

**Planning Committee- Tuesday, 2 October 2018**

**Urgent  
Item**

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**6 Abergelli Power Limited (APL) - Gas Fired Power Station (ref:  
2018/1289/DCO)..**

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# Agenda Item 6

## Urgent Report



### Planning Committee – 2 October 2018

#### **Abergelli Power Limited (APL) – Gas Fired Power Station (ref: 2018/1289/DCO)**

The Chairman of the Committee has stated that pursuant to paragraph 100B (4)(b) of the Local Government Act 1972, he considered that the report of the Head of Planning and City Regeneration should be considered at this meeting as a matter of urgency.

#### **Reason for Urgency**

**The Council Constitution states that Planning Committee have the delegated authority to submit a Local Impact Report, agree a Statement of Common Ground and submit Written Representations on an application for a Development Consent Order. The Council has recently been advised of the DCO timetable for the submission of the aforementioned documents which have provisionally been requested by 31<sup>st</sup> October 2018, before November Planning Committee. As these submissions have not been completed, Officers would not have the relevant delegated authority to meet these timescales. An urgent decision is required to enable the Council to formally respond within the relevant timeframes if the Examining Authority do not extend the deadline for the submission of these documents.**

<b>Purpose:</b>	This report provides an update on the APL submission for Development Consent Order for a gas fired power station at Felindre.
<b>Legislative Framework:</b>	The Planning Act 2008 (as amended). The DCO application will be examined by the Planning Inspectorate who will make a recommendation to the Secretary of State for Business, Energy & Industrial Strategy. The Secretary of State will take a decision on the application on receipt of a recommendation from the Planning Inspectorate.
<b>Policy Framework:</b>	National Policy Statements EN-1 and EN-2 provide the overarching national level policy framework for consideration of DCO applications for gas fired power stations and set out the Government's policies for the assessment of DCO applications. City and County of Swansea Unitary Development Plan (Adopted November 2008). The Emerging

	Local Development Plan (LDP) expected to be the approved plan by late 2018.
<b>Reason for Decision:</b>	To enable the Local Planning Authority to respond to the tight deadlines set by the Examining Authority (PINS).
<b>Recommendation:</b>	<ol style="list-style-type: none"> <li>1) In the event that the Examining Authority do not agree to extend the draft deadline for submission to agree to: <ol style="list-style-type: none"> <li>(a) either provide Officers with Delegated Powers to submit a Local Impact Report and a Statement of Common Ground or</li> <li>(b) to hold a Special Planning Committee before the end of October 2018 to agree these items</li> </ol> </li> <li>2) To agree not to provide a further Written Representation on this proposal.</li> </ol>
<b>Report Author:</b>	Andrew Ferguson
<b>Legal Officer:</b>	Jonathan Wills

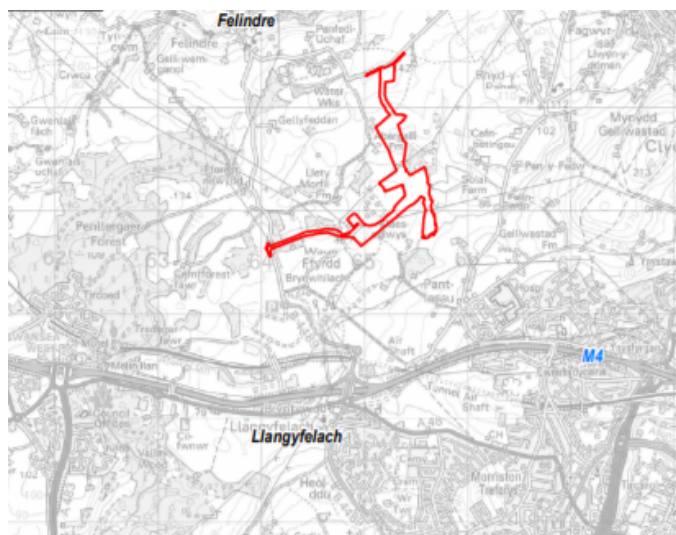
## 1.0 Introduction:

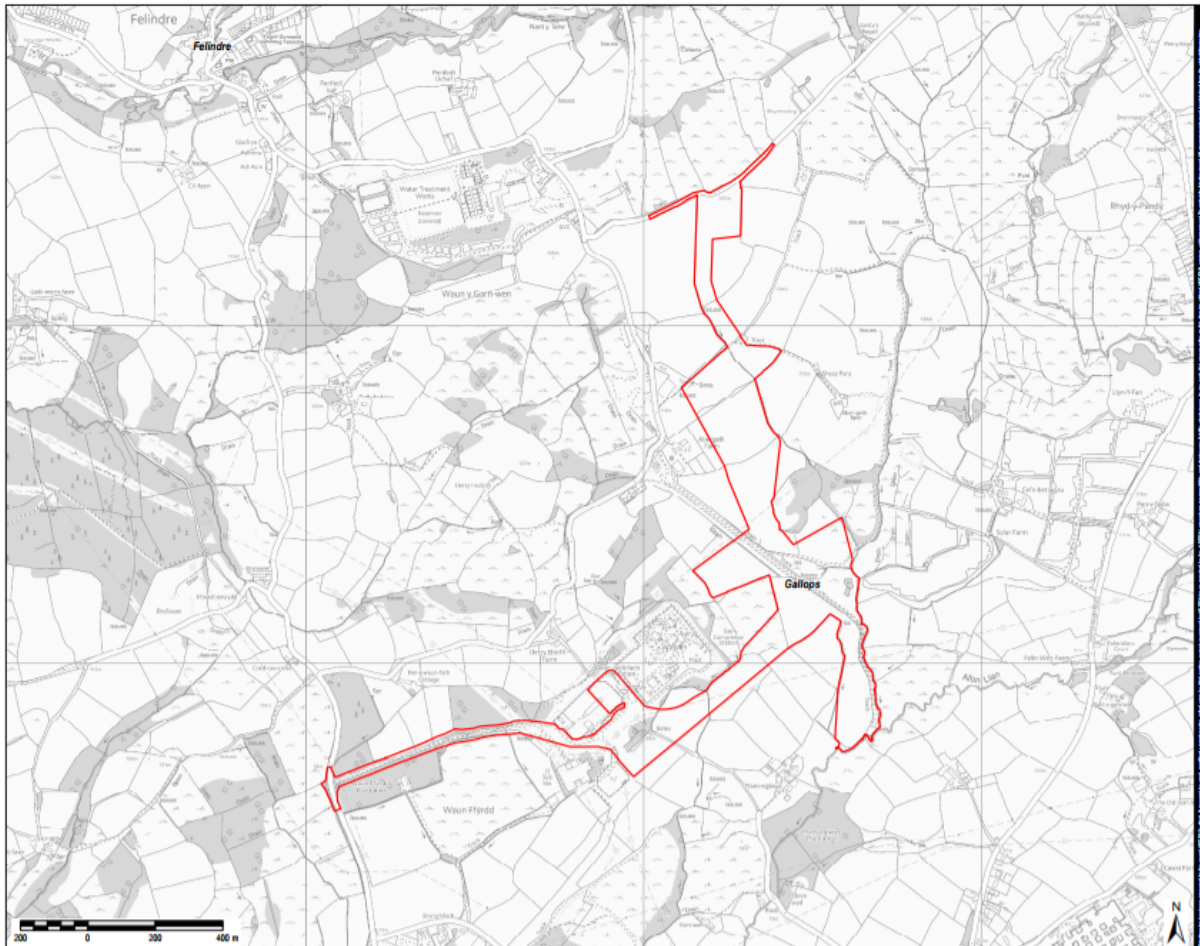
- 1.1 Abergelli Power Limited (APL), a subsidiary business of Drax Group, wishes to build a gas-fired power station on land located at Abergelli Farm, south of Felindre, adjacent to the National Grid Gas Compressor Station and to the north of the M4 motorway.
- 1.2 The Project includes a power generation plant and its electrical and gas connections. The Project would have a rated electrical output of up to 299MW. The power generation plant is designed to provide back-up generation capacity which can operate flexibly to respond quickly and efficiently to both short-term variation in customer demand and intermittent output from renewable power generation. It is anticipated that it will operate for up to 2,250 hours p.a. and 1,500 running hours rolling average over 5 yrs.
- 1.3 Given that the proposal is for a thermal generating station with an electrical output in excess of 50 MW the output, the Project is classified as a Nationally Significant Infrastructure Project, which means that a Development Consent Order (DCO) is required to build, operate and maintain it.
- 1.4 The DCO Application will be examined by the Planning Inspectorate (PINS) who will make a recommendation to the Secretary of State for Business, Energy & Industrial Strategy. The Secretary of State will take a decision on the application on receipt of a recommendation from PINS. PINS take around six months to examine an application once submitted. The process will be similar to that of the Tidal Lagoon DCO, albeit that the proposed technology is more common place than the tidal lagoon and various other 'peaking' plants have been already been granted a DCO (such as Hirwaun, RCT) so the process should be more straightforward in this regard.

