink newspaper, the local press, and our website [www.selby.gov.uk](http://www.selby.gov.uk).

Copies of the accompanying evidence base including the Sustainability Appraisal Report and Background Papers can also be viewed on our website or at Access Selby, contact centres in Sherburn in Elmet and Tadcaster and local libraries in the District.

You can now submit your comments directly online and we will keep you informed about future stages of the LDF. Please go to our dedicated consultation website for the LDF at <http://selby-consult.limehouse.co.uk> to register your details and submit comments.

Alternatively you can complete a comments form (like this one) which is available from the Core Strategy pages of our website [www.selby.gov.uk](http://www.selby.gov.uk) and e-mail to [ldf@selby.gov.uk](mailto:ldf@selby.gov.uk). Comments forms are also available from the 'consultation points' referred to above and may be posted to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road, Selby YO8 4SB. Faxed comments, using this form should be sent to (01757) 292090.

**Please submit your comments by 5pm on Thursday 1 April 2010**

**Please provide your contact details below. We do not accept anonymous comments.**

<b>a) Personal details</b>		<b>a) Agent details if you are using one</b>	
Name	Duncan Armstrong-Payne	Name	Alex Willis
Organisation	UK Coal	Organisation	BNP Paribas Real Estate
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**Please tell us on which part of the document you are commenting:**

**Policy Number**

CP9 viii

**Do you agree with this text / policy? Yes**

**Please add any comments below**

*What is wrong with it? How should it be changed? Does anything need adding?*

See supporting letter

**Please copy / print extra sheets and use a new sheet for each section / policy**

**Please tell us on which part of the document you are commenting:**

**Policy Number** :

CP9 ix

**Do you agree with this text / policy?** Partly

**Please add any comments below**

*What is wrong with it? How should it be changed? Does anything need adding?*

See supporting letter

**Please copy / print extra sheets and use a new sheet for each section / policy**

**Please tell us on which part of the document you are commenting:**

**Policy Number**

CP14

**Do you agree with this text / policy?** Partly

**Please add any comments below**

*What is wrong with it? How should it be changed? Does anything need adding?*

See supporting letter

**Please copy / print extra sheets and use a new sheet for each section / policy**

**Please add any further comments you may have about the Draft Core Strategy including:**

- **Any omissions**
- **The Background Papers / Reports**
- **The Sustainability Appraisal**

See supporting letter.

**Please sign and date the form**



Signed

Date 01/04/2010

If you have any questions or need some further information please contact the  
Local Development Framework Team on 01757 292034 or by email to [ldf@selby.gov.uk](mailto:ldf@selby.gov.uk).

Please return this form **no later than 17.00hrs (5pm) on Thursday 1 April 2010**  
to the LDF Team, Development Policy, Selby District Council, Civic Centre, Portholme Road,  
Selby, North Yorkshire, YO8 4SB

**Please answer a few more questions on the attached sheet  
which will help us to improve the way we consult in the future**





**BNP PARIBAS  
REAL ESTATE**

Real Estate for a changing world

## **Representations to the Selby Consultation Draft Local Development Framework Core Strategy**

Prepared for



A division of UK COAL PLC

April 2010

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1	Introduction	3
2	Site Information	5
3	Representations	21
4	Conclusion	26

## Appendices

Appendix A	Financial Times Data Centre Article
Appendix B	Estates Gazette Gascoigne Wood Article

**SIGNED BY:**

**DATE:**

.....

**ORIGINATING PLANNER**

**APPROVED BY:**

**DATE:**

.....

**DIRECTOR/DEPARTMENT HEAD**

# 1 Introduction

- 1.1 Harworth Estates, the Property Division of UK Coal Plc, is a significant land owner across the United Kingdom, the Yorkshire and Humber region and the Selby district (see Figure 1 below). Further to this, as a business Harworth Estates is committed to investing in their land holdings to bring them forward for beneficial regeneration schemes including employment, residential, open space and leisure/tourism uses.
- 1.2 Within the Selby district, Harworth Estates' land holdings include:
- The Gascoigne Wood Business Park;
  - The Riccall Business Park;
  - The former Stillingfleet Mine;
  - The Whitemoor Business Park; and
  - The former Wistow Mine.

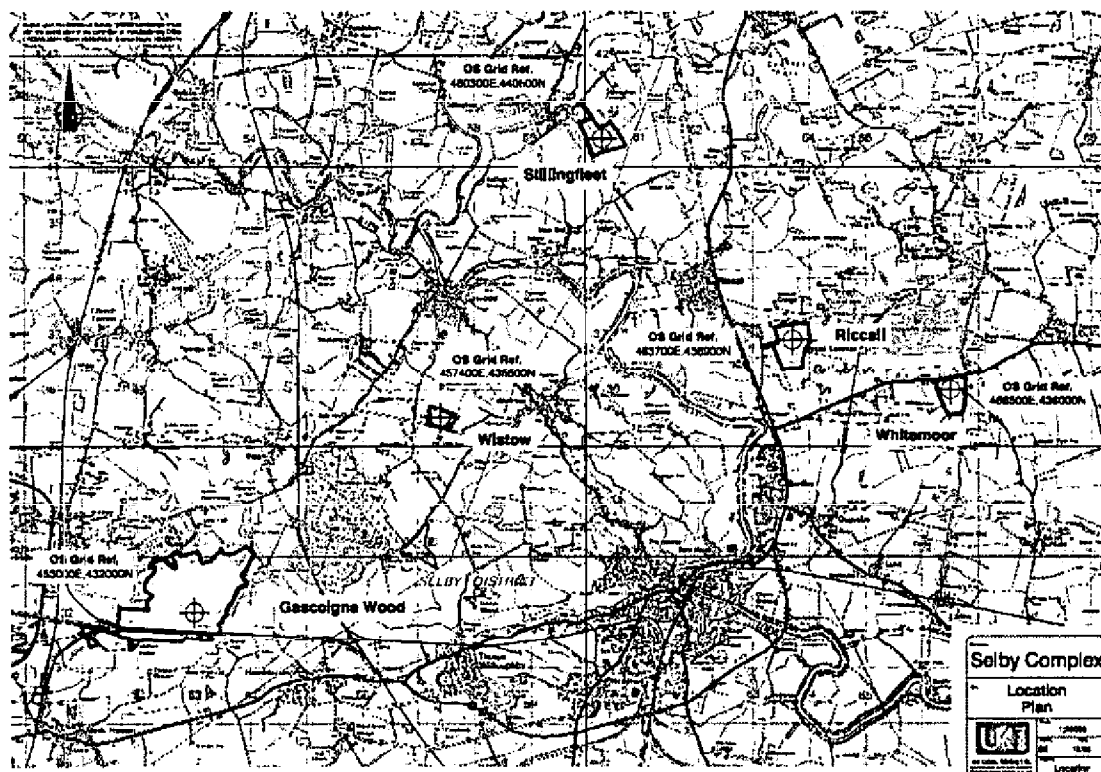


Figure 1 – Location Plan of Harworth Estates' Land Holdings in Selby

- 1.3 Harworth Estates' land holdings in Selby are all established employment sites, being former surface mine and coal disposal point sites respectively. Three of the sites (Gascoigne Wood, Riccall and Whitemoor) have also been granted planning permission for employment reuse. In addition, the former Stillingfleet Mine has also

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been granted planning permission for the generation of electricity from mine gas methane, creating associated employment opportunities.

1.4 All five sites are significant economic, environmental and social assets within the Selby district, which offer a major opportunity for the company to work with Selby District Council and other key stakeholders to assist in meeting the aspirations for employment growth in the district. More specifically, the sites offer the potential to contribute to the district's economy in terms of:

- Maximising opportunities for low carbon/renewable energy generation;
- Promoting the more sustainable movement of materials by rail;
- Creating jobs to reduce out commuting of residents and enhance rural employment opportunities;
- Providing opportunities for employment development on land which is not constrained by flood risk; and
- Providing affordable and flexible employment space to meet local needs.

1.5 In light of the above, Harworth Estates' representations to the Selby Local Development Framework (LDF) Core Strategy Preferred Options Report are set out under the following headings:

- Site Information;
- Representations; and
- Conclusion.

## 2 Site Information

- 2.1 More detailed information on each of Harworth Estates' land holdings in Selby is set out below.

### Gascoigne Wood Business Park

- 2.2 The Gascoigne Wood Business Park is located to the west of the Selby district and outside the Environment Agency's defined flood zone. It is approximately 3km (2 miles) by road from the local service centre of Sherburn in Elmet, and immediately adjacent to the Sherburn industrial estate (see figure 2 below). It is connected to the wider road network by the B1222 and A162 which connects to the A63 and A1 approximately 10 kilometres (6 miles to the west).

