

Appendix 1.5 Planning Inspectorate Correspondence



Meeting note

File reference

Status

Draft

Author

Emma Fitzpatrick

Date

04 June 2013

Meeting with

Tata Steel

Venue

Temple Quay House, Bristol

Attendees

Ben Lewis (GVA)
Craig Stirling (Tata Steel)
Guy Simms (Tata Steel)
Catherine Mackay (AECOM)
Tom Carpen (Principal Case Manager)
Oliver Blower (Case Manager)
Helen Lancaster (Senior EIA Advisor)
Karl-Jonas Johansson (Case Officer)
Emma Fitzpatrick (Assistant Case Officer)

Meeting**objectives**

Introductory project meeting for the Internal Power Generation Enhancement for Port Talbot Steelworks

Circulation

All Attendees

Summary of key points discussed and advice given:

Introductions/Overview

Tata Steel stated that it is a major employer in South Wales and that it has a broader objective to increase production at its Port Talbot Steelworks. It considers that this proposed project is a key element to future sustainability and increased energy/economic efficiency, moving towards the steelworks becoming self sufficient in its energy needs.

The Project Team

The project team currently is comprised of the applicant (Tata Steel UK Ltd), Planning and Project Management Consultants (GVA) and Technical and Environmental Consultants (AECOM). Further appointments at the appropriate time will be made regarding legal representation and public relations/communications services.

The Project

The applicant considers the project to be an enhancement of the existing Port Talbot Steelworks, aiming to increase electrical output from 95.7 MWe to 170-225 MWe.

A consequence of the iron and steelmaking process is the generation of by-product gases which are currently burnt in flare stacks on the site. The primary fuel for the enhancement would be these by-product gases (3 types) and by utilising the already existent fuel source the applicant intends this enhancement to facilitate cost reductions; reductions in reliance on gas/imported fuels, air quality improvements and reduction in the flare.

Current Progress

The applicant is in the process of developing the project design. The applicant confirmed that there has been early engagement between the applicant and the Environment Agency Wales on technical aspects of the proposal, for example water abstraction.

The applicant has submitted its Statement of Community Consultation (SoCC) to the Local Planning Authority (Neath Port Talbot County Borough Council (NPTCBC)) for comment. Tata has considered how to communicate with hard to reach groups. The Planning Inspectorate advised that auditing all consultation, both formal and informal from an early stage will help the applicant demonstrate how it has complied with the requirements of the Planning Act 2008 (as amended), and pre-application guidance from the Department of Communities and Local Government.

With regards to formal Environmental Impact Assessment (EIA) scoping, the applicant is in discussion with NPTCBC. Ecological surveys have been undertaken to inform the Environmental Statement however it advised that very little ecology and supporting habitat has been found on site. Viewpoints for the Landscape & Visual Assessment have also been agreed with NPTCBC and photography undertaken to produce the photomontages in the worst case seasonal representation (with trees shown without leaves).

The Planning Inspectorate advised the applicant to demonstrate potential offsite effects, and emphasised the importance of explaining the methodology thoroughly.

Timescales

Tata anticipate submitting the EIA scoping report to the Planning Inspectorate in July 2013, with formal Development Consent Order (DCO) submission in the second half of Q1 2014. However timescales are underpinned by other factors which the applicant advised it is fully sensitive to.

The Planning Inspectorate enquired about other permits which the applicant may need to seek alongside the DCO application. The applicant is aware of the necessary permits, and envisage in some instances, varying existing ones rather than applying wholly for new ones.

The Planning Inspectorate advised that it can review draft documents prior to formal submission. It advised that from experience, an iterative review over 2-3 months tends to be most useful, however a minimum period of 6 weeks should be given to the Inspectorate to enable the review to be done comprehensively. The Planning Inspectorate asked the applicant to build this into their project timescales. The Planning Inspectorate suggested to the developer that it could use its checklist developed to assess applications under section 55 of the Act, as an internal audit prior

to submission to ensure the application was complete. The checklist can be found as an [appendix to Advice Note 6](#).

Any Other Business

The applicant enquired about the Rochdale Envelope principle. The Planning Inspectorate advised that an important consideration when using the Rochdale principles is that enough certainty/information can be supplied to consultees to ensure the consultation is meaningful. It is practical to assess the 'worst case scenario' that the Rochdale Envelope would encompass, and ensure that this is cross-referenced and properly assessed in the Environmental Statement. Further to this, documenting why and how decisions were reached by the applicant and the processes of refinement that they went through are useful to give clarity to the Examining Authority.

The applicant enquired about cumulative impacts assessment. The applicant has contacted NPTCBC and does not believe that there are relevant projects in the area. The applicant enquired about cumulative effects in relation to Tidal Lagoon Swansea Bay. The Planning Inspectorate informed the developer that it is their duty to identify any cumulative effect relating to Tidal Lagoon Swansea bay or any other projects in the area.

End.



Meeting note

File reference	EN010062
Status	Final
Author	Steven Parker
Date	12 November 2013
Meeting with	Tata Steel UK Ltd
Venue	Temple Quay House, Bristol
Attendees	The Planning Inspectorate Tom Carpen – Infrastructure Planning Lead Helen Lancaster - Senior EIA Advisor Steven Parker – Assistant Case Officer Applicant Guy Simms - Tata Steel UK Ltd Muhammad Jhandeer– Tata Steel UK Ltd Ben Lewis – GVA Catherine MacKay – AECOM Rob Davies - AECOM Richard Griffiths - Pinsent Masons Duncan O'Connor - Pinsent Masons Charles St George - PPS Clare Jones - PPS
Meeting objectives	For the applicant to update the Planning Inspectorate on its project progress.
Circulation	All attendees

Summary of key points discussed and advice given:

Introduction

The Planning Inspectorate made the Applicant aware of changes to its project team.