- 1.5 An item report was brought to Council in June 2018 seeking delegated powers to provide an adequacy of consultation response. The report was moved with recommendation and the response was subsequently submitted.
- 1.6 The DCO application was accepted by PINS on 21<sup>st</sup> June 2018.
- 1.7 A further item report was brought to Council in August 2018 to note the Council's Relevant Representation. Due to the tight timeframe involved with the DCO process, there was insufficient time to report this Relevant Representation to Committee prior to its submission.
- 1.8 The Council have subsequently received a Rule 6 Letter from the Planning Inspectorate which provides a date for the Preliminary Meeting. This will take place on Wednesday 10<sup>th</sup> October at 10.00am in The Village Hotel, Langdon Road, Swansea. The Principal Planning Officer will attend this meeting with relevant colleagues. The purpose of the Preliminary Meeting is to enable views to be put to the Examining Authority about the way in which the application is to be examined. At this stage, the question is of procedure, and not the merits of the application.
- 1.9 This Preliminary Meeting will be followed in the afternoon by an Issue Specific Hearing into the draft Development Consent Order at 14.00hrs. Again, the Principal Planning Officer will attend this meeting with relevant colleagues, including the Council's Senior Lawyer.
- 1.10 The letter also provides an outline in Annex C of the preliminary timeframe for the examination of the application. The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.
- 1.11 Sections 2, 3 and 4 have not changed since the previous item report but have been included for information purposes and ease of reference.

## **2.0 The Site and its Surroundings:**

- 2.1 The red line boundary of the project, encompassing all the elements proposed and the maximum extent of land over which powers are sought, is shown below.





- 2.2 The land at Abergelli Farm consists of grazing fields for sheep, is divided by hedgerows and is generally flat in a slightly undulating landscape. The site is located within the open countryside and lies approximately 1.5km north west of Morryston Hospital. The western extent of the project site encompasses National Grid's Swansea North electrical substation and Felindre Gas Compressor Station.
- 2.3 The whole of the site is located within the administrative area of the City & County of Swansea. Abergelli Farm is located 2km south east of Felindre, 2.4km north of Llangyfelach and to the north of Junction 46 of the M4 and would be accessed via this junction. The overall farm is approximately 97Ha and is currently used for sheep grazing and horse training/ breeding and there is a planning history associated with these uses. The application site is currently accessed via a network of farm tracks that lead to the B4489 to the south and an unnamed road to the north which leads to Felindre and Rhyd y Pandy.
- 2.4 There are no residential dwellings located within the boundary of the project site. Most of the site is improved grassland but there are areas of marshy grassland in the south eastern part of the Generating Equipment Site. There are parts of a Site of Importance for Nature Conservation (SINC) within the Project Site (Llety Morfil SINC). A block of broadleaved woodland, classed as Ancient Woodland is located in the western portion of the site, surrounding the substation.
- 2.5 The Generating Equipment Site is located primarily within fields used for grazing, bounded by a mixture of drainage ditches, fencing and poor quality

hedgerows with gaps in them. The Generating Equipment Site and the Laydown Area are both crossed by a soft surface horse training track known as 'the gallops' which runs diagonally north-west to south-east. Other features of the area include public footpaths, bridleways and tracks located in and around the Project Site, linking it to the wider area.

- 2.6 The wider surrounding area is generally rural in character although there is a large amount of utilities' infrastructure in the vicinity e.g. gas and water pipelines, electricity pylons and substations, a gas compressor station and a water treatment plant. A large water main also crosses the site. Further afield lies the former Felindre Tin Plate works which is identified as a Strategic Business Park. Several solar farms have been proposed in the surrounding area with several completed and operational.

### **3.0 The Project:**

- 3.1 The Project is a gas-fired 'peaking' plant which is designed to operate when there is a surge in demand for electricity (e.g. where there is a sudden demand in power required by consumers or a sudden drop in power being generated by plants that suffer a breakdown). Peaking plants also help to 'balance out' the grid at times of peak electricity demand and at times when other technologies, such as wind and solar farms, cannot generate electricity due to their reliance on weather conditions and intermittent operation.
- 3.2 The Project Site is approximately 30 ha in area, and is situated on open agricultural land located approximately 2 km north of Junction 46 of the M4 within the administrative boundary of the City and County of Swansea Council.
- 3.3 The Project will involve the combustion of gas to generate electricity. There are three key components to the Project:
- 1) A new Power Generation Plant, in the form of an Open Cycle Gas Turbine. It will have an electrical output of up to 299 MW.

The Power Generation Plant will include:

- Generating Equipment including one Gas Turbine Generator with one exhaust gas flue stack (between 35m and 45m in height); and
- Balance of Plant (BOP), which is all infrastructure required to support the Gas Turbine Generator (together referred to as the 'Generating Equipment') which are located within the 'Generating Equipment Site';
- An Access Road to the Project Site from the B4489 which lies to the west, formed by upgrading an existing access road between the B4489 junction and the Swansea North Substation (the Substation) and constructing a new section of access road from the Substation to the Generating Equipment Site; and
- A temporary construction compound for the storage of materials, plant and equipment as well as containing site accommodation and welfare facilities, temporary car parking and temporary fencing (the Laydown Area). A small area within the Laydown Area will be retained permanently (the Maintenance Compound).



- Ecological Mitigation Area - area for potential reptile translocation and ecological enhancement. Location and area to be confirmed in discussion with NRW and CCS and likely to be commensurate with the extent of mitigation required and within the Project Site Boundary.
  - Permanent parking and drainage to include: a site foul, oily water and surface water drainage system.
- 2) The Gas Connection will be in the form of a new above ground installation (AGI) and underground gas connection (the Gas Pipeline). This is to bring natural gas to the Generating Equipment from the National Gas Transmission System.
  - 3) The Electrical Connection will be an underground electrical cable to export power from the Generating Equipment to the National Grid Electricity Transmission System (NETS).



- 3.4 The proposed application for a Development Consent Order (DCO) will seek consent for all works required for construction, use, operation and maintenance of the Power Generation Plant (including the Access Road and the Laydown Area/Maintenance Compound, which are integral to the NSIP). The Gas Connection and Electrical Connection are considered to be Associated Development within the meaning of the Planning Act 2008.
- 3.5 As the Project is a generating station in Wales below 350 MW, development consent cannot be granted for Associated Development (gas and electricity connections) in the DCO. However, the Gas Connection and the Electrical Connection will be considered and assessed in the Environmental Statement to provide full information on the effects of the Project as a whole.

#### **4.0 Need for the Project:**

- 4.1 There is a considerable national need for this type of project, acknowledged at all levels of Government policy. National planning policy supports the need for

new power stations to replace the current ageing coal fired power plants, many of which are scheduled to close, and also meet expected increasing demand for electricity over the coming decades. The supply of electricity in the UK relies on the generation of electricity from several sources, more traditionally through baseload thermal generation plants such as coal, gas and nuclear. These generators all provide power to keep the national grid at a steady frequency of 50 Hertz (Hz), essential to the smooth operation of electrical equipment throughout the UK. At present, the total capacity of peaking power plants in the UK is relatively small due to the nature of the historic approach to power production in the UK.

- 4.2 There is a clear and significant requirement for further capacity to meet the projected need for reactive/flexible generation in the future, as the methods of power generation diversify. Gas is acknowledged by the Government as having an important role to play in our transition to a low carbon economy, whilst at the same time supporting the country's energy security. In addition, gas peaking plants such as the Project would provide back-up to power generation from renewable sources, particularly wind power, which supply an increasingly important share of the country's electricity demand. Modern gas fired power plants are among the most efficient forms of electricity power generation.
- 4.3 An Environmental Impact Assessment (EIA) of the proposed development will be submitted as part of the suite of documents that accompany the application for development consent. The EIA will examine likely significant environmental effects of the Abergelli Power project. Issues such as noise, air emissions, ecology, visual impact, archaeology and traffic and transport will be considered.
- 4.4 The Abergelli Power project can bring a range of benefits to the area during both construction and operation. Construction will take around two years and will provide job opportunities for approximately 150 skilled and semi-skilled people.
- 4.5 The power plant is expected to have an operational life of at least 25 years during which up to 15 full time employees will be required to support the management and maintenance of the plant.
- 4.6 This investment will also support indirect jobs in the local community in areas such as facility maintenance and other support services. A detailed socio-economic impact study will be submitted as part of the application.

## **5.0 Section 56 Consultation**

- 5.1 APL commenced their S56 Consultation on the 3<sup>rd</sup> July 2018 giving interested parties 28 days to register as an interested party and to provide a 'relevant representation'.
- 5.2 The Council (as Unitary Authority in which the project is located) is already registered as an Interested Party. Given the short timeframe for determination, the Council will also provide a "Relevant Representation" at this stage which will include a summary of issues and comments the Council has on the application submission.



- 5.3 The Council submitted a Relevant Representation under Delegated Powers (attached as an appendix to this report) following internal consultation with the following internal departments:
- Highways
  - Drainage
  - Ecology
  - Landscape Officer
  - Tree Officer
  - PROW Officer
  - Sustainability Officer
  - Urban Design and Conservation
  - Pollution Control
  - Tourism
  - Beyond Bricks and Mortar
  - Economic Development
  - Education
  - Glamorgan Gwent Archaeological Trust (as archaeological advisers to the Council)

## **6.0 Local Impact Report (LIR):**

- 6.1 The relevant Secretary of State has appointed a single Inspector as the 'Examining Authority' to examine the application – Martin Broderick.
- 6.2 The Examining Authority will invite local authorities to submit a LIR in which the Authority should give details of the likely impact of the proposed development upon the Authority's area. The Rule 6 letter (attached as an appendix) provides a Draft Timetable for the examination of the application. In coming to a decision, the Secretary of State must have regard to any LIRs that are submitted by the deadline.
- 6.3 The draft timetable requires the LIR and the Statement of Common Ground to be submitted by the **31<sup>st</sup> October 2018**. The LIR is in the process of being prepared but is still awaiting final comments from some consultees. In addition, meetings are proposed with internal consultees on Thursday 4<sup>th</sup> October to progress the Statement of Common Ground prior to the Preliminary Meeting.
- 6.4 The Council Constitution (A.45) requires that Planning Committee have the delegated authority to submit a LIR and to agree to a Statement of Common Ground. However, the proposed deadline is before the next available Planning Committee.
- 6.5 The Council has therefore written to the Planning Inspectorate in advance of the Preliminary Meeting to advise of this issue and request that the timetable is amended so that the Local Planning Authority has time to report the Local Impact Report and draft Statement of Common Ground to Planning Committee in November before submission. If the Examining Authority agree to this then the these will be reported to the November Planning Committee for authorisation.
- 6.6 If the Examining Authority are unwilling / unable to amend the draft timetable, then the Council are left with 3 options:

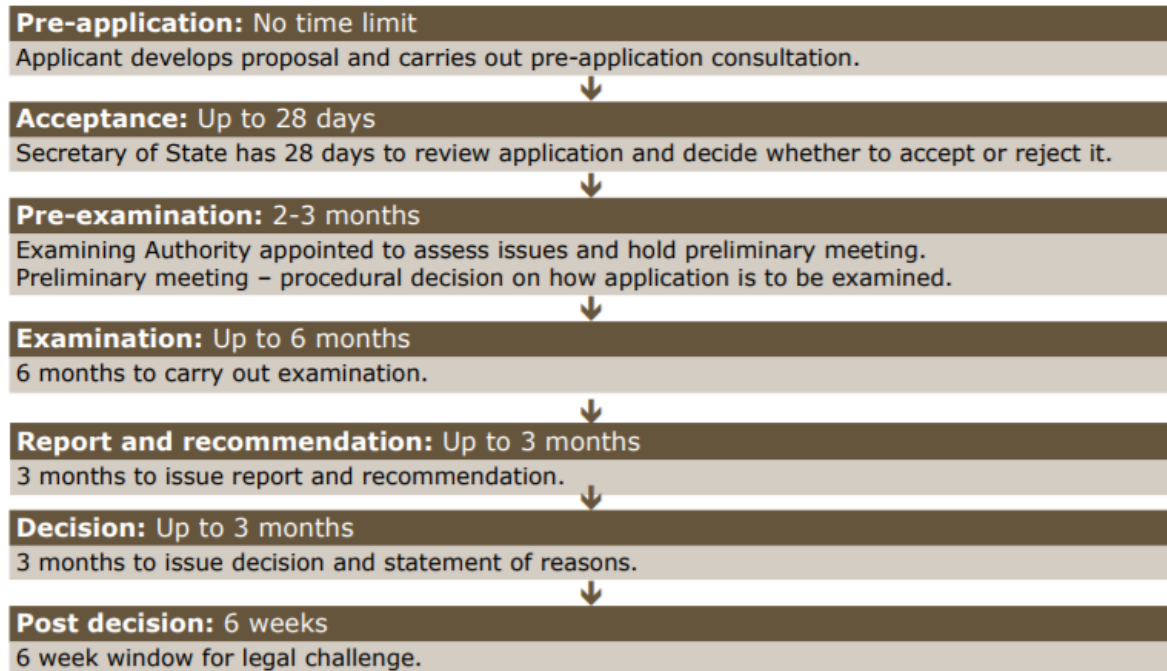
- a) Provide Officers with delegated powers to submit a LIR and agree a Statement of Common Ground by the deadline of 31<sup>st</sup> October 2018
  - b) Convene a Special Planning Committee before the end of October 2018 to consider the LIR and Statement of Common Ground and enable submission by the 31<sup>st</sup> October 2018.
  - c) Submit a LIR and Statement of Common Ground after the deadline following a resolution at Planning Committee in November.
- 6.8 The Examining Authority has to consider any LIR *submitted by the deadline* but do not necessarily have to consider any late submissions so option C should be discounted as it is important to have the comments of the Authority taken into consideration in the decision making process.
- 6.7 The LIR will be based on the Relevant Representation, but will consider in more detail the impacts (negative and positive) of the proposal on the local environment. It is therefore considered that option A or B should be considered further if the Examining Authority do not amend the draft timetable.
- 6.8 If option B is preferred, it is recommended that a Special Planning Committee is convened between 23<sup>rd</sup> and 30<sup>th</sup> October to allow time to amend post Committee and provide sufficient time to prepare the information prior to Committee.
- 6.9 The Council can also provide a written representation by the 31<sup>st</sup> October deadline if it wishes to express a particular view on whether the application should be granted. Again, this written representation would need to be agreed by Members but it is not the intention of Officers to provide a recommendation other than to outline the impacts (positive and negative) within in the LIR and the Relevant Representation that has already been submitted.

## **7.0 Recommendation**

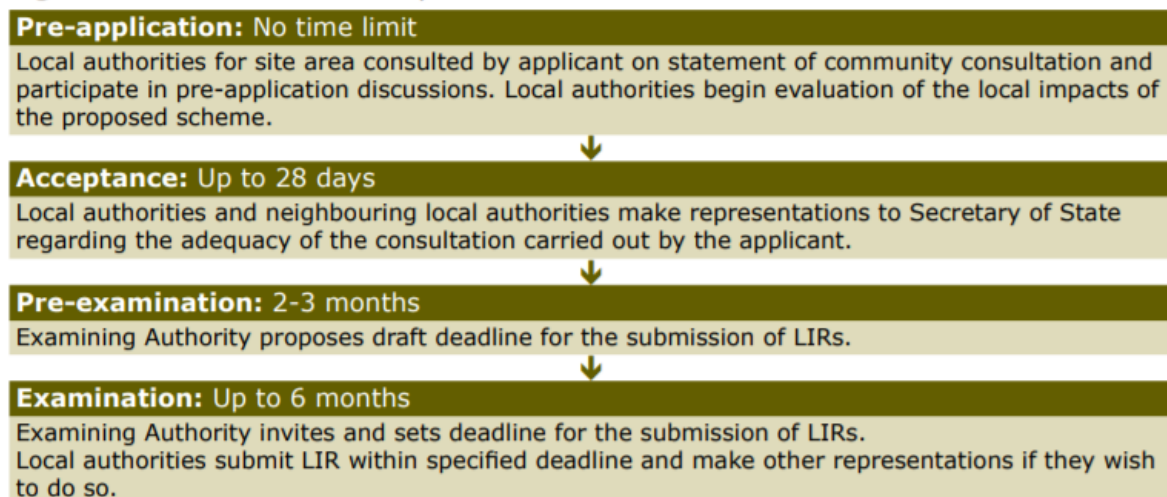
- 7.1 It is recommended that should the Examining Authority extend the deadline for submission until after the November Planning Committee, the Local Impact Report and Statement of Common Ground will be reported to Planning Committee for authorisation. If the deadline is extended as requested, then the recommendation in 7.2 will become obsolete.
- 7.2 If the Examining Authority do not accede to extend the deadline for the LIR and Statement of Common Ground, Members are requested to either provide Officers with Delegated Powers to agree to these items or the convene a Special Planning Committee prior to the 31<sup>st</sup> October deadline (between 23<sup>rd</sup> and 30<sup>th</sup> October).
- 7.3 It is recommended that the Council does not provide an additional Written Representation on the scheme advising whether the Council considers the scheme to be acceptable or otherwise as the Local Impact Report will enable the Examining Authority to clearly view the impacts of the proposal (both positive and negative).

## 8.0 The Process:

**Figure 1** The 2008 Act Process



**Figure 2** How the local authority fits in



## **Relevant Representation of the City and County of Swansea**

### **1. Introduction**

- 1.1 This relevant representation is submitted in accordance with Regulation 4 of the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015
- 1.2 Under the provisions of the 2008 Act (as amended), the City & County of Swansea (CCS) is a “relevant local authority” for the purposes of the examination of the application for a Development Consent Order by Abergelli Power Limited.
- 1.3 As a Unitary Authority, the Council is responding both as Local Planning Authority and Highways Authority for this project which is located within the boundary of CCS.

### **2. Air Quality**

- 2.1 The Council’s main areas of interest have been the effect on local air quality, dust control during construction phase and any potential risks to the water treatment works and are satisfied with the documentation supplied to date.
- 2.2. In principle a point source from this type of operation should not cause any additional issue as long as the chimney height is correctly designed. The modelling reports so far seem adequate. We do have a nitrogen dioxide compliance problem in the county, but it is primarily generated by ground-level vehicle sources, not industrial point sources.
- 2.3 The nearby water treatment works operated by Dwr Cymru is a strategically vital supply source for the whole region – reassurance should be sought that DCWW are satisfied with the measures outlined to protect their operation and distribution network.

### **3. Noise and Vibration**

- 3.1 We have been satisfied by all the documentation supplied so far that issues of routine noise from the operation and noise/ vibration from the construction phase have been addressed. We would normally reserve the right to use our powers under the Control of Pollution act 1974 to deal with any noise enforcement issue if it was urgently required.

### **4. Ecology**

- 4.1 There is no reference to European Eels (EPS) within the documentation. Eels are listed in IUCN UK as a critically endangered species and have been found in nearby areas/ water bodies and it is unclear whether they have been considered in the phase 1 habitat survey as there is no reference to them.

4.2 Concerns are raised about the size of the mitigation ponds within the mitigation area (not the attenuation ponds). Two ponds (2m x 2m) are proposed which are considered too small to mitigate for the loss of the ponds. In addition, they would need to be a minimum of 1.5m deep (to attract amphibians) and consideration should be given to letting them re-vegetate naturally.