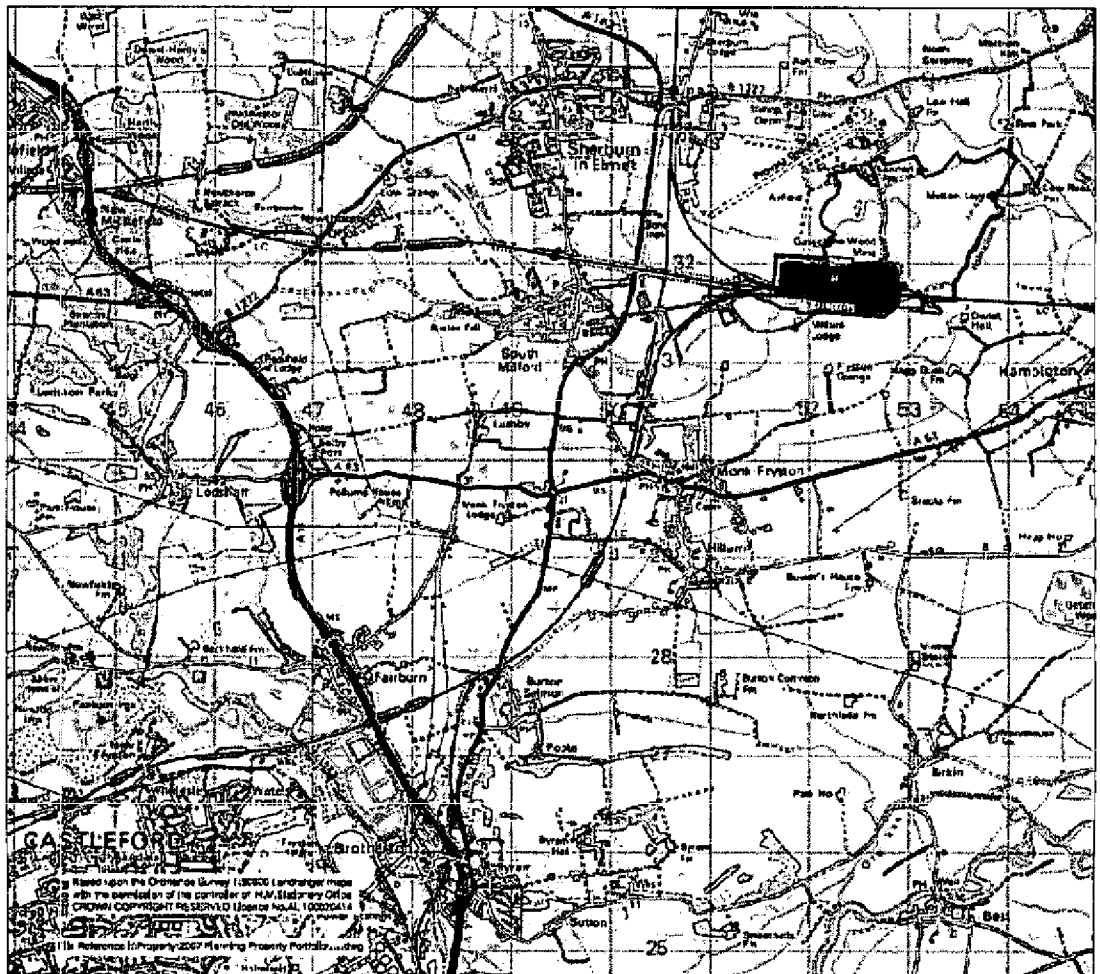


Figure 2 – Gascoigne Wood Business Park Location Plan

- 2.3 Harworth Estates' land holdings at the Gascoigne Wood Business Park extends to approximately 67 hectares (166 acres), of which approximately 40 hectares (99 acres) comprises operational area (see figure 3). The existing buildings have an approximate floor area of 250,000 sq. ft. These are complimented by significant road ways, infrastructure and landscaping provision. Integral to the infrastructure provision is the extensive rail sidings, which allow access to the local and national rail network.
- 2.4 The other on site infrastructure includes a significant power supply, telecommunications connections, water supply, on site sewerage treatment plant and oil and grit surface water run off interceptor. It should also be noted that importantly, the existing power supply allows for the exportation of any energy generated at the Gascoigne Wood Business Park in the future to the electricity grid.



Figure 3 - Gascoigne Wood Business Park Site Plan

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*Current Planning Status*

- 2.5 Planning permission was granted in 2007 for the employment reuse of the existing buildings and infrastructure at the Gascoigne Wood Business Park, linked to the rail sidings and infrastructure.

*Current Occupation Status*

- 2.6 Approximately 210,000 sq. ft. of the buildings at the Gascoigne Wood Business Park was let to British Gypsum in 2008. This facilitates the storage of raw material within the existing industrial shed, until it is needed by British Gypsum's neighbouring plasterboard plant in Sherburn in Elmet. The raw material is transported by trains operated by DB Schenker (formerly EWS) from the adjacent Drax power station.
- 2.7 This letting demonstrates the continued demand for rail linked employment facilities, as well as the growing importance of rail distribution in the UK. It also offers sustainability benefits by significantly reducing the number of lorry movements and carbon emissions associated with the plasterboard manufacturing process.



Figure 4 – Gascoigne Wood Business Park Aerial Photograph

*Aspirations*

- 2.8 Harworth Estates intend to continue to operate the Gascoigne Wood Business Park as a strategically important rail linked employment development site. As part of this, consideration is being given to the potential for future development to expand the facilities and promote the more sustainable movement of goods by rail, potentially including waste and recycling uses, incorporating renewable and low carbon energy generation. The site has full planning permission for employment reuse of the existing buildings and infrastructure linked to the rail sidings and infrastructure. It is therefore requested that this is

supported by the future LDF allocation of the Gascoigne Wood Business Park.

### Riccall Business Park

- 2.9 The Riccall Business Park is located to the north of the Selby District and outside the Environment Agency's defined flood zone. It is approximately 2 kilometres (1 mile) to the south of the primary village of Riccall and approximately 6 kilometres (4 miles) to the north of Selby town centre (see figure 5). It is located immediately to the east of the A19, which connects with York and the A64 to the north, and Selby, the A63 and M62 to the south.

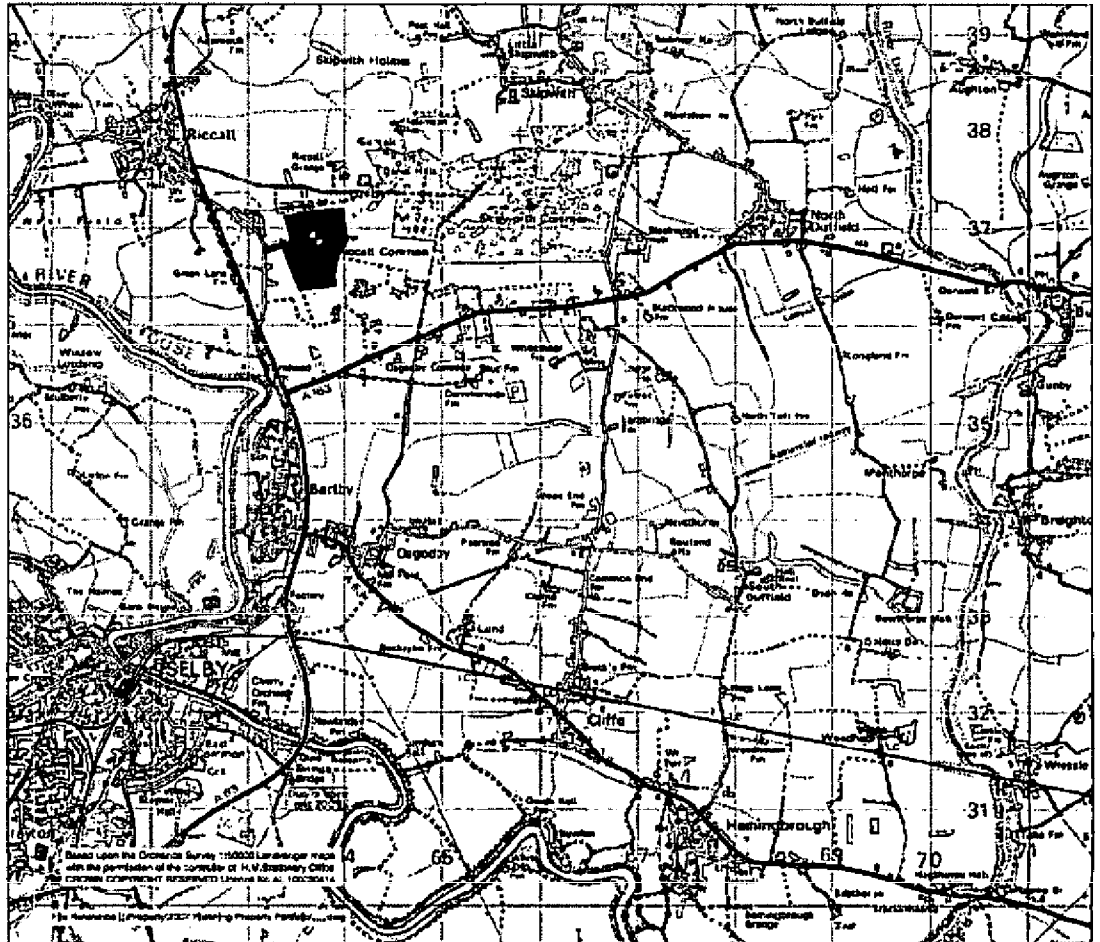


Figure 5 – Riccall Business Park Location Plan



- 2.10 Harworth Estates' land ownership at Riccall extends to approximately 42 hectares (104 acres) (see figure 6). Approximately 9 hectares (22 acres) of this has been converted to a mixed use business park of office and industrial units. The existing buildings at the Riccall Business Park have an approximate floor area of 74,000 sq.ft. and are linked to the significant road ways, infrastructure and landscaping provision. The on site infrastructure provision includes a significant electricity supply, telecommunications connections, water supply, sewage treatment plant, and oil and grit surface water run off interceptor.

