



The Planning Inspectorate Yr Arolygiaeth Gynllunio

Meeting note

File reference	EN010062
Status	Final
Author	Steven Parker
Date	24 March 2014
Meeting with	Tata Steel UK Limited for the Internal Power Generation Enhancement of the Port Talbot Steel works
Venue	Temple Quay House, Bristol
Attendees	The Planning Inspectorate Tracey Williams – Case Manager Nicola Mathiason – Legal Manager Helen Lancaster – Senior EIA Advisor Louise Evans – Case Officer Steven Parker – Assistant Case Officer Applicant Guy Simms – Tata Steel UK Ltd Jhandeer Muhammad – Tata Steel UK Ltd Ben Lewis – GVA Catherine Mackay – AECOM Duncan O'Connor – Pinsent Masons Clare Jones - PPS
Meeting objectives	For the applicant to update the Planning Inspectorate on the progress at pre-application stage.
Circulation	All attendees

Introduction

The Planning Inspectorate outlined its openness policy and ensured that the applicant understood that any issues discussed and any advice given would be recorded and placed on the Internal Power Generation Enhancement of the Port Talbot Steel Works project page, on the Planning Inspectorate pages of the Planning Portal website under s.51 of the Planning Act 2008. Further to this, it was made clear that any advice given did not constitute legal advice upon which the applicant (or others) can rely.

Project update

The applicant gave a brief overview of the project.

The applicant informed us of the following actions

- The section 42 consultation period ended on 14 March 2014
- Preliminary Environmental Information Report (PEIR) completed
- Environmental Statement (ES) is progressing
- Draft Consultation report due mid April 2014

The applicant advised that they have scheduled meetings with Neath Port Talbot County Borough Council and Natural Resources Wales every three weeks to allow for regular dialogue.

The applicant outlined some minor amendments to the route for the electricity cable and confirmed that this would be part over and part underground. The cable will pass under some unused land owned by Network Rail, but the applicant is not seeking to acquire this land, only to have rights to have access to the land.

The applicant highlighted that they may wish to have the time period for the Development Consent Order (DCO) to be longer than 5 years to accommodate a two phase construction period. They confirmed that the buildings and powers over land would not need to be altered in order to take this approach.

The proposal will utilise water as a coolant, this is primarily to be abstracted from the River Afan. The applicant confirmed that a water balance model has been produced for the River Afan in relation to this project. The applicant advised that a hierarchy of mitigation has been developed which will mean that abstraction from secondary sources will be used when certain trigger levels have been reached. This has been discussed with the River Afan Management Group and the approach agreed with Natural Resources Wales. Other sources which could be used for abstraction include Port Talbot dock and the Ffwrddwylt.

The Planning Inspectorate asked the applicant about the potential for dust emissions from the proposal. The applicant stated that there wouldn't be any dust produced from the operation of the power plant, but that some dust could be produced during the construction period. This is to be covered in the ES and also in the Code of Construction Practice.

The land for the proposed power plant was previously used for coke works and following that it was a hard standing used as a car park. The Glamorgan-Gwent Archaeological Trust has an interest in surveying the site. Material on the land will be recycled / landfilled on site. No hazardous material is expected to be found on the site.

Abnormal / oversized loads may need to access the site. The applicant advised that the Highways Agency and NPTCBC Highways are content with the access proposed. Loads could also be transported to the site via roll-on/roll-off ferry although the worst case has been assessed (i.e. by road).

Operational noise is not expected to be any louder than the existing equipment/operations on site. The applicant stated that the technique to be used for piling is not yet known, but that sympathetic working patterns would be employed to minimise disruption.

Cumulative effects

The Inspectorate advised the applicant to have regard to other projects in the vicinity and how the cumulative effects of the proposal could be mitigated in the ES.

The applicant indicated that it had received a representation from Swansea Council on the cumulative impact the stacks may have on tourism in the Swansea Bay area. The applicant stated that they believe that the concern was unfounded as the landscape is already that of industrial use.

The applicant asked if the Consents Service Unit of the Planning Inspectorate would be able to assist with obtaining permits from Natural Resources Wales (NRW). The Inspectorate explained that, as the development was in Wales, they would be unable to do this.

The Inspectorate reminded the applicant of the relevant paragraphs in National Policy Statement EN-1 about the need for the ExA to consider whether an environmental permit is likely to be granted.

The Inspectorate advised the applicant that they should contact statutory parties that have not formally responded to the consultation carried out under s42 of the Planning Act 2008, as amended. This should then be explained and audited in the Consultation Report. It was noted that Powys County Council and Carmarthenshire County Council have not replied, nor were there replies received from the community councils.

The Inspectorate advised that any responses received should be referred to in the Consultation Report and be added as appendices.

The Inspectorate requested that the site boundary 'GIS' shape file be submitted two weeks before the application is submitted to the Planning inspectorate. Currently the application is expected to be submitted in late June 2014. [now anticipated end of July 2014]

Development Consent Order

The Planning Inspectorate sought clarification and gave advice on the draft Development Consent order (DCO). Points discussed were as follows:

- Page 1 – Applicant should further define what is meant by the term 'maintain'.
- Page 5 – With relation to statutory undertakers, s128 & 129 of PA 2008 have been repealed by the Localism Act 2009.
- Page 6 – Under part 7.(1).(b) (Consent to transfer benefit of the Order), reference to paragraph 5 should be amended

- Page 17 – References are made to 'net' capacity rather than 'gross'.

The applicant informed the Inspectorate that powers relating to streets under part 3 of the DCO may be removed, as the site only has internal access roads.

Compulsory acquisition powers may also be reduced in scope in future drafts of the DCO.

The Inspectorate advised that the current draft DCO contains a quite a few generic model provisions. The Inspectorate advised that it would welcome to be able to comment on a further revised draft of the DCO when it is more complete.

Draft plans

The Inspectorate commented on land plans which the applicant had submitted for review. The following observations were discussed:

- Lack of key plan – Applicant agreed to rectify this
- No revision numbers given – Applicant agreed to rectify this
- Plans may not have been finalised at the correct scale – Applicant will investigate, thought to be a software error.
- Colour scheme unclear – applicant will rethink how to best present information so that it is clear
- Labelling
- No names given to streets – applicant explained that internal roads on the site have no names.
- Land ownership – applicant chose not to include this on the plans as the site is in sole ownership, apart from a small section to be crossed for the electrical connection which crosses Network Rail land. They will rethink this approach.

Site Visit and Roundtable Meeting

The Planning Inspectorate proposed a Roundtable meeting between the Inspectorate, Tata Steel, Neath Port Talbot County Borough Council, Natural Resources Wales, Swansea Council, Bridgend Council and the Glamorgan-Gwent Archaeological Trust.

This Roundtable meeting would allow for these parties to come together, which will assist with finding common ground between the parties, thus allowing unresolved issues to be focused upon.

A site visit will also take place at this time. The applicant confirmed that they will provide protection equipment, but that suitable footwear should be provided by attendees.

Timetable

The Inspectorate reminded the applicant to build time into their timetable to allow draft documents to be reviewed and commented on. The Inspectorate suggested monthly conference calls with the applicant to give updates on project progress and reminded the applicant to inform the Inspectorate of any slippage in their projected submission dates, so that the Inspectorate could better organise its resources.

The Inspectorate asked about the use of the Welsh language in relation to the project. The applicant stated that less than 15% of the population in this area were Welsh speakers. All documents have been produced in English but are available in Welsh on request. This approach was agreed upon with Neath Port Talbot County Borough Council.