4.3 Additional comments include:

- Consideration should be given to boring the pipeline underneath the existing hedgerow rather than removing it to provide for an open trench.
- Pre-construction badger survey recommended - no more than 8 weeks before start of any works
- Swifts were recorded in 2017 surveys hunting over marshy grassland - at least two Stoneyford Swift Towers should be provided by the developer. This could result in a significant biodiversity gain for Swansea, as sightings are very low
- The inclusion of habitat piles where possible for reptiles
- Removing the Pennywort pond by infilling and fencing after new ponds are dug
- Consideration of mitigation for brown hares (a priority species under UK BAP and Section 7)
- Concerns with regards to the proximity of the power plant to the woodland as ground works could change the hydrology within the adjacent woodland leading to possible waterlogging and the loss of important trees.
- Query whether an easement will be required around the power plant for a fire break / security clearance and whether this would result in the removal of trees
- An Arboricultural Impact Assessment should be provide

## **5. Water Quality and Resources**

5.1 Concerns have been raised by the Drainage Officer that their comments on the PEIR remain and haven't been fully addressed. The outline CA and Drainage Strategy were considered broadly acceptable.

5.2 Several on site streams will be altered to enable the development and its access, detailed plans will be needed showing the diversionary routes, gradients, cross sections, any retaining structures and crossings supported by appropriate levels of assessment to demonstrate that the changes will not affect third party land or the development itself.

5.3 In regards to run-off rates, we would be looking for FEH2013 rainfall parameters to be used in preference to FSR or earlier versions of FEH in line with the latest NRW guidance (2016).

## **6. Landscape and Visual Effects**

6.1 The Council considers that the LVIA that has been undertaken is to an acceptable standard and the mitigation strategy is detailed and will inform colour and lighting as well as the planting proposals.

6.2 The landscape mitigation measures proposed, including the species mixes and proposed sites of planting, are considered acceptable and concerns previously raised have been addressed.

## **7. Traffic, Transport and Access**

7.1 The site is proposed to be accessed from the B4489, along the existing access road for the Swansea North sub-station and this is considered suitable for use. An alternate access is to be constructed on Rhyd-y-pandy Road which should be constructed to Highway Authority Standards and Specification.

7.2 The factors used in the Transport Statement have been verified and are correct.

7.3 Estimates of construction traffic are thought to provide a very robust estimate.

7.5 Highways agrees with the assessment on pedestrian routes.

7.7 The model inputs have been checked and there are some issues with the model itself, it must be noted however that the discrepancies within the model will have the effect of over estimation of existing traffic queues. Notwithstanding the above the impact on all legs is minor and temporary in nature, construction traffic can be accommodated within existing infrastructure.

7.8 It is noted that powers are sought in the DCO to enable the temporary stopping up of footpaths. The PROW Officer has suggested some improvements could be undertaken to the network of PROWs within the vicinity of the site to offset some of the adverse impacts in the long term.

## **8. Historic Environment**

8.1 Glamorgan Gwent Archaeological Trust (as advisors to the Council) state that the original conclusions regarding the impact of the proposal on the historic environment. The assessment concludes that the construction and operation of the power plant and the construction of the gas connection, and the electricity connection will not have a direct impact on any known historic assets.

8.2 The assessment also notes that previous archaeological fieldwork undertaken within the study area suggest there is some potential for archaeological features to be present. Mitigatory measures identified are in line with other archaeological projects in the area, and with current professional standards. A detailed Watching Brief would be required as noted in paras 13.8.8 to 13.8.10 of the ES.

## **9. Socio-Economics**

9.1 The Local Authority has no comment to make concerning the socio-economic impact of the proposals at the current time.



## **10. Other Issues**

- 10.1 The Council has no comment to make on waste, public health, health and safety, climate change, major accidents or aviation at the current time.
- 10.2 The Council wish to update the Inspector that the application for Strategic Site G (Northwest of M4 J46, Llangyfelach) has now been submitted and is awaiting validation. This assumes a construction period commencing in 2020.

## **11. Draft Development Consent Order and the Requirements**

### Development Consent Order

- 11.1 The Council considers that there will be a need for negotiation/ further discussion on the matters set out in the draft DCO including specific articles which are not listed below.
- 11.2 Article 42(4) states that if there is no response within an 8 week period, the submission is automatically allowed without condition. It is considered more appropriate for a default position to be that the applicant has a right of appeal for non-determination if the Council has not determined the application within the required timeframes. It is considered that a degree of scrutiny would still be required should an application/ application go beyond the prescribed limit without agreeing an extension of time. See also Schedule 12, Reg 1(2).

### Schedule 1: Authorised Development

- 11.3 Whilst it appears that the temporary Bailey's Bridge (or similar) to cross over the utility apparatus is included within Work No. 3, it does not appear that a permanent bridge has been included (and the relevant parameters included within Table 2 of Schedule 2).

### Schedule 2: Requirements

- 11.4 Requirement 17 – CEMP should also include “out of hours working” procedures. It should be clear in the CEMP what procedures need to be followed to enable this in terms of timeframes and procedure for notifying affected neighbours and/ or the local community. This should be cross-referenced in Requirement 23.
- 11.5 Requirements 18, 19 and 20 – The Council would query whether these requirements are strictly necessary given that they appear to be controlled within Requirement 17 and would result in duplication of work and possible discrepancies.
- 11.6 Requirement 27(2) of the DCO refers to decommissioning but states that this is subject to obtaining the relevant permissions. The current wording of this

requirement could result in the applicant not seeking to obtain the relevant consents and therefore they wouldn't have to comply with this requirement.

- 11.7 The Project has a design life of 25 years and this is stated throughout the Environmental Statement and several management plans are written to last for the duration of the Project. In addition, the project has been designed for this design life, for example in terms of the attenuation requirements for surface water discharge. The Council are therefore of the opinion that there should be a requirement limiting the lifetime of this Order.
- 11.8 The Council are firmly of the belief that a bond should be provided to cover the full cost of decommissioning, repayable upon completion of this element, to ensure that there is funding available to dismantle/ decommission the project in the future. The public purse should not have to pick up the cost in the event of liquidation or otherwise.
- 11.9 The Local Planning Authority will be responsible for discharging, monitoring and enforcing any requirements imposed on the development as well as any planning obligations. There is no provision for charging in this Order which is considered to be a significant oversight in terms of ensuring resources are in place to effectively manage and monitor the development.

#### Schedule 12: Procedure for Discharge of Requirements

- 11.10 This part mentions a limit on the period for asking for further information and restricts to 14 days where the requirement does not specify that consultation is required, and 21 days in any event. This should be amended to 28 days in all situations to give time to consult.

#### S106 Heads of Terms

- 11.11 The proposed S106 Heads is open-ended at the current time and greater clarity prior to a decision would be beneficial. The Council considers that there are other matters that should be included in the obligations to maximise the benefits of the proposal. For example:
- Full details of Education offering
  - Full details of incorporation of Beyond Bricks and Mortar scheme
  - Potential for PROW improvements within the vicinity of the site
  - Provision of Swallow Towers to improve nesting opportunities for Swallows
- 11.12 The Education department would welcome discussions on how we can work together to bring learning opportunities to Swansea pupils.

## **12. Conclusion**

- 12.1 The issues highlighted above will be further considered as part of the Council's Local Impact Report and Written Representation in accordance with the timetable set by the Examining Authority's Rule 8 letter.
- 12.2 Please note that further issues may also be raised depending on future consultation responses received. Notwithstanding the status of CCS in the examination process, the Council respectfully reserves the right to appear at any associated issue-specific or open-floor hearing.



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e-bost: [Abergelli.Power@pins.gsi.gov.uk](mailto:Abergelli.Power@pins.gsi.gov.uk)

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Enw'r derbynnydd  
Cyfeiriad Ilinell 1  
Cyfeiriad Ilinell 2  
Tref  
Sir  
Cod Post

Eich Cyf:  
Ein Cyf: EN010069  
Dyddiad: 12 Medi 2018

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Annwyl Syr/Madam

**Deddf Cynllunio 2008 (fel y'i diwygiwyd) – Adran 88 a Rheolau Cynllunio  
Seilwaith (Gweithdrefn Archwilio) 2010 (fel y'u diwygiwyd) – Rheolau 6 ac  
13**

**Cais gan Abergelli Power Limited am Orchymyn yn Rhoi Caniatâd Cynllunio ar  
gyfer Prosiect Pŵer Abergelli**

**Penodi'r Awdurdod Archwilio**

Ysgrifennaf atoch yn dilyn fy mhenodiad gan yr Ysgrifennydd Gwladol fel Awdurdod  
Archwilio i gynnal archwiliad o'r cais uchod. Gellir gweld copi o'r llythyr penodi yn:  
[Llythyr Rheol 4](#).

Er mwyn sicrhau effeithlonrwydd, dechreuodd yr Awdurdod Archwilio ei arolygiadau  
heb gwmni cyn y Cyfarfod Rhagarweiniol, gan gynnal arolygiadau o dir y gellir mynd  
ato'n gyhoeddus, gan gynnwys priffyrdd a hawliau tramwy cyhoeddus. Ni  
chynhaliwyd unrhyw arolwg ar dir preifat, nid oedd angen caniatâd ymlaen llaw i fynd  
at y tir, ac felly roedd modd cynnal yr arolygiadau hyn heb gwmni. Cynhaliwyd yr  
arolygiad ddydd Mercher, 15 Awst 2018 ac mae nodyn ohono i'w weld yn **Atodiad F**.

**Gwahoddiad i'r Cyfarfod Rhagarweiniol**

Mae'r llythyr hwn yn eich gwahodd i'r Cyfarfod Rhagarweiniol i drafod y weithdrefn  
archwilio ac mae'n cynnwys nifer o atodiadau ategol. Hoffwn ddiolch i'r sawl a  
gyflwynodd Sylwadau Perthnasol. Mae'r sylwadau hyn wedi fy helpu wrth baratoi fy  
nghynigion ynghylch sut i archwilio'r cais hwn.