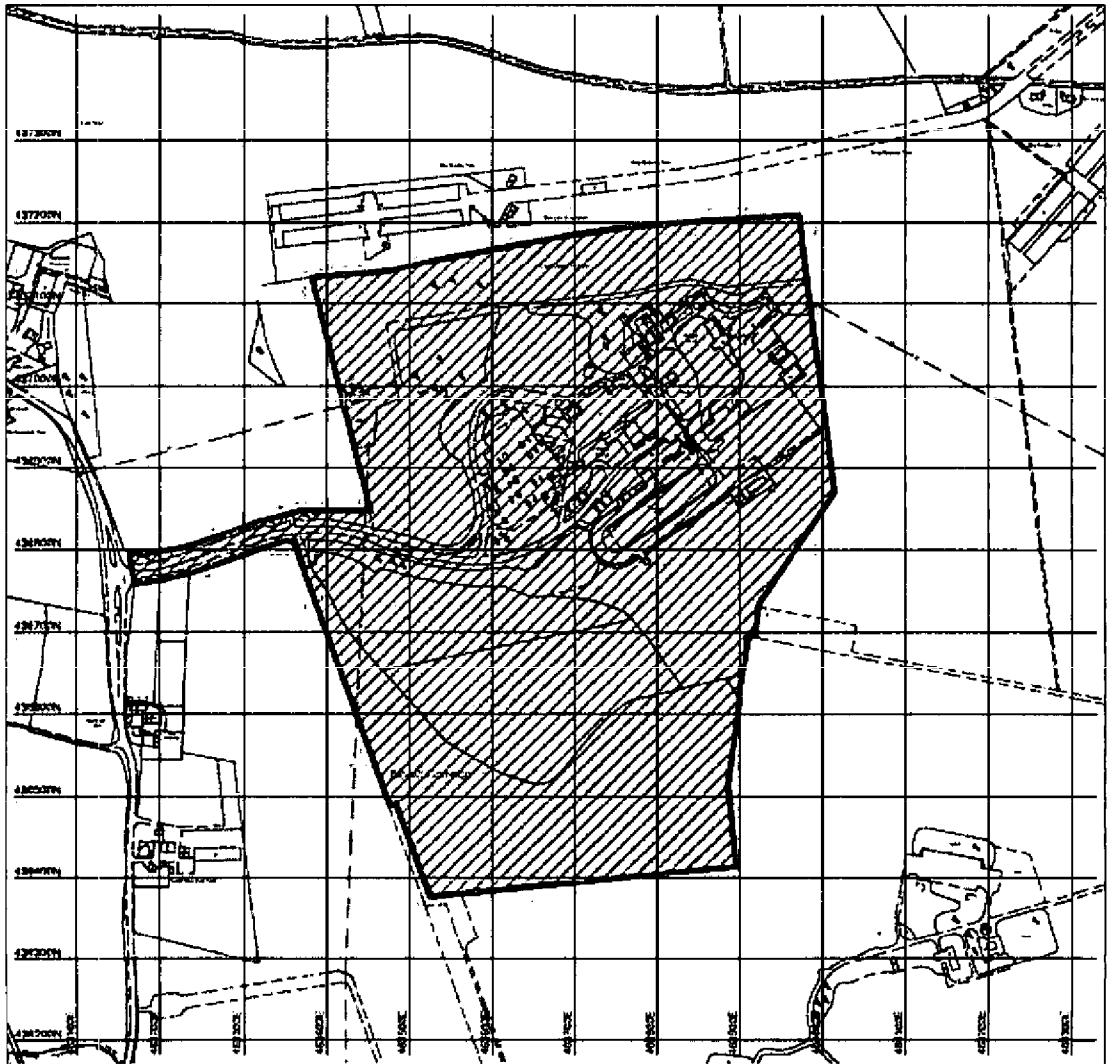


Figure 6 - Riccall Business Park Site Plan

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*Current Planning Status*

- 2.11 Planning permission was granted in 2007 for the employment reuse of the buildings and infrastructure at the Riccall Business Park.

*Current Occupation Status*

- 2.12 The office and industrial units at the Riccall Business Park have been let to a number of local businesses, resulting in the majority of these now being occupied. This illustrates the demand in the Selby District for the affordable, flexible employment provision on offer at the Riccall Business Park to meet local needs in the Selby District, particularly small / start up companies because of uncertainties regarding their occupation needs. Accordingly, the easy in, easy out terms offered are vital to allow businesses to grow and contract dependent on performance.



Figure 7 – Riccall Business Park Aerial Photograph

*Aspirations*

- 2.13 To continue to grow and develop the Riccall Business Park as a successful business location, with the potential for future redevelopment and expansion to meet local needs. The site has planning permission for the employment reuse of the buildings and infrastructure. It is therefore requested that this is reflected in the future LDF allocation of the Riccall Business Park.

### Former Stillingfleet Mine

- 2.14 The former Stillingfleet site is located to the north of the Selby district and outside the Environment Agency's defined flood zone. It is approximately 5 kilometres to the east of Stillingfleet village, approximately 5 kilometres (3 miles) from the primary village of Escrick and approximately 12 kilometres (7 miles) south of York city centre. It is connected to the wider road network by the B1222 which connects with the A19 to the east (see figure 8).



Figure 8 – Former Stillingfleet Mine Location Plan

2.15 Harworth Estates' land ownership at the former Stillingfleet Mine extends to approximately 32 ha (79 acres) in area, with an operational area of approximately 8 ha (20 acres) (see figure 9). The existing buildings at the former Stillingfleet Mine have an approximate floor area of 67,500 sq.ft. These are complimented by significant road ways, infrastructure and landscaping provision. The on site infrastructure includes:

- A substantial and regionally significant connection to the electricity grid, with a capacity of around 12MW, which as a result of its connections to the other former Selby mine complex sites forming the Selby Mines Electricity Ring, represents a secure power supply.
- A self-contained waste water treatment plant.
- An established surface water drainage system.
- Existing heating plant and equipment.
- A bore hole providing water supply.

2.16 It should also be noted that importantly, the existing power supply allows for the exportation of energy generated at the former Stillingfleet Mine to the electricity grid.

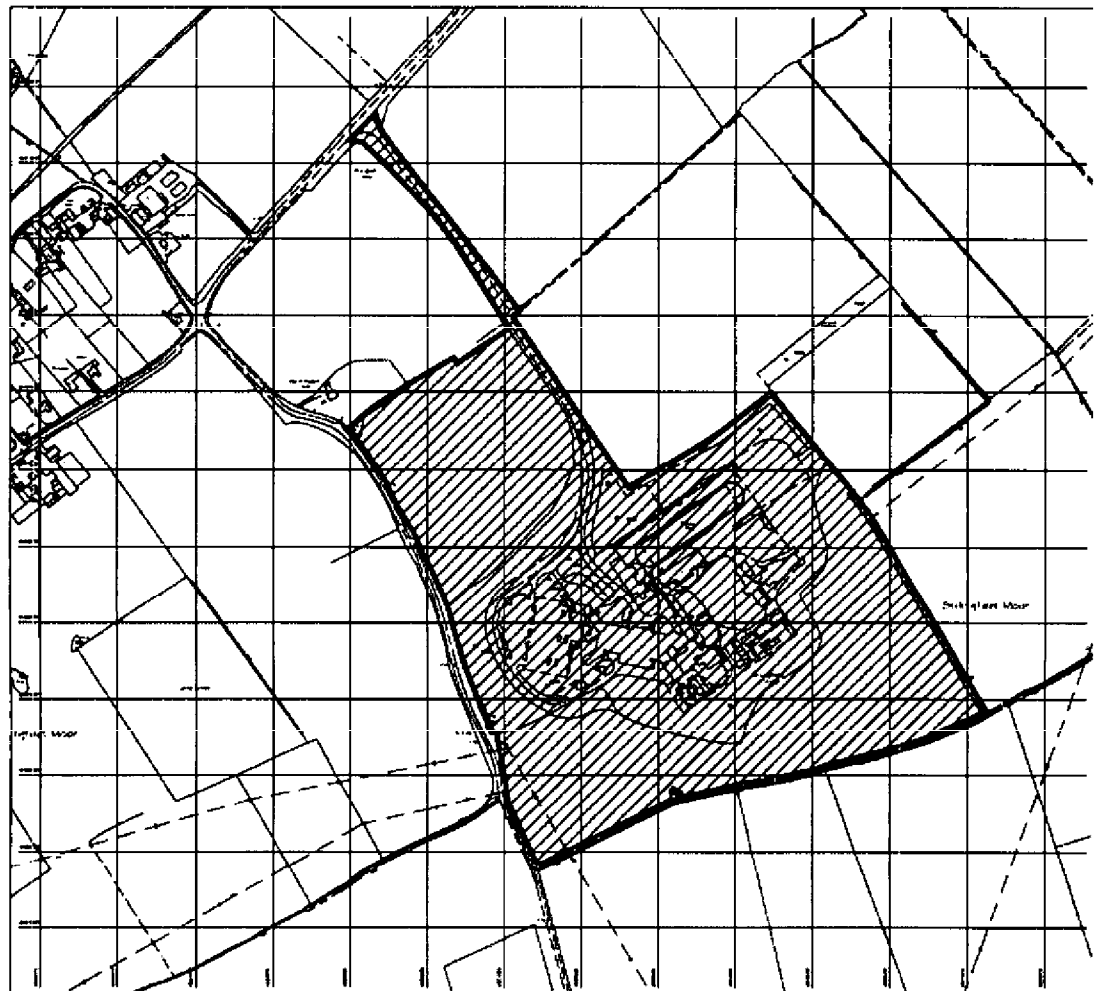


Figure 9 - Former Stillingfleet Mine Site Plan

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*Current Planning Status*

- 2.17 Planning permission was granted by North Yorkshire County Council in November 2006 for the installation of mine gas methane electricity generators until December 2016. This is linked to reuse of a number of existing buildings and supporting infrastructure at the former Stillingfleet mine.
- 2.18 A further planning application has recently been submitted to Selby District Council which seeks planning permission to retain the buildings infrastructure and landscaping at the former Stillingfleet Mine for a temporary period of 5 years. This application has been made in order to allow time in which to consider the potential for the alternative more sustainable reuse of the former Stillingfleet Mine through a future planning application/s.

