

# The Wrexham (Gas Fired Power Station) Order

## 11.6 Position paper on common ground between Natural Resources Wales and Wrexham Power Limited

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**Planning Act 2008** The Infrastructure Planning  
(Applications: Prescribed Forms and Procedure) Regulations 2009

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**The Wrexham (Gas Fired Power Station) Order  
Update on Statement of Common Ground  
Between NRW and Wrexham Power Limited**

**Examination deadline 2 ♦ 20 September 2016**

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## INTRODUCTION

- 1.1. This update has been prepared on behalf of Wrexham Power Limited (WPL or ‘the Applicant’) to explain the progress it has made on the agreement of Statements of Common Ground (SoCG) with Cyfoeth Naturiol Cymru / Natural Resources Wales (NRW) in respect of the Development Consent Order application (the Application) for the Wrexham Energy Centre (the Scheme).
- 1.2. An earlier update note was submitted by the Applicant at the Examination Authority’s Deadline 1 on 23 August 2016 (Examination Library Reference REP1-034).

## PROGRESS

- 1.3. The current situation in respect of the SoCG between NRW and the Applicant is as follows.
- 1.4. ***In principle and without prejudice***, the parties have reached agreement on:
- i). the description of the development, the site and its location;
  - ii). the absence of adverse effects on any forestry or wildlife habitats managed by NRW;
  - iii). the assessment of the effects on air quality in Chapter 8 of WPL’s Environmental Statement (Examination Library Reference APP-056);
  - iv). the assessment of noise and vibration effects in Chapter 9 of WPL’s Environmental Statement (Examination Library Reference APP-057);
  - v). the assessment of landscape and visual effects in Chapter 10 of WPL’s Environmental Statement (Examination Library Reference APP-058);
  - vi). the assessment of ecological effects Chapter 11 of WPL’s Environmental Statement (Examination Library Reference APP-059);
  - vii). the assessment of the effects on ground conditions in Chapter 13 of WPL’s Environmental Statement (Examination Library Reference APP-061);
  - viii). the assessment of waste in Chapter 15 of WPL’s Environmental Statement (Examination Library Reference APP-063).
- 1.5. NRW has confirmed in its Written Representation (Examination Library Reference REP1-015) that Appropriate Assessment under the Habitats Regulations is not required for the Scheme.
- 1.6. The Applicant agrees with NRW that the relevant planning authority should consult

NRW before approving submissions made in response to the following DCO Requirements in Schedule 2 of the draft Order:

- Requirement 3: Provision of and implementation and maintenance of landscaping and ecological mitigation
- Requirement 4: Construction and Environment Management Plan
- Requirement 5: Ground investigations
- Requirement 6: Foul and surface water drainage
- Requirement 13: Artificial lighting

1.7. The Applicant has amended the above Requirements accordingly in the draft Order that will be submitted at Deadline 2.

1.8. Discussion continues between the parties in respect of common ground on the following topics:

- i). *EIA Cumulative Effects Assessment* – for Deadline 2, the Applicant will be submitting an updated Cumulative Effects Assessment that takes into account the Applicant's revised Grid Connection Statement (Examination Library Reference OD-006);
- ii). *Environmental Permit* – whether NRW is able to confirm at this stage that there is nothing in the Application to suggest that an Environmental Permit would not be forthcoming on a similar basis to what NRW agreed in The Hirwuan Generating Station Order 2015.
- iii). *Provisions for the long-term management and protection of ecological compensation areas* on the Power Station Complex Site. At Deadline 2, the Applicant has stated in its Comments on responses to the Examining Authority's First Written Questions that sub-paragraph (5) of Requirement 3 in Schedule 2 to the draft Order (Examination Library Reference EV-008) which requires that *'the landscaping and ecological mitigation works must be managed and maintained throughout the life of the authorised development to ensure the long term adequacy of the approved landscaping and ecological mitigation scheme'*. The Applicant considers in this context that this Requirement addresses NRW's concern to protect ecological compensation areas in the long term. There would be a breach of the Order should the Applicant not manage and maintain the ecological mitigation works.
- iv). *Protection of the water environment* – for Deadline 2, the Applicant will be submitting a revised Flood Consequences Assessment that seeks to address concerns raised in NRW's Written Representations.
- v). *Public health* – NRW considers that WCCBC is best placed to respond on this topic.