**Dyddiad y cyfarfod: Dydd Mercher 10 Hydref 2018**

**Seddau ar gael o: 9.30am**

**Y cyfarfod yn dechrau: 10.00am**

Lleoliad:

Gwesty'r Village Hotel, Langdon Road,  
Abertawe, SA1 8QY

Mynediad a pharcio:

- Mae maes parcio rhad ac am ddim ar gael yn y lleoliad

- **Gorsaf Drenau Abertawe 1.1 milltir o'r lleoliad**

Gorsaf y Stryd Fawr, Bws Rhif 25 – Ewch drwy allanfa'r Orsaf Fysiau am Fws Rhif 48 (Arhosfan H) – Ewch drwy allanfa Hen Orsaf yr Heddlu i gerdded 5 munud i'r lleoliad.

- **Stadiwm Liberty 2.2 milltir o'r lleoliad**

Metro Glandŵr (Landore) 4 i'r Orsaf Fysiau (Arhosfan N) – Bws Rhif X3 (Arhosfan F) tuag at Faesteg – Ewch drwy allanfa Hen Orsaf yr Heddlu i gerdded 5 munud i'r lleoliad.

O ystyried nifer ac amllder y llythyrau y mae'n rhaid i'r Arolygiaeth Gynllunio eu hanfon at Bartïon â Buddiant yn ystod archwiliad, nod yr Arolygiaeth Gynllunio fydd cyfathrebu â phobl trwy e-bost lle bynnag y bo modd, gan fod cyfathrebu electronig yn fwy ecogyfeillgar a chost-effeithiol i'r Arolygiaeth Gynllunio fel asiantaeth y Llywodraeth. Os byddwch y gallu derbyn negeseuon trwy e-bost, gofynnwn i chi gadarnhau hyn i ni erbyn **Dyddiad cau 1, ddydd Mercher 24 Hydref 2018**, yn Amserlen yr Archwiliad.

Mae croeso i chi wneud cyfraniadau llafar yn Gymraeg yn ystod y Cyfarfod Rhagarweiniol, os ydych yn dymuno; bydd cyfleusterau cyfieithu ar gael er mwyn i bobl wneud hynny. Gallwch wneud sylwadau ysgrifenedig ac ymateb i gwestiynau ysgrifenedig yn Gymraeg ar unrhyw adeg yn ystod yr archwiliad hefyd.

### Diben y Cyfarfod Rhagarweiniol

Diben y Cyfarfod Rhagarweiniol fydd galluogi rhoi barn i mi ynghylch y ffordd y bydd cais yn cael ei archwilio. Ar hyn o bryd, byddaf yn edrych ar y weithdrefn yn unig, ac nid rhinweddau'r cais. Bydd rhinweddau'r cais yn cael eu hystyried dim ond ar ôl i'r Archwiliad ddechrau, sef wedi i'r Cyfarfod Rhagarweiniol gau.

Rwy'n dymuno cynnal cyfarfod teg, effeithlon ac effeithiol fel y gellir clywed pob safbwynt perthnasol. Fel y cyfryw, rwy'n annog grwpiau o unigolion sydd â safbwyntiau tebyg ynghylch y weithdrefn i ddewis un cynrychiolydd i siarad ar ran y grŵp.

Ceir yr agenda ar gyfer y cyfarfod yn **Atodiad A**. Mae'r agenda wedi'i gosod yn dilyn fy asesiad cychwynnol o'r Prif Faterion sy'n codi o'r cais. Mae'r asesiad hwnnw wedi'i nodi yn **Atodiad B**. O ganlyniad i'r asesiad hwn, rwyf yn dymuno clywed yn y cyfarfod gan yr Ymgeisydd, Partïon â Buddiant, Partïon Statudol ac Awdurdodau Lleol os byddant o'r farn y gallai fod angen newidiadau i'r amserlen ddrafft a nodir yn **Atodiad C**.

Gellir cael gwybodaeth gyfredol am y prosiect a'r Archwiliad yn:

<https://infrastructure.planninginspectorate.gov.uk/cy/projects/abergelli-power/> - tudalen Gymraeg;

<https://infrastructure.planninginspectorate.gov.uk/projects/wales/abergelli-power/> - tudalen Saesneg.

Dyma gyfeiriadau gwefan y prosiect ac oddi yma y byddaf yn trefnu bod copiau o holl gyfathrebiadau a dogfennau'r Archwiliad ar gael i'r cyhoedd yn y dyfodol. Sylwch y bydd yr holl ohebiaeth sy'n cael ei chyhoeddi gan yr Awdurdod Archwilio yn ddwyieithog, ond caiff ymatebion sy'n cael eu derbyn gan y partion ar gael yn yr iaith y cânt eu cyflwyno yn unig. Gallwch ddefnyddio'r tudalennau hyn i olrhain cynnydd yr Archwiliad a gweld yr holl ddogfennau a gohebiaeth berthnasol o'r dolenni a fydd yno. Gan y bydd y broses archwilio'n gwneud defnydd sylweddol o ddogfennau electronig, bydd dod yn gyfarwydd â'r adnodd hwn yn ddefnyddiol.

Os byddwch yn dymuno derbyn hysbysiad drwy e-bost pan fydd dogfennau a gohebiaeth berthnasol yn cael eu cyhoeddi, gallwch gofrestru ar wefan y prosiect er mwyn gwneud hynny.

### **Mynychu'r Cyfarfod Rhagarweiniol**

Os byddwch yn dymuno mynychu'r Cyfarfod Rhagarweiniol, cysylltwch â Hefin Jones, sef y Rheolwr Achos, gan ddefnyddio'r manylion a nodir ar frig y llythyr hwn. Gofynnir i chi gadarnhau hyn erbyn **canol dydd, ddydd Mercher 4 Hydref 2018**.

Bydd o gymorth o ran rheoli'r cyfarfod ac o fudd i bawb os byddwch hefyd:

- Yn dweud wrthym os byddwch yn dymuno siarad yn y cyfarfod ac ynghylch pa eitemau ar yr agenda, gan restru'r pwyntiau yr hoffech eu gwneud; a
- Yn rhoi gwybod i ni am unrhyw ofynion arbennig sydd gennych (e.e. mynediad i'r anabl, dolen glyw ac ati).

Bydd y Cyfarfod Rhagarweiniol yn darparu cyflwyniad defnyddiol i'r broses archwilio. Byddaf yn ei ddefnyddio i wneud penderfyniadau gweithdrefnol a fydd yn effeithio ar bawb sy'n cymryd rhan yn yr Archwiliad. Bydd y cyfarfod yn rhoi cyfle i chi ddweud eich dweud am faterion gweithdrefnol cyn i'r penderfyniadau hyn gael eu cadarnhau. Os ydych yn bwriadu chwarae rhan weithredol yn yr Archwiliad neu os bydd gennych gwestiynau am weithdrefn, bydd yn ddefnyddiol i chi fynychu'r cyfarfod. Fodd bynnag, sylwer na fydd yn ofynnol i chi fynychu'r Cyfarfod Rhagarweiniol er mwyn cymryd rhan yn yr Archwiliad.

Os ydych yn Barti â Buddiant, byddwch yn parhau i allu gwneud sylwadau ysgrifenedig a chymryd rhan mewn unrhyw wrandawiadau a drefnir. Os na fyddwch yn dymuno bod yn Barti â Buddiant mwyach ac os na fyddwch eisiau cymryd rhan yn y broses archwilio, gallwch roi gwybod i'r Rheolwr Achos yn ysgrifenedig.

### **Ar ôl y Cyfarfod Rhagarweiniol**

Ar ôl y Cyfarfod Rhagarweiniol, anfonir llythyr atoch yn nodi'r amserlen ar gyfer yr Archwiliad. Bydd recordiad sain a nodyn o'r cyfarfod yn cael eu cyhoeddi hefyd ar dudalen y prosiect ar y wefan Cynllunio Seilwaith Cenedlaethol.

Bydd gan Bartion â Buddiant yr hawl i ofyn am Wrandawriad Llawn Agored a bydd y personau hynny yr effeithir arnynt gan unrhyw gais am gaffael gorfodol neu feddiant dros dro o'u tir neu eu hawliau yn gallu gofyn am Wrandawriad Caffael Gorfodol.



Cynhelir unrhyw Wrandawiadau yn ymwneud â Materion Penodol eraill yn ôl disgrisiwn yr Awdurdod Archwilio a byddant yn cael eu trefnu os byddaf yn teimlo y byddai ystyried sylwadau llafar yn sicrhau y bydd mater yn cael ei ystyried yn ddigonol. Bydd fy Archwiliad yn cynnwys Sylwadau Ysgrifenedig am y cynnig ac unrhyw sylwadau llafar a wneir yn y gwrandawiadau, yn ogystal ag ystyried dogfennau'r cais, safbwyntiau polisi a chyfreithiol, arolygiadau safleoedd ac unrhyw faterion eraill y byddaf o'r farn eu bod yn berthnasol ac yn bwysig.

Bydd yr holl faterion perthnasol a phwysig yn cael eu hystyried pan fyddaf yn gwneud argymhelliad i'r Ysgrifennydd Gwladol dros Fusnes, Ynni a Strategaeth Ddiwydiannol, a fydd yn gwneud y penderfyniad terfynol yn yr achos hwn.

### **Penderfyniadau gweithdrefnol a wneir gan yr Awdurdod Archwilio o dan adrannau 89(3) a 93(1) Deddf Cynllunio 2008.**

Rwyf wedi gwneud rhai penderfyniadau gweithdrefnol rhagarweiniol sydd wedi'u nodi'n llawn yn **Atodiad E**. Mae un ohonynt yn cynnwys cynnal Gwrandawiad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu drafft. Mae'r hysbysiad ffurfiol o'r Gwrandawiad hwn wedi'i amlinellu yn **Atodiad G** ac mae'r agenda i'w gweld yn **Atodiad H**.