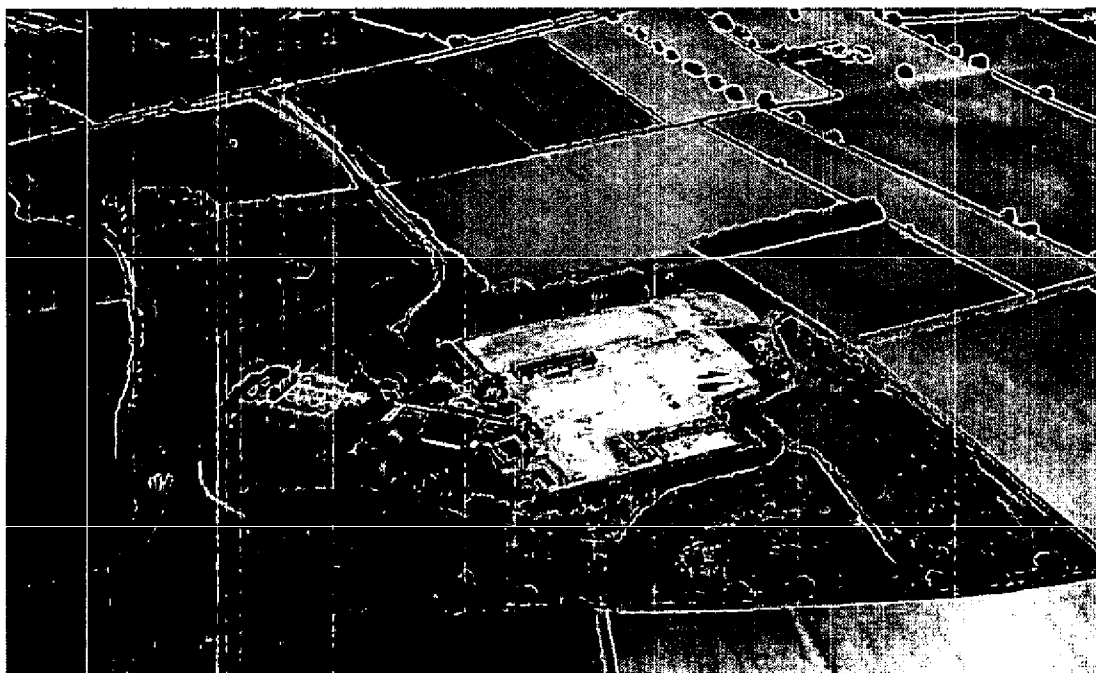


Figure 10 – Former Stillingfleet Mine Aerial Photograph

*Aspirations*

- 2.19 Harworth Estates is currently investigating the potential for the alternative more sustainable reuse of the former Stillingfleet Mine linked to the Mine Gas Methane Electricity Generation. In particular, the existing 12 MW connection to the electricity grid represents a rare and regionally significant economic and environmental asset. More specifically, this offers a dedicated, substantial and secure power supply, as well as the ability to export electricity to the grid. Identifying sites with such electricity grid connections and existing infrastructure is one of the major constraints to the emerging low carbon and renewable energy generation industry, as well as the rapidly expanding data centre sector.
- 2.20 More specifically, a large connection to the electricity grid, such as that at the former Stillingfleet Mine, is fundamental to low carbon and renewable energy generation, due to the need to export the electricity generated to the grid. In addition, data centre uses require such large and secure power supplies, due to the energy intensive nature of their operations (see Financial Times Article at Appendix A).

- 2.21 There is also recent and emerging government policy and guidance which makes clear that the existing electricity network and infrastructure should be maintained to assist in safeguarding supply, and accommodating demands for new generation. In particular, the draft National Policy Statement for Energy makes clear at paragraph 2.1 the Government's commitment to minimising the negative impacts of new energy infrastructure development on the local environment.
- 2.22 In light of the above, the former Stillingfleet Mine represents a sustainable opportunity to accommodate specialist uses linked to the important existing on site electricity infrastructure provision. It is therefore requested that this is reflected by the future LDF allocation.

#### Whitemoor Business Park

- 2.23 The Whitemoor Business Park is located to the east of the Selby district and outside the Environment Agency's defined flood zone. It is approximately 6 kilometres (4 miles) east of the primary village of Barby and approximately 9 kilometres (6 miles) north east of Selby town centre (see figure 11). It is connected to the wider road network via the A163 to the north which connects with the A19 to the west.



Figure 11 – Whitemoor Business Park Location Plan

2.24 Harworth Estates' land ownership at the Whitmoor Business Park extends to approximately 20 hectares (50 acres) of which approximately 9 hectares (22 acres) has been converted to a mixed use business park of office and industrial units (see figure 12). The buildings at the Whitmoor Business Park have an approximate floor area of 70,000 sq.ft. These are complimented by significant road ways, infrastructure and landscaping provision. The on site infrastructure includes a significant power supply, telecommunications connections, water supply, sewerage treatment plant and oil and grit surface water run off interceptor.

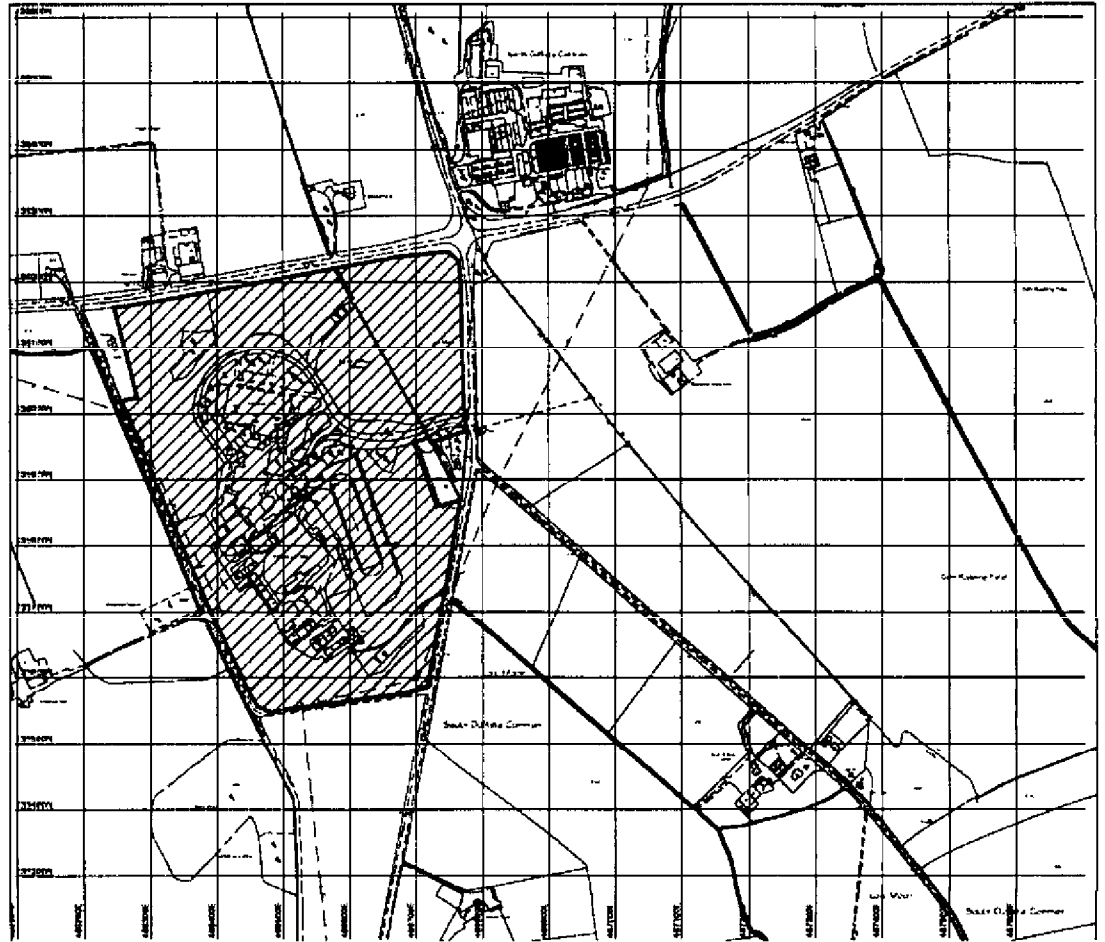


Figure 12 – Whitmoor Business Park Site Plan

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*Current Planning Status*

- 2.25 Planning permission was granted in 1999 for the employment reuse of the buildings and infrastructure at the Whitemoor Business Park.

