

Planning Act 2008

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

The Port Talbot Steelworks (Power Generation Enhancement) Order

5.04 Details of Other Consents and Licences

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Abbreviations & Glossary

EIA	Environmental Impact Assessment
EP	Environmental Permit
EPR	Environmental Permitting Regulations
ES	Environmental Statement
FCA	Flood Consequences Assessment
IED	Industrial Emissions Directive
IPPC	Integrated Pollution Prevention & Control
LCPD	Large Combustion Plant Directive
LDP	Local Development Plan
MWe	Mega Watts Electrical – measure of energy, one million watts
NPTCBC	Neath Port Talbot County Borough Council
NRW	Natural Resources Wales (formally EAW and CCW)
NSIP	Nationally Significant Infrastructure Project
SoS	Secretary of State

1 INTRODUCTION & SUMMARY

1.1 Introduction

1.1.1 This document accompanies an application by Tata Steel UK Limited (“the Applicant”) for Development Consent under section 37 of the Planning Act 2008 for the Port Talbot Steelworks (Power Generation Enhancement) Order (the “Order”).

1.1.2 The proposed development authorised by the Order comprises an electricity generating station and 66kv electrical connection. The generating capacity of the proposed development exceeds 50 megawatts (MWe), and it is therefore designated as a Nationally Significant Infrastructure Project (“NSIP”) under the Planning Act 2008.

1.1.3 Section 37 of the Planning Act 2008 governs the content of an application for development consent, including the requirements for the accompanying documents specified in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (“APFP Regulations”).

1.1.4 *Application Form Guidance (June 2013)*, issued by the Department for Communities and Local Government, states that:

“Where the proposed development will also require other consents, licences, permits, etc, to enable it to be constructed and / or operational, and for which the [SoS] is not the authorising body, then the applicant must list and briefly describe these in the application. Reference should be given to any that have already been applied for, and a copy of enclosed of any that the applicant may already in possession of.”

- 1.1.5 Where relevant, this document refers to the Environmental Statement (ES) (Document 6.02, Volume 2) and the Code of Construction Practice (CoCP) (Appendix 15.1, Volume 3).

2 SUMMARY OF CONSENTS AND LICENCES LIKELY TO BE REQUIRED

Table 1 Summary of Consents & Licences			
Consent / Licence / Permit	Regulatory Regime	Consenting Authority	Status / Comment
1 Environmental Permit (EP) For the operation of the power generation facility	Environmental Permitting Regulations 2010	Natural Resources Wales (NRW)	An EP will be required for the operational of the power generation facility within the Order Limits. Discussions with NRW have been ongoing with an understanding that the Applicant is unable to apply for the Environmental Permit at the time of submitting the DCO as it is unknown who the applying body will be (either the Applicant or as part of a joint venture). Further information is contained with Chapter 1 Introduction (section 1.6.23) of the Environmental Statement (ES) with record of correspondence in Appendix 1.8. This would also cover the Permit to Emit CO ₂
2 Electricity Generation Licence	Electricity Act 1989	Office of Gas and Electricity Markets (OFGEM)	Subject to confirmation as to whether the exemptions specified in the Electricity Act apply, a generating licence will required at the operational stage in relation to generating activities.
3 Building Regulation approval	Building Regulations 2010	Neath Port Talbot County Borough Council (NPTCBC)	Application to be made following granting of the DCO

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4	European Protected Species Licences	Conservation of Habitats and Species Regulations 2010	NRW	Even though the presence of European Protected Species has been discounted, in the unlikely event that an EPS is found, the relevant applications will be made.
5	Health and Safety related consents	Health & Safety at Work Act 1974 All other relevant legislation Applicant specific requirements for onsite Contractors	Health & Safety Executive (HSE) The Applicant	Applications to be made by the Contractor before construction commences All onsite Contractors will require an onsite Tata Steel Port Talbot Steelworks induction prior to commencing any works
6	Licence to Kill, Take, Disturb or Possess a Wild Animal As listed under Schedule 5 (slow worm, adder, grass snake, common lizard)	Wildlife & Countryside Act 1981	NRW NPTCBC	This license will be required for the translocation of reptiles within the Order Limits prior to construction commencing.
7	Abnormal Loads For delivery of abnormal loads via the agreed delivery route	Road Vehicles (Authorisation of Special Types) (General) Order 2003	Department for Transport, Highways Agency, NPTCBC Highway Authority or police / bridge owners (if any and as	This has not been sought within the DCO as this will be undertaken through the Construction Traffic Management Plan. In addition, the appropriate applications will be made by the Contractor prior to construction commencing.

Table 1 Summary of Consents & Licenses				
Consent / Licence / Permit		Regulatory Regime	Consenting Authority	Status / Comment
			appropriate)	
8	Planning Permission Would be required only if the Applicant subsequently decides to demolish the existing stacks once the proposed development is in reliable, continuous operation	Town & Country Planning Act 1990	NPTCBC	It is intended to keep the stacks insitu, However, if the Applicant subsequently wishes to demolish the stacks which are being decommissioned once the proposed development is operation, an application for planning permission will be required
9	Section 61 consent Control of noise on construction site	Control of Pollution Act 1974	NPTCBC	Applications will be made as required by the MWC prior to construction commencing.
10	Electrical connection agreement Connection to local Distribution Network	n/a	The licensed Distribution Network Operator (currently Western Power Distribution (WPD))	Any electricity exports from the proposed project will be sold, probably to a licensed electricity supplier, and in accordance with contractual arrangements which suit the site requirements at that time. See the Grid Connection Statement for more details. In the absence of any bespoke connection agreement, the National Terms of Connection will apply.
11	Permit to Pump	Water Resources Act 1991	NRW	Applications will be made as required by the MWC

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Consent / Licence / Permit	Regulatory Regime	Consenting Authority	Status / Comment
12 Licence to abstract water and consent to discharge	Water Resources Act 1991	NRW	No new applications will be needed as the abstractions and discharges required for the proposed development will be within the allowances of the Applicant's existing abstraction licenses and discharge consents.