### **Eich statws yn yr Archwiliad**

Anfonwyd y llythyr hwn atoch gan eich bod chi (neu'r corff rydych chi'n ei gynrychioli) yn dod o fewn un o'r categorïau yn a88(3) Deddf Cynllunio 2008.

Os ydych wedi gwneud Sylwadau Perthnasol, os oes gennych fuddiant cyfreithiol yn y tir yr effeithir arno gan y cais, neu os ydych yn Awdurdod Lleol perthnasol (cyfeirnodau sy'n dechrau gydag 'ABER-000', 'ABER-S57' neu '2001'), bydd gennych statws ffurfiol fel Parti â Buddiant yn yr Archwiliad.

Bydd Partion â Buddiant yn derbyn hysbysiadau gan yr Arolygiaeth Gynllunio ynghylch yr Archwiliad trwy gydol y broses a gallant wneud cyflwyniadau ysgrifenedig a llafar ynghylch y cais.

Os ydych yn ymgynghorai rhagnodedig (h.y. yn gorff a nodir yn y rheoliadau perthnasol sy'n ategu Deddf Cynllunio 2008) ond heb wneud unrhyw Sylwadau Perthnasol (cyfeirnod sy'n dechrau gydag 'ABER-SP') ni fyddwch yn Barti â Buddiant fel mater o drefn. Fodd bynnag, yn dilyn y Cyfarfod Rhagarweiniol, cewch gyfle pellach i hysbysu'r Arolygiaeth Gynllunio eich bod yn dymuno cael eich trin fel Parti â Buddiant.

Os nad ydych yn Barti â Buddiant neu'n ymgynghorai rhagnodedig (h.y. yn gorff a nodir yn y rheoliadau perthnasol sy'n ategu Deddf Cynllunio 2008), byddwch wedi derbyn y llythyr hwn oherwydd fy mod eisiau eich gwahodd i'r Cyfarfod Rhagarweiniol fel 'Person arall' oherwydd y bydd wedi ymddangos i mi y gallai'r Archwiliad gael ei lywio gan eich cyfranogiad. Bydd gan 'Bersonau eraill' gyfeirnod sy'n dechrau gydag 'ABER-OP'.

Os nad ydych yn siŵr os ydych yn Barti â Buddiant, cysylltwch â'r Rheolwr Achos, Hefin Jones, gan ddefnyddio'r manylion ar frig y llythyr hwn. Mae gwybodaeth ynghylch statws ffurfiol Partion â Buddiant a sut y gallwch gymryd rhan yn y broses

wedi'i nodi yng Nghyfres Nodiadau Cyngor 8 yr Arolygiaeth Gynllunio ar y wefan Cynllunio Seilwaith Cenedlaethol:

<https://infrastructure.planninginspectorate.gov.uk/cy/legislation-and-advice/advice-notes/> – fersiwn Gymraeg;

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/> – fersiwn Saesneg.

## Dyfarnu Costau

Hefyd, rwyf yn tynnu eich sylw at y posibilrwydd o Ddyfarnu Costau yn erbyn Partion â Buddiant sy'n ymddwyn yn afresymol. Dylech fod yn ymwybodol o'r canllawiau costau perthnasol "Dyfarnu costau; archwilio ceisiadau am orchmynion caniatâd datblygu" sy'n berthnasol i brosiectau Seilwaith Cenedlaethol. Mae'r canllawiau hyn ar gael yn:

<https://infrastructure.planninginspectorate.gov.uk/cy/legislation-and-advice/guidance/> – gwefan Gymraeg;

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/> – gwefan Saesneg.

## Rheoli Gwybodaeth

Mae gan yr Arolygiaeth Gynllunio ymrwymiad i dryloywder. Felly, bydd yr holl wybodaeth a gyflwynir ar gyfer y prosiect hwn (os caiff ei derbyn gan yr Awdurdod Archwilio) ac unrhyw gofnod o gyngor a ddarparwyd, yn cael eu cyhoeddi yn:

<https://infrastructure.planninginspectorate.gov.uk/cy/projects/abergelli-power/> – gwefan Gymraeg;

<https://infrastructure.planninginspectorate.gov.uk/projects/wales/abergelli-power/> – gwefan Saesneg.

Hefyd, gellir gweld holl ddogfennau'r archwiliad yn electronig yn y lleoliadau a restrir yn **Atodiad D**.

Sylwch, er mwyn hwyluso archwiliad effeithiol a theg, rydym o'r farn bod angen cyhoeddi rhywfaint o wybodaeth bersonol. I ddarganfod sut rydym yn ymdrin â'ch gwybodaeth bersonol, darllenwch ein Hysbysiad Preifatrwydd (dolen isod).

Edrychaf ymlaen at weithio gyda'r holl bartion wrth archwilio'r cais hwn.

Yr eiddoch yn gywir

*Martin Broderick*

## Awdurdod Archwilio

### Atodiadau

**A** Agenda ar gyfer y Cyfarfod Rhagarweiniol

<https://infrastructure.planninginspectorate.gov.uk>

- B** Asesiad Cychwynnol o'r Prif Faterion
- C** Amserlen ddrafft ar gyfer archwilio'r cais
- D** Argaeledd dogfennau'r Archwiliad
- E** Penderfyniadau gweithdrefnol a wnaed gan yr Awdurdod Archwilio
- F** Hysbysiad o'r arolygiad digwmni o'r safle a gynhaliwyd ar 15 Awst 2018
- G** Hysbysiad ffurfiol o Wrandawriad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu drafft
- H** Agenda ar gyfer y Gwrandawriad yn ymwneud â Materion Penodol ar 10 Hydref 2018

Nid yw'r cyfathrerbiad hwn yn gyfystyr â chyngor cyfreithiol.  
Edrychwch ar ein [Hysbysiad Preifatrwydd](#) cyn anfon gwybodaeth at yr Arolygiaeth Gynllunio.

Agenda ar gyfer y Cyfarfod Rhagarweiniol

Dyddiad: **Dydd Mercher 10 Hydref 2018**

Cofrestru'n agor o: **09.30am**

Amser Dechrau'r Cyfarfod: **10.00am**

Lleoliad: **Gwesty'r Village Hotel, Langdon Road, Abertawe, SA1 8QY**

<b>09.30am</b>	Cofrestru'n agor
<b>Eitem 1 (10.00am)</b>	Croeso a chyflwyniadau
<b>Eitem 2</b>	Sylwadau'r Awdurdod Archwilio am y broses archwilio
<b>Eitem 3</b>	Asesiad Cychwynnol o'r Prif Faterion – gweler <b>Atodiad B</b>
<b>Eitem 4</b>	Terfynau amser ar gyfer cyflwyno: <ul style="list-style-type: none"> <li>• Sylwadau Ysgrifenedig</li> <li>• Adroddiadau ar yr Effaith Leol</li> <li>• Ymatebion i Gwestiynau Ysgrifenedig yr Awdurdod Archwilio</li> <li>• Datganiadau Tir Cyffredin</li> <li>• Hysbysiadau yn ymwneud â gwrandawiadau</li> <li>• Ceisiadau gweithdrefnol yn ymwneud â'r eitemau hyn a gyflwynwyd i'r Arolygiaeth Gynllunio cyn y Cyfarfod Rhagarweiniol neu erbyn <b>3 Hydref 2018</b>.</li> </ul>
<b>Eitem 5</b>	Gwrandawiadau ac Archwiliad Safle â Chwmni: <ul style="list-style-type: none"> <li>• Dyddiad yr Archwiliad Safle â Chwmni o safle'r cais a'r cyffiniau</li> <li>• Dyddiad Gwrandawriad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu drafft</li> <li>• Dyddiadau a gedwir ar gyfer Gwrandawriad(au) Llawr Agored</li> <li>• Cyfnod amser a gedwir ar gyfer Gwrandawriad yn ymwneud â Materion Penodol</li> <li>• Cyfnod amser a gedwir ar gyfer Gwrandawriad Caffael Gorfodol</li> <li>• Ceisiadau gweithdrefnol yn ymwneud â'r eitemau hyn a gyflwynwyd i'r Arolygiaeth Gynllunio cyn y Cyfarfod Rhagarweiniol neu erbyn <b>3 Hydref 2018</b>.</li> </ul>
<b>Eitem 6</b>	Unrhyw gyflwyniadau sy'n weddill yn ymwneud â materion gweithdrefnol na nodwyd yn yr agenda a gyflwynwyd i'r Arolygiaeth Gynllunio cyn y Cyfarfod Rhagarweiniol neu erbyn <b>3 Hydref 2018</b> .
<b>Eitem 7</b>	<ul style="list-style-type: none"> <li>• Statws a106</li> <li>• Statws y Ceisiadau Cynllunio ar gyfer Cysylltiadau Nwy a Thrydan</li> </ul>

	<ul style="list-style-type: none"><li>• Statws y Drwydded Amgylcheddol</li></ul>
<b>Eitem 8</b>	Unrhyw fater arall
	<b>Cau'r Cyfarfod Rhagarweiniol</b>

**Dalier sylw:** Dylech gofrestru a bod ar gael o ddechrau a thrwy gydol y cyfarfod. Gellir newid yr agenda yn ôl disgresiwn yr Awdurdod Archwilio. Bydd yr Awdurdod Archwilio yn dod â'r cyfarfod i ben cyn gynted ag y bydd yr holl gyfraniadau perthnasol wedi'u gwneud. Os bydd unrhyw faterion ychwanegol i'w trafod neu os bydd cyflwyniadau'n cymryd cyfnod sylweddol o amser, gall yr Awdurdod Archwilio newid trefn eitemau'r agenda a chyflwyno egwylliau yn y trafodion o bosibl.