*Current Occupation Status*

- 2.26 The majority of the office and industrial units at the Whitemoor Business Park are let to a variety of local businesses. This illustrates the demand for the affordable, flexible office and industrial space on offer at the Whitemoor Business Park to meet local needs in the Selby district, particularly small / start up companies because of uncertainties regarding their occupation needs. Accordingly, the easy in, easy out terms offered are vital to allow businesses to grow and contract dependent on performance.
- 2.27 In addition, the significant electricity supply at the Whitemoor Business Park is a major asset. This was integral to securing one of the site's principal tenants Ecoplas, due the energy intensive nature of their PVC recycling business

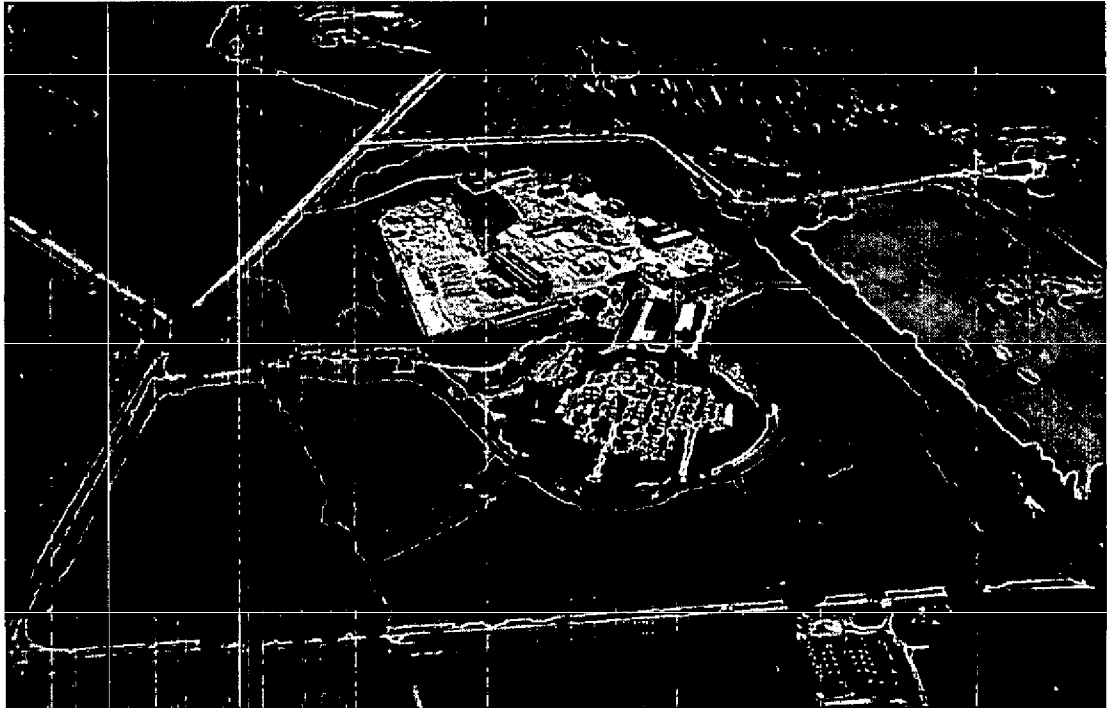


Figure 13 – Whitemoor Business Park Aerial Photograph

*Aspirations*

- 2.28 To continue to grow and develop Whitemoor Business Park as a successful business location, with the potential for future redevelopment and expansion to meet local needs. The site has planning permission for the employment reuse of the buildings and infrastructure. It is therefore requested that this is supported by the future LDF allocation of the Whitemoor Business Park.



**Former Wistow Mine**

2.29 The former Wistow Mine is located to the north of the Selby district and outside the Environment Agency's defined flood zone. It is approximately 0.5 kilometres (1 mile) to the east of the primary village of Wistow and south of the primary village of Cawood respectively (see figure 14). It is approximately 9 kilometres (5 miles) to the east of the local service centre of Sherburn in Elmet. It is connected to the wider road network via the B1222 and A612 that connect to the A63 and A1 to the west.



Figure 14 – Former Wistow Mine Location Plan

2.30 Harworth Estates' land ownership at the former Wistow Mine extends to approximately 12 hectares (30 acres), of which approximately 6 hectares (15 acres) is operational land. The existing buildings at the former Wistow Mine have an approximate floor area of 72,000 sq ft. These are complimented by significant roadways, infrastructure and landscaping provision. The onsite infrastructure provision includes:

- A substantial and regionally significant connection to the electricity grid, with a capacity of around 12MW, which as a result of its connections to the other former Selby mine complex sites forming the Selby Mines Electricity Ring, represents a secure power supply.
- A self-contained waste water treatment plant.
- An established surface water drainage system.
- Existing heating plant and equipment.
- A bore hole providing water supply.

2.31 It should also be noted that importantly, the existing power supply allows for the exportation of energy generated at the former Wistow Mine in the future to the electricity grid.

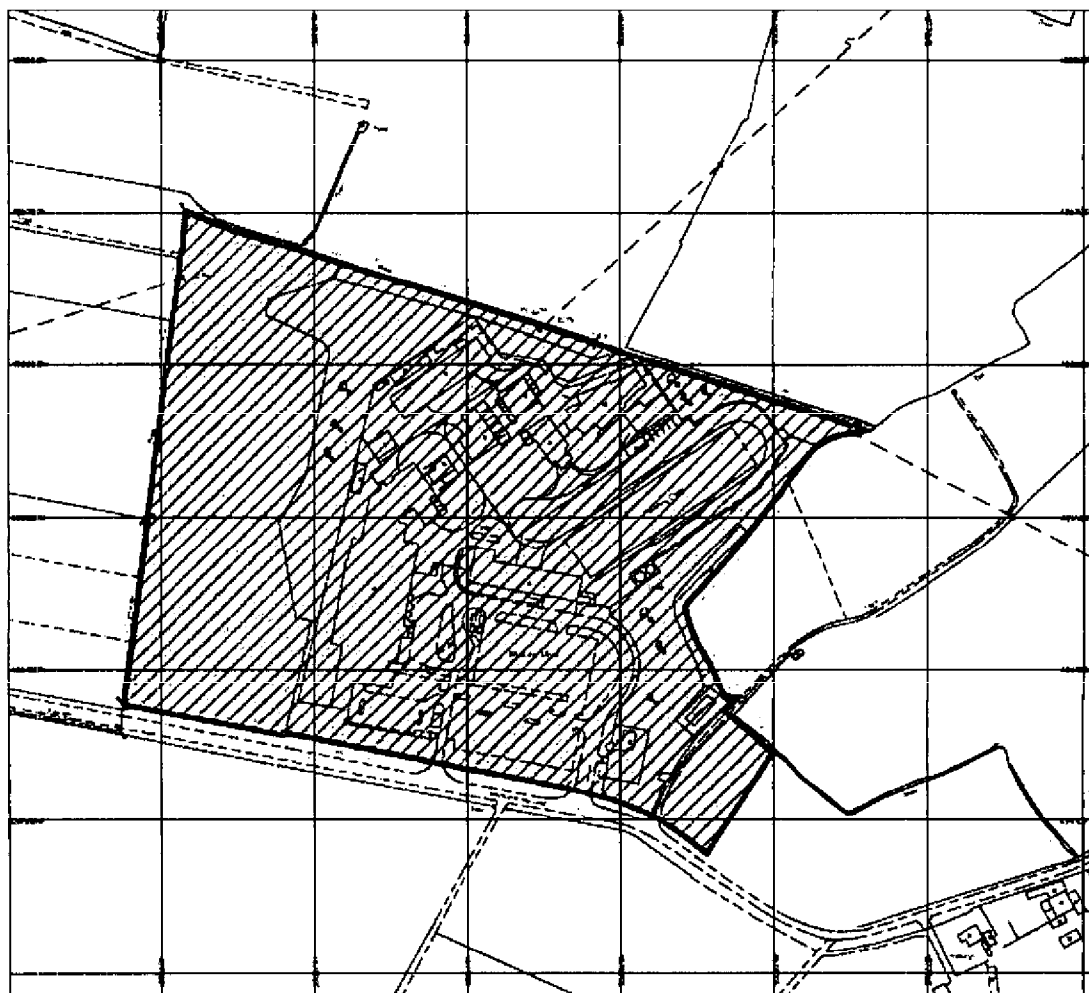


Figure 15 – Former Wistow Mine Site Plan

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*Current Planning Status*

- 2.32 Planning permission was granted for the use of Wistow House at the former Wistow Mine as an office as part of the planning permission to extend the shaft site at Wistow in August 1976 (C/8/999/7/PA). This planning permission is not subject to any conditions restricting the use to that in connection with the mine or the subsequent restoration of the land.
- 2.33 It is evident therefore that Wistow House has an extant consent for office reuse. The property itself is served by the existing infrastructure at the Wistow Mine, particularly in terms of electricity connection, water supply, sewage treatment plant, vehicular access, etc. As such, it is important that the infrastructure at the former Wistow Mine which supports the office use of Wistow House is retained, to ensure this existing lawful development is not prejudiced.
- 2.34 A planning application has recently been submitted to Selby District Council seeking planning permission to retain the buildings, infrastructure and landscaping at the former Wistow Mine for a temporary period of 5 years. This application has been made to allow time in which to consider the potential for the alternative more sustainable reuse of the former Wistow Mine through a future planning application/s.



