



Meeting Note

File reference	EN010054
Status	Final
Author	The Planning Inspectorate

Meeting with	South Hook Combined Heat and Power Project
Meeting date	24 May 2012
Attendees (Planning Inspectorate)	Tom Carpen (Principal Case Manager) Frances Russell (Senior EIA Advisor) Tracey Williams (Case Manager) Karl-Jonas Johansson (Assistant Case Officer)
Attendees (non Planning Inspectorate)	Jason Rundle (Project Director) Paul Ericsson (SHE / Regulatory Manager) John Constable (Communications Manager) James Taylor (Regulatory Support Adviser) Lyn Powell (Senior Planning Director)
Location	Temple Quay House, Bristol

Meeting purpose	Introductory project meeting
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Summary of key points discussed and advice given	<p>Introductions</p> <p>The Planning Inspectorate (PINS) and the developer gave brief introductions to their teams. PINS explained that it has recently been re-organised into teams with a focus on national infrastructure sectors led by principal or senior case managers. PINS advised on its openness policy stating that any advice given will be recorded and placed on PINS website under section 51 of the Planning Act 2008 (PA 2008).</p> <p>Overview of the site</p> <p>The developer gave a short presentation about the site, which is located at the former Esso Oil Refinery site at South Hook, Milford Haven, Pembrokeshire.</p> <p>The proposed site is partly within the boundary of Pembrokeshire County and partly within the boundary of the Pembrokeshire Coast National Park. The developer has identified four possible locations within the site for the development, which will be the subject of further feasibility work.</p>
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Project details

The proposal is an integrated CHP (Combined Heat and Power) based on Combined Cycle Gas Turbine (CCGT) plant capable of producing up to 500mw electricity.

Heat generated from the CHP plant that would otherwise be wasted will be used to heat Liquid Natural Gas (LNG) for regasification which will displace the natural gas that is currently used for this purpose. The electricity generated will be used to power the LNG terminal and the excess exported to the national grid. The CHP plant's gas supply would come from the LNG terminal and the plant would be carbon capture ready. Initial modelling of the stack indicates that it will be approximately 75 – 80 metres high.

According to the developer the CHP Plant is expected to be about 20% more efficient than a conventional gas fired power plant with a consequent reduction in CO2 emissions.

Grid Connection

The proposal also involves a new or upgraded electrical transmission connection, eventually to National Grid Electricity Transmission 400kV substation at Pembroke Power Station

This raised the following inter-related issues:

- Is any part of the line going to be undergrounded?
- What consents will be required?
- Can the grid connection be incorporated into the DCO application?

The developer stated that on site the lines would be installed underground and discussions regarding how to connect to the grid offsite are ongoing. The options are to either connect via a 132kv (possibly involving the upgrading of existing lines) or 400kv connector and the connection may be overground or underground or a combination of the two. PINS advised that the installation of electricity lines underground does not require consent under the 2008 Planning Act.

PINS also advised the developer to ensure it understands what consents and powers it needs for each element of the scheme and to seek its own legal advice in this regard. It was noted that associated development is not provided for in Wales although PINS commented that the main test was whether the grid connection was an “integral” part of the scheme as opposed to associated development.

The developer advised that the grid connection is an integral part of the project as the supply of electricity to the grid is a key

	<p>component of the project.</p> <p>PINS agreed to provide further advice on whether the grid connection could be included in the DCO. The developer asked that if the proposals required two DCO applications to be made which would be determined first? PINS advised that if the proposal involves two DCO it depends on the Examination Authority (ExA) which gets decided first.</p> <p>In relation to associated development PINS advised that in England associated development can be included in the NSIP application to the Planning Inspectorate. In Wales, however, unless it qualifies as a Nationally Significant Infrastructure project in its own right “associated development” is determined by the relevant local planning authority which in this case would be either the PCNPA or PCC (or both if the development straddled the boundary).</p> <p>Consultation</p> <p>The developer informed PINS that informal consultation with key stakeholders, such as Local Authorities (LAs) has commenced with a number of meetings at high level in DECC, Wales Office, PCC and PCNPA and an introductory meeting with a selection of statutory consultees.</p> <p>The developer advised that it would likely be taking a two stage approach to community consultation. PINS advised the developer to have a clear audit trail of consultation carried out. The Consultation Report that is required under s55 of the Planning Act (PA 2008) and to be submitted with the application should clearly detail the consultation and engagement carried out by the developer at the pre-application stage, what has been done in compliance with PA 2008 s42, 47 and 48 including how the developer has had regard to issues raised by consultees during formal consultation.</p> <p>PINS advised that the Consultation Report should include information on informal consultation and engagement in addition to the formal consultation under the PA2008.</p> <p><i>Please refer to IPC Advice Note 14 – Compiling the Consultation Report.</i></p> <p>SoCC</p> <p>PINS advised of the requirements of Regulation 10(b) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009, under which the SoCC must, if a project is EIA development, include information on how the applicant intends to publicise and consult on the Preliminary Environmental Information (PEI). PINS advised that compliance with this</p>
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requirement is one of the matters that would be considered when it (on behalf of the Secretary of State) considers whether or not to accept the application under section 55 of the PA 2008.

