



3/18 Eagle Wing  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer Services: 0303 444 5000  
e-mail: [PTPower@infrastructure.gsi.gov.uk](mailto:PTPower@infrastructure.gsi.gov.uk)

---

To all interested parties

Your Ref:

Our Ref: EN010062

Date: 15 May 2015

---

Dear Sir / Madam

**The Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rule 8(3) and Rule 17**

**Application by Tata Steel UK Limited for an order Granting Development Consent for the Internal Power generation Enhancement for Port Talbot Steelworks**

I have made a procedural decision for further written questions; **these are directed towards the Applicant.**

May I request that you provide full and clear answers to all questions relevant to their circumstances. I will be most grateful for your commitment in this regard.

**Even though all the questions in this letter are directed towards the applicant, you may nevertheless choose to answer them if an answer would be relevant to the issues that concern you.**

**1. Development Consent Order Question 3.4.1 to the applicant**

ARTICLE 26 and SCHEDULE 5 – PROCEDURES AND DEADLINES

The current drafting within DCO Rev 4 imposes procedures and deadlines on the Local Planning Authority (NPTCBC) and the Secretary of State (SoS) that are more onerous than those under the Town and Country Planning Act (TCPA).

Can the applicant provide evidence to justify, in the case of the proposed development, why such drafting is considered necessary and why it has been adopted in favour of the TCPA approach.

**2. Development Consent Order Question 3.4.2 to the applicant**

## SCHEDULE 2 – REQUIREMENT 4: DETAILED DESIGN - MAXIMUM DIMENSIONS

In order to provide the Secretary of State with certainty over the scale of the works included within the DCO, should it be granted, can the applicant confirm, as stated in paragraph 2.4.2.6 of the applicant's response to ExA's second round of written questions (Doc Ref: ExAWQ2.01) there is no intention to increase the overall height of the cooling tower unit, turbine hall or boiler house elements, whether Requirement 4 (3) could be amended to only allow variations to columns (3): Maximum Width and column (4) Maximum Length.

### 3. Development Consent Order Question 3.4.2 to the applicant

#### GENERAL FORMAT AND DRAFTING

Can the applicant provide a version of the draft DCO in the correct statutory instrument format (See paragraph 1 of Advice note fifteen: Drafting Development Consent Orders). In particular, the current version uses non-standard article numbering (by, for example, carrying the numbering through between the main body and the schedules). This will need to be corrected, along with all affected cross references within the DCO.

Can the applicant combine Articles 21-25 into a single article in order to remove superfluous text, with the relevant protective provisions set out as parts of a single schedule. As an example of the usual drafting approach, see article 53 and schedule 16 of the Thames Tideway DCO.

### 4. Book of Reference Question 3.4.3 to the applicant

#### PART 4 - CROWN LAND

Can the applicant provide evidence of the Welsh Government's response with respect to the Crown's consent to the inclusion of the provision as described in paragraph 17 of the explanatory document (Doc Ref: EN-4.03Rev1).

Responses to these written questions should be received no later than **Friday 22 May 2015**.

If you have any further queries, please do not hesitate to contact the case team at the contact details above.

Yours faithfully

*Roger Eyre*

**Roger Eyre**  
**Examining Authority**

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.