Figure 16 – Former Wistow Mine Aerial Photograph

*Aspirations*

- 2.35 Harworth Estates is currently investigating the potential for the alternative more sustainable reuse of the Wistow site. In particular, the existing 12 MW connection to the electricity grid represents a rare and regionally significant economic and environmental asset. This offers a



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dedicated, substantial and secure power supply, as well as the ability to export electricity to the grid. Identifying sites with such connections to the electricity grid is one of the major constraints to the emerging low carbon and renewable energy generation industry, as well as the rapidly expanding data centre sector.

- 2.36 More specifically, a large connection to the electricity grid, such as that at the former Wistow Mine, is fundamental to low carbon and renewable energy generation, due to the need to export the electricity generated to the grid. In addition, data centre uses require such large and secure power supplies, due to the energy intensive nature of their operations (see Financial Times Article at Appendix A).
- 2.37 There is also recent and emerging government policy and guidance which make clear that the existing electricity network and infrastructure should be maintained to assist in safeguarding supply, and accommodating demands for new generation. In particular, the draft National Policy Statement for Energy makes clear at paragraph 2.1 the Government's commitment to minimising the negative impacts of new energy infrastructure development on the local environment.
- 2.38 In light of the above, it is evident that the former Wistow Mine represents a sustainable opportunity to accommodate specialist uses, linked to the important existing on site electricity infrastructure provision. It is therefore requested that this is reflected in the future LDF allocation.

## 3 Representations

- 3.1 Harworth Estates representations to the Selby Consultation Draft Core Strategy are set out below.

### **Policy CP9 viii**

- 3.2 Harworth Estates support policy CP9 viii insofar as it supports the development of economic activities at the Gascoigne Wood Business Park (referred to as the former Gascoigne Wood surface mine) linked to the existing rail infrastructure.
- 3.3 The Gascoigne Wood Business Park represents a strategically important employment site, which provides an excellent facility with existing infrastructure offering a rare opportunity to attract operators requiring a direct rail link to the Selby District. Other employment sites in the district do not have such infrastructure provision and the Gascoigne Wood Business Park therefore represents an important component of the national rail freight infrastructure.
- 3.4 This is demonstrated by the interest received to date in terms of businesses wanting to locate at the Gascoigne Wood Business Park, driven both by its existing high quality rail infrastructure and significant connection to the grid (see Estates Gazette Article at Appendix B). More specifically, in addition to the current agreement with British Gypsum for occupation at the Gascoigne Wood Business Park, other interest received includes waste and recycling operators. This interest is driven by the following:
1. The existing rail connection which means materials can be more sustainably transported to the site by train rather than lorry movements only.
  2. The significant existing connection to the electricity grid which means energy generated from waste materials can be fed straight back into the grid.
- 3.5 In light of above, it is evident that the reuse and potential future expansion of the Gascoigne Wood Business Park offers a significant opportunity to attract new investment to, and the creation of jobs in, the Selby District. It is important to note that this investment has the potential to be of a national or internal scale due limited intermodal employment development opportunities across the UK, and would therefore potentially benefit the wider regional and national economy.
- 3.6 The continued future rail linked economic development of the Gascoigne Wood Business Park would also increase the more sustainable movement of materials by rail, and potentially the generation of low carbon and renewable energy. Such development would therefore be in line with the provisions of national and regional planning policy and should be supported by the Selby LDF accordingly, particularly PPS1 and PPS22.
- 3.7 In light of the above, it is considered vital that the Core Strategy fully supports the future development of rail linked economic activities at the Gascoigne Wood Business Park, due to the strategic importance of the sites rail connection and infrastructure. The provisions of policy CP9 viii should therefore be retained and taken forward.




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**Policy CP9 ix**

- 3.8 Harworth Estates support policy CP9 ix insofar as it supports the economic reuse of the former mine sites in principle. However, it is considered that the current wording of the policy is not sufficiently flexible and in line with national and regional planning policy, in terms of recognising the types of employment activities that would be suitable on the former mine sites.
- 3.9 Planning Policy Statement 4: Planning for Sustainable Economic Growth, makes clear at paragraph 10 the Government's aspiration to improve the economic performance of rural areas. This includes the conversion and reuse of existing buildings in the countryside for economic development generally at Policy EC6.
- 3.10 At paragraph 6.22 of the Selby Core Strategy it is also recognised that the Riccall and Whitemoor Business Parks "are acknowledged locations for meeting the needs of existing indigenous employment". This is a reflection of the planning permissions granted for the general employment reuse of both the Riccall and Whitemoor Business Parks, and their subsequent occupation by local businesses. Of note is the following:
1. The flexible and affordable accommodation they provide to local employment operators, particularly small / start up companies who have uncertain occupation needs. Accordingly, the easy in, easy out terms offered allow businesses to grow and contract dependent on performance.
  2. The large power supplies offered, which are not readily available at other comparable employment sites in Selby. These power supplies were integral to attracting Ecoplas to the Whitemoor Business Park and Brindgate Welding to the Riccall Business Park due to their significant energy requirements.
- 3.11 It is not considered that the above considerations are recognised in the current wording of Policy CP9 ix, and it is therefore requested that this is amended accordingly.
- 3.12 In addition, with respect to the former Stillingfleet and Wistow Mines, their significant existing on site electricity infrastructure provision and connection to the electricity grid, which allow for the export of electricity generated on site, should be recognised.
- 3.13 The Draft National Policy Statements for Energy (EN-1) and Renewable Energy Infrastructure (EN-3) make clear at paragraphs 4.9.1 and 2.5.22 respectively, that one of the fundamental considerations in determining the location of new electricity generating plant (including renewable and low carbon) is whether a grid connection can be established in order to export electricity generated. This is principally due to the significant cost and the environmental impact that can be associated with establishing such connections. This point is illustrated by the Government's Energy and Climate Change Objectives for the Power Sector set out in paragraph 2.1 for the Draft National Policy Statement for Energy. These include the following:

*"To contribute to sustainable development by seeking energy infrastructure development that helps to reduce climate change whilst also minimising negative impact on the local environment".*

3.14 An increase in low carbon and renewable energy generation is also required and strongly supported by national policy generally (including PPS1 and PPS22), as well as regional planning policy (including policies YH2, ENV5 and EL1 of the Yorkshire and Humber Plan). In particular PPS22 makes clear the importance of recognising the wider environmental and economic benefits of all proposals for renewable energy as 'material consideration that should be given considerable weight in determining applications for whether proposals should be granted planning permission'.

3.15 The Supplement to PPS1, Planning and Climate Change also makes clear that the preparation of Local Development Framework documents "should be designed to promote and not restrict renewable and low-carbon energy". In particular, it makes clear that planning authorities should:

1. Not require applicants for energy development to demonstrate neither the overall need for renewable energy and its distribution, nor question the energy justification for why a proposal for such development must be sited in a particular location.
2. Consider identifying suitable areas for renewable and low-carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources, but in doing so take care to avoid stifling innovation, including by rejecting proposals solely because they are outside areas identified for energy generation.

3.16 The Supplement to PPS1 also states that in deciding which areas and sites are suitable, and for what type and intensity of development, Local Planning Authorities should take into account the following:

1. The extent to which existing or planned opportunities for decentralised and renewable or low carbon energy could contribute to the energy supply of development; and
2. The capacity of existing and potential infrastructure to serve the site or area in ways consistent with cutting carbon dioxide emissions and successfully adapting to likely changes in the local climate.

3.17 In light of the above, the reuse of the existing electricity infrastructure at the former Stillingfleet and Wistow Mines is considered key to achieving the above policy provisions in the Selby District.

3.18 There is also an increasing demand for facilities to accommodate data centre uses in the UK, particularly outside the metropolitan areas (see Financial Times article at Appendix A). This is part of the continued growth of "Cloud Computing" (the umbrella term for the provision of computing power to customers over the internet from a remote data centre). Consequently a continued future expansion of data centre development is anticipated to accommodate this growth.

3.19 As set out in the Financial Times Article, data centre uses require large and secure power supplies due to the energy intensive nature of their operations. As such, identifying sites with such provision is one of the major constraints to the future expansion of this industry. The former Stillingfleet and Wistow Mines both offer large and secure power supplies as a result of the requirements for their previous mining use. It should also be noted that data centre development is not a major

traffic generator due to the nature of the business, and is therefore considered an appropriate land use outside the main built up areas.