## **Asesiad Cychwynnol o'r Prif Faterion**

Dyma'r asesiad cychwynnol o'r Prif Faterion sy'n deillio o'r ystyriaeth gan yr Awdurdod Archwilio o ddogfennau'r cais a Sylwadau Perthnasol a dderbyniwyd. Nid yw'n rhestr gynhwysfawr neu gyfyngedig o'r holl faterion perthnasol; rhoddir ystyriaeth i bob mater pwysig a pherthnasol wrth benderfynu ar argymhelliad wedi i'r Archwiliad ddod i ben. Mae cydberthynas a gorgyffwrdd rhwng nifer o'r Prif Faterion a amlinellir isod, a chaiff hyn ei adlewyrchu yn yr Archwiliad Rhestrir y Prif Faterion yn nhrefn yr wyddor ac ni ddylid ystyried bod hyn yn awgrymu trefn yn ôl pwysigrwydd.

### **Caffael Gorfodol, gan gynnwys materion yn ymwneud â'r:**

- Angen i'r tir fod yn destun caffael gorfodol
- Yr angen i sefydlu cais cymhellol er budd y cyhoedd
- Trefniadau ariannol

### **Dyluniad, Cynllun a Gwelededd, gan gynnwys materion yn ymwneud â:**

- Dyluniad yr orsaf bŵer
- Tirweddu a sgrinio

### **Gorchymyn Caniatâd Datblygu, gan gynnwys materion yn ymwneud â:**

- Phwerau a geir drwy'r Gorchymyn Caniatâd Datblygu
- Gofynion
- Darpariaethau amddiffynnol
- Darparu bond ar gyfer datgomisiynu
- Terfyn amser gweithredol ar gyfer Gorsaf Generadu
- Darparu cyllid ar gyfer cyflawni, monitro a gorfodi

### **Effeithiau Economaidd a Chymdeithasol, gan gynnwys materion yn ymwneud â'r:**

- Effaith ar yr economi lleol, gan gynnwys twristiaeth
- Yr effaith ar wasanaethau a chyfleusterau lleol
- Yr effaith ar dai a chyflogaeth, Pentre Felindre
- Malltod eiddo
- A106

### **Asesiad o'r Effaith Amgylcheddol, gan gynnwys materion yn ymwneud ag:**

- Asesu effeithiau posibl y Datblygiad Arfaethedig
- Sŵn a defnyddio trothwyon y Fframwaith Polisi Cynllunio Cenedlaethol/Canllawiau Arfer Cynllunio yng Nghymru
- Effeithiau cronrus
- Mesurau lliniaru

### **Materion Amgylcheddol, gan gynnwys materion yn ymwneud ag:**

- Allyriadau i'r awyr ac ansawdd aer
- Ansawdd dŵr a llifogydd
- Tirwedd ac effeithiau gweledol
- Effeithiau ar iechyd
- Niwsans golau, llwch a dirgryniad
- Anffrwythlonni adnoddau mwynol
- Amodau'r ddaear



**Cynefinoedd, Ecoleg a Chadwraeth Natur, gan gynnwys materion yn ymwneud â'r:**

- Effeithiau ar safleoedd a rhywogaethau a warchodir gan Ewrop a safleoedd a rhywogaethau gwarchoddedig eraill
- Effeithiau ar gynefinoedd a bioamrywiaeth
- Adroddiad Dim Effeithiau Sylweddol a mesurau lliniaru ymgorfforedig

**Amgylchedd Hanesyddol, gan gynnwys materion yn ymwneud â'r:**

- Effeithiau ar asedau treftadaeth a thirweddau hanesyddol

**Gweithredol, gan gynnwys materion yn ymwneud â:**

- Chyfyngiadau ar ddefnyddio peiriannau
- Trwyddedau amgylcheddol
- Cysylltiadau nwy a thrydan
- Darparu gwres a phŵer cyfunedig

**Trafnidiaeth a Thraffig, gan gynnwys materion yn ymwneud â:**

- Symud a phennu llwybrau traffig adeiladu

**Amserlen ddrafft ar gyfer archwilio'r cais**

Mae gan yr Awdurdod Archwilio ddyletswydd i gwblhau archwilio'r cais erbyn diwedd y cyfnod o chwe mis sy'n dechrau ar y diwrnod ar ôl cau'r Cyfarfod Rhagarweiniol.

Bydd fy archwiliad o'r cais yn digwydd yn bennaf trwy ystyried cyflwyniadau ysgrifenedig. Hefyd, bydd yr Awdurdod Archwilio yn ystyried unrhyw sylwadau llafar a wnaed mewn Gwrandawriadau.

Eitem	Materion	Dyddiadau Dyledus
1	<b>Cyfarfod Rhagarweiniol</b>	<b>Dydd Mercher 10 Hydref 2018 am 10:00</b>
2	<b>Gwrandawriad yn ymwneud â Materion Penodol</b> Gwrandawriad yn ymwneud â Materion Penodol ar: <ul style="list-style-type: none"><li>• y Gorchymyn Caniatâd Datblygu drafft</li></ul>	<b>Dydd Mercher 10 Hydref 2018 am 14:00</b>
3	Yr Awdurdod Archwilio yn cyhoeddi: <ul style="list-style-type: none"><li>• Amserlen yr Archwiliad</li><li>• Cwestiynau Ysgrifenedig yr Awdurdod Archwilio</li></ul>	<b>Cyn gynted ag y bo'n ymarferol ar ôl y Cyfarfod Rhagarweiniol</b>
4	<b>Dyddiad cau 1</b>  Dyddiad cau i'r Awdurdod Archwilio dderbyn: <ul style="list-style-type: none"><li>• Sylwadau ar Sylwadau Perthnasol;</li><li>• Crynodebau o'r holl Sylwadau Perthnasol sydd dros 1,500 o eiriau;</li><li>• Sylwadau Ysgrifenedig;</li><li>• Crynodebau o'r holl Sylwadau Ysgrifenedig sydd dros 1,500 o eiriau;</li><li>• Adroddiadau ar yr Effaith Leol gan unrhyw awdurdodau lleol;</li><li>• Datganiadau Tir Cyffredin y gofynnwyd amdanynt gan yr Awdurdod Archwilio;</li><li>• Ymatebion i Gwestiynau Ysgrifenedig yr Awdurdod Archwilio;</li><li>• Sylwadau ar ddogfennau'r cais a ddiweddarwyd;</li><li>• Ymatebion i wybodaeth bellach y mae'r Awdurdod Archwilio wedi gofyn amdani;</li></ul>	<b>Dydd Mercher 31 Hydref 2018</b>

	<ul style="list-style-type: none"> <li>• Cyflwyniadau ôl-wrandawriad, gan gynnwys cyflwyniadau ysgrifenedig o achosion llafar;</li> <li>• Hysbysiad o ddymuniad i siarad mewn unrhyw Wrandawriad yn ymwneud â Materion Penodol dilynol;</li> <li>• Hysbysiad o ddymuniad i siarad mewn Gwrandawriad Caffael Gorfodol;</li> <li>• Hysbysiad o ddymuniad i wneud sylwadau llafar mewn Gwrandawriad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu drafft (yn ôl y gofyn);</li> <li>• Hysbysiad o ddymuniad i siarad mewn Gwrandawriad Llawr Agored;</li> <li>• Darparu lleoliadau awgrymedig a chyfiawnhad dros arolygiadau safle i'w hystyried gan yr Awdurdod Archwilio;</li> <li>• Hysbysiad o ddymuniad i gymryd rhan mewn Arolygiad Safle â Chwmni.</li> </ul>	
<p><b>5</b></p>	<p><b>Dyddiad cau 2</b></p> <p>Dyddiad cau i'r Awdurdod Archwilio dderbyn:</p> <ul style="list-style-type: none"> <li>• Sylwadau ar Sylwadau Ysgrifenedig ac ymatebion i sylwadau ar Sylwadau Perthnasol;</li> <li>• Sylwadau ar Adroddiadau ar yr Effaith Leol;</li> <li>• Sylwadau ar ymatebion i Gwestiynau Ysgrifenedig yr Awdurdod Archwilio;</li> <li>• Gorchymyn Caniatâd Datblygu drafft diwygiedig gan yr Ymgeisydd;</li> <li>• Sylwadau ar unrhyw wybodaeth/cyflwyniadau ychwanegol a dderbyniwyd erbyn Dyddiad cau 1;</li> <li>• Ymatebion i wybodaeth bellach y mae'r Awdurdod Archwilio wedi gofyn amdani erbyn y dyddiad cau hwn.</li> </ul>	<p><b>Dydd Mercher 14 Tachwedd 2018</b></p>