Scoping Opinion

The applicant sought some clarification on the scoping opinion issued by the Planning Inspectorate on 6 November 2013 and that they were in pre-application discussions with statutory bodies.

The response of Natural Resources Wales (NRW) to the Scoping Report indicated that an Assessment of the Significance of Impacts of Development on Historic

Landscape (ASIDOHL) should be undertaken. The Applicant stated that CADW and the local archaeological trust have said that this is unnecessary. The Planning Inspectorate advised that further discussions with NRW should be undertaken.

The Applicant said that there is no further flood risk information available at the time of the scoping report, due to the NRW model being out of date. The Applicant is working with NRW to create new hydrological maps and obtain flood risk data.

The Applicant has been consulting with Neath Port Talbot County Borough Council regarding expected operational traffic emissions. It is expected that there will be no change in operational traffic, due to no additional employment being created.

The Planning Inspectorate advised that effects on air quality during both construction and decommissioning should be fully explained in the environment statement.

The Applicant noted that effects on bats had not been scoped out of the ES in the Secretary of State's Scoping Opinion. They stated that evidence would be provided in the Environmental Statement to demonstrate the unsuitability of the site for bats.

The Planning Inspectorate advised that the Applicant should continue to consult with NRW, following comments regarding the need to have contingency measures in the ES, should bats be found.

Cooling System

The applicant is in discussion with NRW on water and air based cooling systems.

Ideally, the applicant would like a letter of comfort from NRW, for an environmental permit relating to cooling systems before submission of the DCO application to the Planning Inspectorate.

The appellant asked the Planning Inspectorate if it can submit the application with two cooling system options in case they haven't been able to reach a conclusion before submission.

The Planning Inspectorate advised that it is within the broader use of the Rochdale envelope principles and that, without prejudice to any future examination, it may become an examination issue, if proposed.

The Applicant should ensure that all potential impacts have been addressed to the environmental statement and that the draft requirements covered the issue of how a preferred option would be chosen and implemented. The Applicant may also wish to seek the views of other consultees, such as local authorities.

Consultation

The applicant has developed a draft statement of community consultation, including a timetable.

There are consultation events planned, an article in a newsletter which reaches circa 20,000 people and an internal TATA staff publication which gives details of the proposed development.

A dedicated website, email address and phone line are to be launched in mid November.

The Planning Inspectorate will amend the planning portal giving a direct link to this website.

The applicant has invited key stakeholders from both the local and wider communities to workshops events. These include community representatives such as councilors and business groups to MP's.

These events would be held in mid to late January 2014.

The Planning Inspectorate advised the applicant that at submission, the Planning Inspectorate may request copies of original representations. It would be good practice to get these documents in order in anticipation of a request.

The Planning Inspectorate asked whether a second round of consultation would be needed.

The Applicant stated that they believed that their planned first round consultation would be robust enough to not require a second round of consultation.

They stated that, if required, that they would be happy to consult further with the community, and are aware that changes to the scheme may necessitate further consultation.

The Applicant plans to publish their S.48 notice in December 2013.

The S.42 consultation period is expected to be between 9 January – 17 February 2014

The Planning Inspectorate has offered to review the draft S.48 notice.

The Planning Inspectorate suggested a meeting after the end of the S.42 consultation period may be useful to cover procedural issues, identify key issues and to consider the future examination process. This meeting would likely be between the applicant, The Planning Inspectorate, NRW and local authorities, and could also incorporate a site visit.

Draft Documents

The applicant intends to submit draft documents, such as the draft DCO and land plans, to the Planning Inspectorate for review in January.

The Planning Inspectorate advised that it intends to complete the review within six weeks and that it would be advisable for them to see the draft consultation report.

The Planning Inspectorate asked whether the applicant intended to provide Habitats Regulations Matrices as requested in Advice Note 10. The Applicant confirmed that they would and that these would be appended to the Environmental Statement.

The applicant stated that the connections to the electricity grid and to natural gas would be connected to internal networks, not connected to the national grid / NTS networks.

The 66KV electrical connection would be run to an existing on site substation. Both the electrical connection and gas pipeline would be completely within the red boundary.

The applicant owns all of the land for these connections, except for a section containing a rail line, which is owned by Network Rail.

The applicant are negotiating with Network Rail over the rights to use land, both above and below ground, for the electricity and gas connection route. They are also seeking to compulsorily acquire this land in case the negotiations are unsuccessful, Network Rail is aware of this

The applicant confirmed that it would be providing a statement of reasons.

The Planning Inspectorate asked in any of the site constituted Crown land?

The applicant advised that the entire proposed site was in their ownership, save the Network Rail corridor.

Decommissioning

The applicant clarified what would happen to the existing power generation infrastructure should the DCO be granted for the application. The existing plant would continue to operate until the new facility had undergone testing. Once the new equipment was operational, the four turbo alternators currently in use would be decommissioned by cutting off their supply of fuel.

The equipment would not be removed from the site as they are integrated into buildings which would still be operational.

The Planning Inspectorate advised that the application to any DCO requirement should be clear on this aspect.

Timescales Any Other Business

S.48 Notification – December 2013

S.42 Consultation Period – 09/01/2014 – 17/02/2014

Roundtable Meeting & Site Visit - Feb / March 2014

The Applicant intends to submit the application for development consent in April/May 2014