

# Meeting note

**File reference** EN010059 – Hirwaun Power Station

**Status** Final  
**Author** Louise Evans  
**Date** 15 January 2014

**Meeting with** Hirwaun Power Limited  
**Venue** Temple Quay House, Bristol

**Attendees** Developer  
Colin Turnbull (Peter Brett Associates)  
Robin Hutchison (Pinsent Masons)  
Norman Campbell (Hirwaun Power Limited)  
Murray Davies (Hirwaun Power Limited)

The Planning Inspectorate  
Tom Carpen (Infrastructure Planning Lead)  
Iwan Davies (Case Manager)  
Helen Lancaster (Senior EIA and Land Rights Advisor)  
Louise Evans (Case Officer)

**Meeting Objectives** Review of draft documents dated December 2013

**Circulation** All Attendees

## **Summary of Key Points and Advice Given:**

### **Introduction**

The Planning Inspectorate advised the developer about their openness policy, that any advice given will be recorded and placed on the National Infrastructure pages of the planning portal website under section 51 of the Planning Act 2008 (as amended by the Localism Act 2011).

### **Project Update**

The developer provided an overview of the project including a brief technical description (including choice of technology and stack heights) and of non-statutory and statutory consultation.

It was confirmed that Simple Cycle Gas Turbine (SCGT) technology had been chosen, resulting in a reduction to stack height(s) (now up to 35 metres).

Following comments on the potential effect to landscape, and to increase the distance from residential dwellings to the south west of the site, the stacks will be situated in the northern part of the site. Existing multiple accesses on site are to be re-used in line with a fire and rescue consultation response.

## **Consultation**

The developer received positive feedback from the statutory consultation phase public exhibitions. The developer is in regular contact with Rhondda Cynon Taf County Borough Council (RCT), Brecon Beacons National Park Authority (BBNPA) and Natural Resources (NRW). To date there have not been significant concerns from local constituents.

As a result of the enlargement of electrical and gas route corridors the developer undertook a targeted 're-consultation' of existing affected landowners, between 16 December 2013 and 17 January 2014. The red line boundary surrounding the electrical connection route has been slightly amended to include the footpath/pavement.

The developer advised that they have received a positive response from local authorities on the adequacy of pre-application consultation and do not anticipate such issues being raised at the acceptance stage.

The Planning Inspectorate advised that it may be helpful for the developer to share the consultation report with the relevant local authorities in advance of submission, and if the local authorities provided a view during pre-application that the developer could supply this as an appendix to the consultation report upon submission.

The developer advised that it has held meetings with Welsh Assembly AMs and local MPs, including before and after the two rounds of public consultation and before submission. The Planning Inspectorate advised that the appointed Examining Authority may raise queries regarding the extent and nature of consultation undertaken between the developer and the Welsh Government at the pre-application stage.

## **Gas and electrical connections**

The Planning Inspectorate advised the developer, without prejudice to any matters that may be considered at the acceptance or examination stages, that further justification of their decision to include the gas/electrical connections as an integral part of the application may be helpful, including details of any views sought in reaching its conclusion. This could be included in the consultation report.

The developer advised that they have held technical discussions with RCT and had explored their options to either include the gas/electrical connections as integral or as a separate application under the Town and Country Planning Act. RCT had considered it appropriate to include the connections as an integral part of the DCO application.

The Planning Inspectorate advised that, without prejudice to any matters that may be considered at examination, the developer may wish to include evidence of any responses on this particular issue within its consultation report and any other relevant submission document.

The developer advised that the option of the underground electrical connection has been favoured by National Resources Wales (NRW) and other consultees, including the landowners.

The Planning Inspectorate encouraged the developer to include the length of the gas and electrical connections in the DCO.

### **Habitats Regulations Assessment (HRA)**

The Planning Inspectorate advised the developer to carefully consider in-combination tests, particularly regarding air-quality matters, and the relevant mitigation measures. The developer advised that other developments in the area are the cause of baseline air quality issues and the adverse effect of this proposal is likely to be minimal as a standalone project and in-combination. The developer is in regular discussions with NRW regarding this matter. The Planning Inspectorate advised that if there is an effect resulting from the developer's project on the conservation status of a European site then, regardless of the cause attributed to other projects, mitigation may need to be provided and secured in the DCO.

### **DCO and Explanatory Memorandum**

The Planning Inspectorate sought an explanation on the 8 year time limit in the DCO. The developer stated that a time limit longer than

5 years is sought due to the timescales inherent in the proposed operation of the new capacity mechanism in the EMR. The Planning Inspectorate advised the developer to provide justification for the approach in the Explanatory Memorandum, and that it may be helpful if the developer considered and demonstrated any different impacts between a 5 year and an 8 year time limit, as this could potentially be an examination issue as it would be a departure from the regulations that specify the time limit for a DCO.

The developer sought clarification on points raised in the Planning Inspectorate's written comments on the draft DCO. The Planning Inspectorate agreed to follow up via telecon.

## **Plans**

The Planning Inspectorate advised that there appeared to be no major issues with the draft plans from a technical perspective. The developer did not have specific queries on the Planning Inspectorate's comments of the draft plans and advised that they may break down the works package into sub-packages, each element having its own sub number.

## **Submission of application**

The developer confirmed that they plan to submit their formal application at the end of February/beginning of March 2014, and that a second review of the consultation report would be helpful. The Planning Inspectorate agreed to undertake this and provide comments in due course.

The Planning Inspectorate encouraged the developer to submit any Statements of Common Ground (SoCG) with the application. The developer advised that discussions are ongoing regarding a SoCG with Natural Resources Wales (NRW) and RCT and that a SoCG may be submitted during the Pre-Examination stage.

The Planning Inspectorate explained that further documents cannot be submitted during the acceptance stage and that there is little scope to amend an application once submitted. As such the developer should ensure the application is submitted in its entirety.

The Planning Inspectorate advised the developer to refer to DCLG Guidance on the Pre-Application stage, Advice Note 6 and the section 55 checklist for guidance at this stage of the process. The developer was also advised that the Examining Authority can request the full suite of consultation responses at the acceptance stage.

The Planning Inspectorate advised that it may be helpful to send key documents to the relevant local authorities and NRW upon submission.

### **Other matters**

The Planning Inspectorate asked if there were any outstanding issues with the application from the relevant local authorities and, if so, the developer should look to resolve these at the pre-application stage. The developer stated that RCT, the lead flood authority, had advised them of a culvert on the application site. The developer advised that the proposed development will take full consideration of the culvert and is in discussions with RCT about this. The developer is unaware of any other issues raised by RCT.

### **Actions**

The Planning Inspectorate to provide clarification on points raised in their written comments on the draft DCO.

The Planning Inspectorate to provide comments on the second draft consultation report (now provided and available at this [link](#))