PINS indicated that the draft SoCC can be sent to PINS for technical advice before it is published and advised the developer to consult *PINS Advice Note 3 EIA Consultation and Notification* and *PINS Advice Note 14 Compiling the Consultation Report*.

Statement of Common Ground

PINS advised the developer that Statements of Common Ground are helpful for the ExA but not a legal requirement and gave examples of live applications where such statements had been helpful to the examination.

The developer raised the issue of consulting on multiple potential site options within the main Terminal site. PINS advised that when preparing its consultation strategy it may wish to discuss the options with the Local Authorities. If possible explain in consultation material why some options have been considered and discounted.

Scoping

PINS advised that it would like to be notified when the developer plans to submit a request for a Scoping Opinion. Ideally this would be at least 2 weeks before the request so that the Environmental Impact Assessment (EIA) team can draw up a consultation list of those organisations we are required to consult under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009. It may also be useful for PINS to carry out a site visit once the Scoping Opinion request has been received and that we would arrange a meeting with the LA if they had not gone through the process before. Further information on the Scoping opinion can be found in *PINS Advice Note 7 Screening and Scoping under the EIA Regulations*.

Outreach

PINS advised that a flexible approach is taken to outreach and that the aim is to undertake sessions where it will be helpful and necessary. Outreach sessions are held to ensure that consultees, local authorities and the communities have a better understanding of the purpose and role of PINS and the opportunities they have to engage in the planning process both at pre-application stage and following the submission of an application to PINS. Outreach does not form part of the statutory process and it may not be necessary to hold outreach sessions for every project. *PINS Advice Note 2 Working together on NSIPs* contains further information about Pin's Outreach programme.

Scope of EIA

The developer enquired whether the entire area could be put inside the red line boundary and what would happen if the red line moves and at what point the project becomes a different scheme.

PINS advised that the need for fresh consultation or a new application would depend on factors such as the scope of the changes, whether impacts had been assessed through the EIA and how the DCO order had been drafted

The developer asked about appropriate assessment and Habitats Regulations Assessment and whether the applicant would be expected to provide the information. Further information is contained in *PINS Advice Note 10: Habitat Regulations Assessments*.

Programme

The developer spoke about their project programme. The aim is to have the plant in operation by 2017. They aim to submit their Scoping Opinion request in Quarter 2 2012 and submit their DCO in Quarter 1 2013.

The developer asked whether they would be able to apply for environmental permits, which are required and can take up to six months to process, in parallel with the DCO application. PINS said that they will need to seek internal advice regarding this, but in the meantime to consider the Annexes to *Advice Note 12: Working with public bodies in the Infrastructure Planning Process*.

DCO

PINS referred to *Advice Note 13 'Preparing the draft order and explanatory memorandum'* and advised that we encourage developers to send in a draft of their DCO, along with a draft Explanatory Memorandum, Book of Reference and relevant plans at least six weeks before formal submission, for technical comment. However, PINS does not comment on the merits of the scheme set out in draft documents.

PINS advised that the DCO is a critical document in the NSIP process as it sets out the powers the applicant is seeking. There is limited opportunity to make changes to a DCO once accepted, particularly where material amendments are proposed which result in changes to the scheme that have not been previously consulted on. PINS advised the developer to consider a decision, with reasons, by the Examining Authority for the Brigg Cwm application, where a change was sought during the

	<p>examination.</p> <p>Any flexibility required post consent within the DCO should be considered at the drafting stage. PINS advised the developer that they may wish to refer to <i>PINS Advice Note 9: The Rochdale Envelope</i>, which considers the issue of the degree of flexibility with regards to an application for a NSIP under the 2008 Act regime.</p> <p>AOB</p> <p>Tom Carpen is the main contact until a case manager has been appointed, which will be around the same time as the draft DCO is submitted.</p> <p>PINS asked when there will be an official project website set up. The developer confirmed that the website would be up and running, but possibly at that date only in a limited capacity, in time for the start of formal consultation under s42 of the PA2008.</p> <p>PINS asked whether consultation literature would be available in both Welsh and English. The developer said that this would be considered whilst drafting their SoCC. They indicated that the s.48 notice will be published in both languages but they were not certain what other documents they would be producing bilingually. PINS advised the developer that they need to be able to demonstrate in the Consultation Report how they engaged and communicated with different sections of the local communities such as Welsh speakers. Please refer to <i>Planning Act: Guidance on pre-application consultation 2009 (DCLG)</i>.</p>
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