- 3.20 Further important considerations in relation to the future retention and reuse of the buildings, infrastructure and landscaping at the former Stillingfleet and Wistow Mines are:
1. Both accommodate uses with extant planning permissions (office at Wistow and Mine Gas Methane Electricity Generation at Stillingfleet) which require the retention of some of the of much of the supporting infrastructure, including the electricity connection and infrastructure, water supply, waste water treatment plant and vehicular access
  2. Strict compliance with the conditions of the original planning permissions for the former Stillingfleet and Wistow Mines, which require the removal of all the buildings, infrastructure and landscaping as part of the agricultural restoration of the sites following cessation of mining, is not considered realistic. In particular, this is due to the consented uses at the sites (see 1 above) and the recognised importance of the extensive landscaping bunds. With respect to the latter, these visually screen the former Stillingfleet and Wistow Mines and have now reached maturity, representing important visual assets in their own right. The removal of these landscaping bunds is therefore generally accepted to be "*inconceivable*", as acknowledged by the Inspector with respect to the possible removal of similar landscaping bunds at the former Gascoigne Wood Disposal Point as part of the Public Inquiry. In particular, it was noted that "*the planting of the bunds is an asset in landscape terms and should be retained*".
  3. Both have significant existing on site infrastructure as detailed in more detail in Section 2, which would be more sustainably reused than demolished.
- 3.21 The above, coupled with the provisions of PPS4 and Policies E1 (L) and E7 of the Yorkshire and Humber Plan which set out support for the diversification and strengthening of the rural economy, illustrates the suitability in planning terms of the former Stillingfleet and Wistow Mines to accommodate future low carbon / renewable energy generation and data centre development. However, again this is not considered to be reflected in the current wording of Policy CP9 ix.
- 3.22 In light of the above, it is requested that the wording of Policy CP9 ix is amended as set out below (see bold type face), to ensure it is flexible and in line with national and regional planning policy:

*"Supporting the re-use of former mine sites and other commercial premises outside development limits, with economic activities appropriate to their countryside location including **indigenous employment uses**, tourism, recreation, research, and renewable energy generation. **as well as uses which require the significant grid connections provided at the former mine sites.**"*

#### **Policy CP14**

- 3.23 Harworth Estates support Policy CP14 insofar as it promotes renewable energy generation, including Clean Coal Bed Methane extraction. However, it is considered that the current wording should





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be amended slightly to ensure it is in line with the provisions of national planning policy.

- 3.24 As set out above, and as recognised in the current wording of Policies CP14, careful consideration must be given to any harm to the environment associated with new renewable energy development. The Government's Energy and Climate Change Objectives for the power sector, as set out at paragraph 2.1 of the Draft National Policy Statement for Energy, makes clear the need to minimise any negative impacts of new energy infrastructure development on the local environment.
- 3.25 The reuse of existing grid connections, such as those that currently exist at the former mine sites in Selby, offers the potential to do this. More specifically, the reuse of existing grid connections and associated energy infrastructure, would have considerable less environmental impact than locating new renewable energy generation development where extensive new energy infrastructure was required to be constructed to support this.
- 3.26 In light of the above, it is requested that the wording of Policy CP14 be amended as set out below (see bold typeface), to ensure it is in line with the provisions of national planning policy.

*"The Council will support new sources of renewable energy generation provided that development proposals can demonstrate that the wider environmental, economic and social benefits outweigh harm caused to the environment and local amenity, and impacts on local communities are minimised. Schemes may utilise the full range of available technology including:*

- a) *Renewable energy schemes, which contribute, to meeting regional and sub-regional targets, **prioritising those which re-use existing energy infrastructure,***
- b) *Micro-generation schemes, which are not necessarily grid-connected.....*

## 4 Conclusion

- 4.1 Harworth Estates is a significant land owner in the Selby district and is committed to investing in their land holdings to bring them forward for development. This presents a major opportunity for Harworth Estates to work with Selby District Council and other key stakeholders to assist in meeting the district's aspirations for regeneration and employment growth.
- 4.2 More specifically, Harworth Estates' land holdings within the Selby district represent significant economic, environmental and social assets, the employment reuse of which would also offer significant regeneration and sustainability benefits. In particular, the sites offer the potential to contribute to the district's economy in terms of:
- Maximising opportunities for low carbon/renewable energy generation;
  - Promoting the more sustainable movement of materials by rail;
  - Creating jobs to reduce out commuting of residents and enhance rural employment opportunities;
  - Providing opportunities for employment development on land which is not constrained by flood risk; and
  - Providing affordable and flexible employment space to meet local needs.
- 4.3 Accordingly, it is considered that this should be acknowledged in both the Core Strategy and forthcoming Allocations DPD. It is therefore requested that the requested amendments to policies CP9 and 14 set out in section 3 are taken forward in the Core Strategy, and that the sites are allocated for employment development in the Allocations DPD as follows:
1. Gascoigne Wood Business Park – A strategically important rail linked employment development site
  2. Riccall Business Park – A general employment development site.
  3. Former Stillingfleet Mine – An employment development site for specialist uses linked to the important existing on site electricity infrastructure provision e.g. a data centre or low carbon / renewable energy generation.
  4. Whitemoor Business Park – A general employment development site.
  5. Former Wistow Mine – An employment development site for specialist uses linked to the important existing on site electricity infrastructure provision e.g. a data centre or low carbon / renewable energy generation.
- 4.4 As set out above, Harworth Estates is keen to work with Selby District Council and other key stakeholders with respect to assisting in meeting the aspiration for economic growth in the district as part of the preparation of the LDF. A meeting with the Council and other key stakeholders to discuss the future of their land holdings further would therefore be welcomed.

**Appendix A**

**Financial Times Data Centre Article**

## Where the internet lives



By Maija Palmer, technology correspondent

Published: November 17 2009 02:00 | Last updated: November 17 2009 02:00

In the middle of a scrubby business park on the outskirts of Dublin, a hulking grey building has recently sprung up. It is protected by high, spiked railings and two sets of steel security barriers that are thick enough to stop a tank. There is no name above the door, but this 303,000 sq ft industrial building is Microsoft's new mega data centre, its first large-scale computing facility in Europe, representing an investment of \$500m (£300m, €335m).

Inside, thousands of servers wink small lights and hum in orderly rows in the dark, cavernous cool of the building, serviced by 30 or so human attendants. The football pitch-sized server halls, high ceilings and lifts big enough for a forklift truck are not sized for people. This is a cathedral to machines.

As Microsoft likes to put it, the internet - at least in part - lives here. Some 250 of the company's web-based services, including the Bing search engine, Hotmail and MSN Messenger, are run from the facility.

Perhaps more significant, Microsoft is now running Azure, its recently unveiled "cloud computing" platform, from the Dublin facility. Cloud computing has become the umbrella term for the provision of computing power to customers over the internet from a remote data centre. The idea is that companies, including Google and Amazon, will rent computer capacity and storage to customers over the internet for a few cents an hour.

Facilities such as the Dublin centre are springing up all over the world but, for competitive and security reasons, the companies building them are secretive about where they are being built and have only revealed partial lists of their locations. In addition to Dublin, Microsoft has admitted to having facilities in Chicago, San Antonio and Quincy, Washington. The company is thought to be adding 10,000 servers a month to its arsenal.

Google is estimated to have about three dozen data centres, while Amazon is known to have facilities in various US states, as well as in Dublin, Frankfurt, London, Hong Kong and Tokyo.

According to analysts at Tier1 Research, the global internet infrastructure market is expected to be worth \$29.8bn in 2009, rising to \$50.5bn in 2012.

"There is a \$30bn opportunity in the cloud," says Jean-Philippe Courtois, president of Microsoft International. "A lot of small businesses will adopt this, consumers are doing it already. With big enterprises we will see a hybrid scenario where a lot of companies will want some applications to remain physically on their sites."

Having Microsoft, Google or Amazon host corporate data can be a cheaper way for companies to harness computing power. Small start-up companies, for example, do not have to invest in their servers but just pay as they go. Big companies, such as Nokia and GlaxoSmithKline, are already using this to cut the cost of providing services such as e-mail to thousands of employees.

However, trust is a big issue. While companies might be happy to put simple functions such as e-mail online, they are more hesitant about critical data. "We are not putting our family jewels in the cloud, just mail and calendar functions," says Jeremy Vincent, chief information officer of Jaguar-Land Rover, the car company, which recently became a Google customer. "We'd like to keep our core competence in-house."

To convince clients to make the switch, building a data centre has turned into something of an art form. Security, for example, is key. "Chief information officers come and look at the data centre and ask about security," says Kevin Timmons, manager of data centre operations at Microsoft. "It starts with the way the centre looks from the outside." Hence, the forbidding fences, railings and barrier controlling access to the facility.

Security of power supply is the other key concern. The ground floor of the Dublin centre is a miniature power station. There are two enormous grey metal cabinets - 11,000-volt substations - at opposite ends of the building, which suck in electricity from Ireland's national grid. These are operated through a series of keys, the same procedure as in nuclear power stations. At its peak, the centre will use 22.2 megawatts of power - about the same as a small city. The hum and whine of the electricity as it is converted into a more usable 400-volt form is deafening.

There are two substations in case one supply should fail. There are rooms filled with hundreds of petrol canister-sized batteries that can run the centre briefly if both power supplies fail. There is also an array of tractor-sized diesel generators, which can run the data centre indefinitely if the entire power grid fails. There is enough diesel on-site to run the generators for six days and arrangements with fuel suppliers to begin delivering fresh stocks within four hours.

Location is also key. According to Microsoft, Ireland's rainy and cool climate is ideal for running big computer facilities. With chilly temperatures year-round, the data centre can be cooled just by sucking in outside air and blowing it through the rooms. Air conditioning can make up about two-thirds of the costs of running a typical data centre, so this represents a huge saving.

"We have air conditioning in case Ireland has a heatwave, but our goal is to never switch it on," says John Dwyre, international data centre manager at Microsoft.

Energy-saving features are crucial, as concerns grow in Europe about the carbon impact of data centres. "Carbon caps and climate change are really starting to impact on the shape of the cloud," said Mike Manos, who leads construction at Digital Realty Trust, a company that builds and runs data centres.

Legal requirements also play their part. Under European law, some types of information, such as customer credit card details, cannot be transported beyond the European Union's borders. Thus, cloud computing companies need data centres in places such as Dublin to keep these data for their European clients.

"It is something governments are very nervous about," says Dan Scarfe, chief executive at Dot Net Solutions, which provides tools to help companies develop software.

Then there is the issue of tax. The era of internet commerce has already allowed companies to locate their operations in tax-friendly regimes. Many online gambling sites, for example, base their data centres in Gibraltar to take advantage of its 1 per cent gambling tax, while internet retailers such as HMV and Play.com run operations from the Channel Islands so they can sell goods without value-added tax.

As companies have more and more operations hosted in remote data centres, they could take advantage of different tax regimes, says Mr Manos.

"There is already a trend called 'follow the moon', where developers write applications that will move from data centre to data centre, depending on where the power costs are the cheapest, usually at night," he says. "The same concept could be used for taxation, with applications migrating to the area of lowest tax."

It is currently understood that digital transactions are taxed in the jurisdiction where the servers are located, says Tracy Neighbors, tax expert at Microsoft. Companies using the Dublin data centre, therefore, should be able to benefit from Ireland's relatively low tax rates. However, he admits that applying tax laws to e-commerce is still a somewhat "fuzzy" area.

Moreover, choosing a base relies on a number of considerations. "We have 35 different criteria when deciding on the location of a data centre. Tax is one of them," says Mr Courtois.

In the meantime, data centre companies are mainly gearing up for huge expansion. There is room at the Dublin site to at least double the size of the Microsoft centre. Behind the building, green fields fan out as far as the eye can see. Once these might have been for cabbages or flax, but now they wait to see if rows of computers will be sown here instead.

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**Appendix B**

**Estates Gazette Gascoigne Wood Article**

# EG INDUSTRIAL WASTE AND RECYCLING

recycling directives, and greater restrictions on landfill sites (a ban, in effect, on domestic landfill by 2020), mean that waste and recycling already make "an important sub-sector of the real estate market and will claim increasing prominence over the medium to long term".

The companies involved have many different specialities. Some are relatively new, such as Advanced Recycling Technologies, which makes briquettes from waste to help fuel power stations. Others are well-known big players such as Biffa, which recently took a site in Birmingham from ProLogis.

But Holland adds that although growth seems assured, it will not necessarily be trouble-free: "There is bound to be a short-term period of imbalance and turbulence, including business failures, mergers and consolidations, as the sector adapts and develops. This will be overlaid with rapid technological advances, which may render some process treatment centres uneconomic and, therefore, not viable."

### Imaginative solutions

For now, however, there seems to be a boom in technologically advanced companies providing ever more imaginative solutions to the dual modern challenge of waste disposal and power generation.

Typical of these is Emerald Biogas, which plans to deliver the North East's first commercial anaerobic digestion plant, producing energy from biodegradable waste. This involves using bacteria feeding on waste to produce a methane-rich biogas that can then be used to produce electricity.

Emerald Biogas submitted a planning application in February to build a digester on Aycliffe Industrial Estate in Newton Aycliffe, County Durham. If built, the digester should deliver enough power for 6,000 homes.

One advantage for such firms is that much of the new technology in recycling and waste disposal does not require specialist buildings. The technology may be cutting-edge, but the buildings and sites in which it is housed need not be.

Ranjit Gill, senior director of industrial agency at BNP Paribas Real Estate, says: "Nearly all of the potential waste treatment technologies can be adapted to fit existing warehouses and industrial units." This is a blessing for industrial space in need of tenants.

## Rockspring

The attraction of waste and recycling tenants for investment companies and industrial landlords has become increasingly marked over the past year.

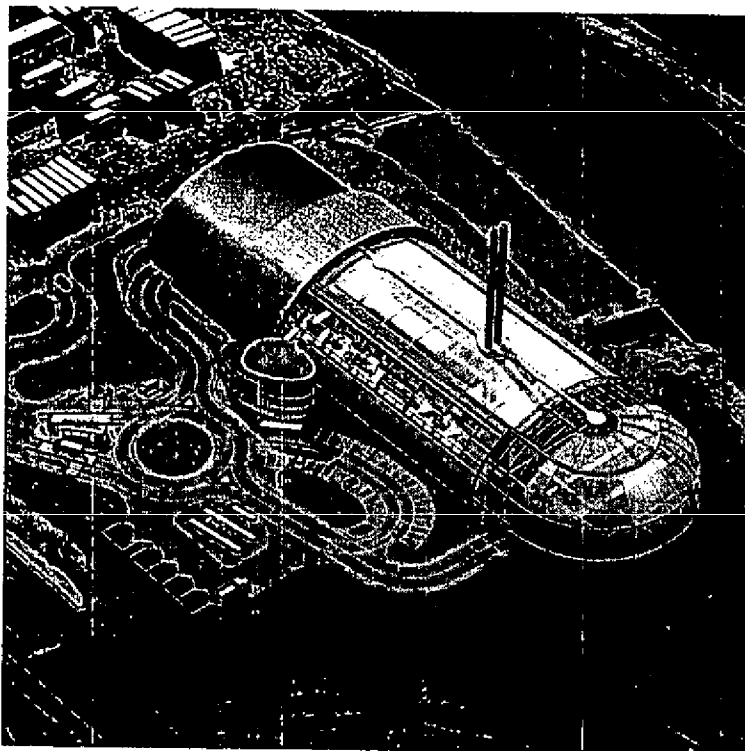
Property investment firm Rockspring is among those that have identified the sector as a significant investment opportunity for a number of its sites, including 35 acres of principally open storage at Newhaven on the east bank of the River Ouse.

In 2007, planning permission was granted for a waste-to-energy thermal facility on the site, after which a 50-year lease was signed with East Sussex county council.

The facility will be run by Viridor.

Elsewhere, Rockspring has secured consent for a composting and anaerobic digestion plant on 8 acres at the Westcott Venture Park, near Aylesbury in Buckinghamshire. This is expected to process 48,000 tonnes of waste a year and provide enough electricity for the entire 130-acre park.

Rockspring senior asset manager Rod Mordey says that waste and recycling has performed well while other sectors have done badly, and adds that the company's interest in the sector will form part of a long-term balanced portfolio.



## Putting old industrial sites to greener use

UK Coal's Gascoigne Interchange at Sherburn-in-Elmet, West Yorkshire - once the primary distribution centre for coal from the Selby coalfield - is among a number of old industrial sites set to give a home to waste and recycling firms.

Mike Baugh, industrial agency director at DTZ in Leeds, says that UK Coal is talking to several potential tenants in the recycling

industry, and adds that Sherburn-in-Elmet could establish itself as "a green powerhouse for the UK".

The site has a good rail connection and it will also allow power produced from waste to be fed straight into the national grid.

It appears that one of the "dirty" industries of the 20th century is now being touted as a clean one for the 21st.

**Good prospect:** Rockspring has taken a 50-year lease on a site in Newhaven for a waste-to-energy project

recycling directives, and greater restrictions on landfill sites (a ban, in effect, on domestic landfill by 2020), mean that waste and recycling already make "an important sub-sector of the real estate market and will claim increasing prominence over the medium to long term".

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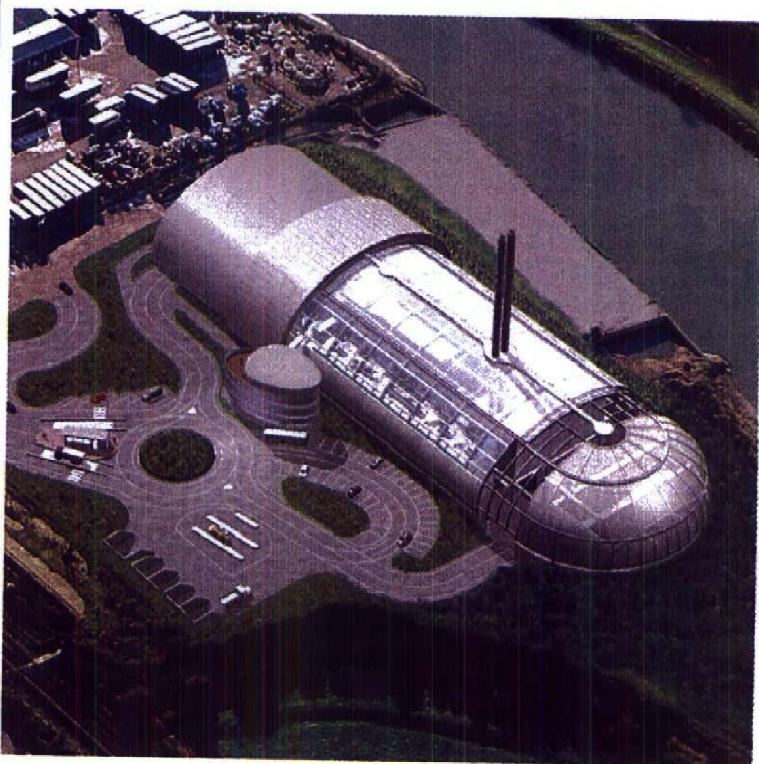
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