<b>6</b>	<b>Gwrandawriad CA</b> Dyddiad a gedwir i gynnal Gwrandawriad CA1.	<b>Dydd Mercher 12 Rhagfyr 2018 am 10:00</b>
<b>7</b>	<b>Gwrandawriad Llawr Agored</b> Dyddiad a gedwir ar gyfer Gwrandawriad Llawr Agored	<b>Dydd Mercher 12 Rhagfyr 2018 am 19:00</b>
<b>8</b>	<b>Gwrandawriad yn ymwneud â Materion Penodol</b> Dyddiad a gedwir ar gyfer unrhyw Wrandawriad yn ymwneud â Materion Penodol 2/3.	<b>Dydd Iau 13 Rhagfyr 2018 am 10:00</b>
<b>9</b>	<b>Arolygiad Safle â Chwmni</b> Dyddiad a gedwir i gynnal Arolygiad Safle â Chwmni (yn ôl yr angen).	<b>Dydd Gwener 14 Rhagfyr 2018 am 9:00</b>
<b>10</b>	<b>Dyddiad cau 3</b> Dyddiad cau i'r Awdurdod Archwilio dderbyn: <ul style="list-style-type: none"><li>• Cyflwyniadau ôl-wrandawriad, gan gynnwys cyflwyniadau ysgrifenedig o achosion llafar;</li><li>• Ymatebion i wybodaeth bellach y mae'r Awdurdod Archwilio wedi gofyn amdani</li><li>• Sylwadau ar unrhyw wybodaeth/cyflwyniadau ychwanegol a dderbyniwyd erbyn Dyddiad cau 2.</li></ul>	<b>Dydd Gwener 21 Rhagfyr 2018</b>
<b>11</b>	Yr Awdurdod Archwilio yn cyhoeddi: <ul style="list-style-type: none"><li>• Cwestiynau Ysgrifenedig Pellach yr Awdurdod Archwilio (yn ôl yr angen);</li><li>• Ymgynghoriad yr Awdurdod Archwilio ar y Gorchymyn Caniatâd Datblygu drafft (yn ôl yr angen).</li></ul>	<b>Dydd Gwener 11 Ionawr 2019</b>
<b>12</b>	<b>Dyddiad cau 4</b> Dyddiad cau i'r Awdurdod Archwilio dderbyn: <ul style="list-style-type: none"><li>• Ymatebion i wybodaeth bellach y mae'r Awdurdod Archwilio wedi gofyn amdani erbyn y dyddiad cau hwn;</li></ul>	<b>Dydd Gwener 25 Ionawr 2019</b>

	<ul style="list-style-type: none"> <li>• Unrhyw Ddatganiadau Tir Cyffredin diwygiedig/cyffredol;</li> <li>• Gorchymyn Caniatâd Datblygu drafft yr Ymgeisydd;</li> <li>• Sylwadau ar unrhyw wybodaeth/cyflwyniadau ychwanegol a dderbyniwyd erbyn Dyddiad cau 3.</li> </ul>	
<b>13</b>	<p><b>Dyddiad cau 5</b></p> <p>Dyddiad cau i'r Awdurdod Archwilio dderbyn:</p> <ul style="list-style-type: none"> <li>• Ymatebion i Gwestiynau Ysgrifenedig Pellach yr Awdurdod Archwilio (yn ôl yr angen);</li> <li>• Sylwadau ar Orchymyn Caniatâd Datblygu drafft diwygiedig yr Ymgeisydd;</li> <li>• Sylwadau ar Adroddiad ar y Goblygiadau ar gyfer Safleoedd yn Ewrop yr Awdurdod Archwilio (yn ôl yr angen);</li> <li>• Ymatebion i wybodaeth bellach y mae'r Awdurdod Archwilio wedi gofyn amdani erbyn y dyddiad cau hwn;</li> <li>• Gorchymyn Caniatâd Datblygu dewisol yr Ymgeisydd yn adroddiad dilysu templed yr Offeryn Statudol;</li> <li>• Sylwadau ar unrhyw wybodaeth/cyflwyniadau ychwanegol a dderbyniwyd erbyn Dyddiad cau 4.</li> </ul>	<b>Dydd Gwener 1 Chwefror 2019</b>
<b>14</b>	<p><b>Gwrandawriad yn ymwneud â Materion Penodol (yn ôl yr angen)</b></p> <p>Dyddiad a gedwir ar gyfer unrhyw Wrandawriad yn ymwneud â Materion Penodol 4.</p>	<b>Dydd Mawrth 26 a Dydd Mercher 27 Chwefror 2019</b>
<b>15</b>	<p>Yr Awdurdod Archwilio yn cyhoeddi:</p> <ul style="list-style-type: none"> <li>• Gorchymyn Caniatâd Datblygu drafft yr Awdurdod Archwilio (yn ôl yr angen);</li> <li>• Adroddiad ar y Goblygiadau ar gyfer Safleoedd</li> </ul>	<b>Dydd Llun 11 Mawrth 2019</b>

	yn Ewrop (yn ôl yr angen).	
<b>16</b>	<p><b>Dyddiad cau 6</b></p> <p>Dyddiad cau i'r Awdurdod Archwilio dderbyn:</p> <ul style="list-style-type: none"> <li>• Cyflwyniadau ôl-wrandawriad, gan gynnwys cyflwyniadau ysgrifenedig o achosion llafar;</li> <li>• Unrhyw Ddatganiadau Tir Cyffredin diwygiedig/cyffredol;</li> <li>• Ymatebion i wybodaeth bellach y mae'r Awdurdod Archwilio wedi gofyn amdani erbyn y dyddiad cau hwn;</li> <li>• Sylwadau ar unrhyw wybodaeth/cyflwyniadau ychwanegol a dderbyniwyd erbyn Dyddiad cau 5.</li> </ul>	<b>Dydd Mercher 6 Mawrth 2019</b>
<b>17</b>	<p><b>Dyddiad cau 7</b></p> <p>Dyddiad cau i'r Awdurdod Archwilio dderbyn:</p> <ul style="list-style-type: none"> <li>• Sylwadau ar Orchymyn Caniatâd Datblygu drafft yr Awdurdod Archwilio (yn ôl yr angen);</li> <li>• Ymatebion i wybodaeth bellach y mae'r Awdurdod Archwilio wedi gofyn amdani;</li> <li>• Ymatebion i wybodaeth bellach y mae'r Awdurdod Archwilio wedi gofyn amdani erbyn y dyddiad cau hwn;</li> <li>• Sylwadau ar unrhyw wybodaeth/cyflwyniadau ychwanegol a dderbyniwyd erbyn Dyddiad cau 6;</li> <li>• Gorchymyn Caniatâd Datblygu terfynol i'w gyflwyno gan yr Ymgeisydd yn y templed Offeryn Statudol gydag adroddiad dilysu templed yr Offeryn Statudol.</li> </ul>	<b>Dydd Mercher 20 Mawrth 2019</b>
<b>18</b>	Cedwir ar gyfer cyhoeddi unrhyw gais am wybodaeth bellach o dan Reol 17	<b>Dydd Llun 27 Mawrth 2018</b>
<b>19</b>	<p>Dyddiad cau ar gyfer:</p> <ul style="list-style-type: none"> <li>• Unrhyw ymatebion i geisiadau o dan Reol 17</li> <li>• Unrhyw ymatebion i'r Adroddiad ar y</li> </ul>	<b>Dydd Mercher 3 Ebrill</b>

	Goblygiadau ar gyfer Safleoedd yn Ewrop (yn ôl yr angen).	
<b>20</b>	Mae gan yr Awdurdod Archwilio ddyletswydd i orffen archwilio'r cais erbyn diwedd y cyfnod o 6 mis sy'n dechrau'r diwrnod ar ôl i'r Cyfarfod Rhagarweiniol ddod i ben.	<b>Dydd Iau 11 Ebrill 2019</b>

### Dyddiadau Cyhoeddi

Cyhoeddir yr holl wybodaeth a dderbynnir ar wefan y prosiect cyn gynted ag y bo'n ymarferol ar ôl y dyddiad cau ar gyfer cyflwyno. Bydd Llyfrgell yr Archwiliad yn cael ei diweddarau drwy gydol yr Archwiliad a gellir ei gweld drwy dudalennau'r prosiect isod. Rhoddir cyfeirnod unigryw i bob dogfen. Bydd y cyfeirnodau hyn yn cael eu defnyddio gan yr Awdurdod Archwilio yn ystod yr Archwiliad.

<https://infrastructure.planninginspectorate.gov.uk/cy/projects/abergelli-power/> – gwefan Gymraeg;  
<https://infrastructure.planninginspectorate.gov.uk/projects/wales/abergelli-power/> – gwefan Saesneg.

### Agendâu Gwrandawiadau

Sylwer y byddwn yn anelu at gyhoeddi agenda drafft manwl ar gyfer pob gwrandawriad ar wefan y prosiect o leiaf bum diwrnod gwaith cyn dyddiad y gwrandawriad; ond mae'n bosibl y bydd yr union agenda ar ddiwrnod pob gwrandawriad yn newid yn ôl disgrisiwn yr Awdurdod Archwilio.

### Adroddiad ar y Goblygiadau ar gyfer Safleoedd yn Ewrop

Pan fydd yr ymgeisydd wedi darparu Adroddiad Dim Effeithiau Sylweddol neu Adroddiad Asesiad Rheoliadau Cynefinoedd gyda'r cais am Orchymyn Caniatâd Datblygu, mae'n bosibl y bydd yr Awdurdod Archwilio yn penderfynu cyhoeddi Adroddiad ar y Goblygiadau ar gyfer Safleoedd yn Ewrop yn ystod yr Archwiliad. Mae'r Adroddiad ar y Goblygiadau ar gyfer Safleoedd yn Ewrop yn gyfrif ffeithiol o'r wybodaeth a'r dystiolaeth a ddarparwyd i'r Awdurdod Archwilio ar faterion yn ymwneud â'r Asesiad Rheoliadau Cynefinoedd yn ystod yr Archwiliad hyd at ddyddiad cyhoeddi'r Adroddiad ar y Goblygiadau ar gyfer Safleoedd yn Ewrop, er mwyn galluogi'r Ysgrifennydd Gwladol, fel awdurdod cymwys, i ymgymryd â'i Asesiad Rheoliadau Cynefinoedd. Nid barn yr Awdurdod Archwilio ar faterion yn ymwneud â'r Asesiad Rheoliadau Cynefinoedd ydyw. Gwahoddir sylwadau ar yr Asesiad Rheoliadau Cynefinoedd gan yr Awdurdod Archwilio a bydd unrhyw sylwadau a dderbynnir yn cael eu hystyried fel rhan o Argymhelliad yr Awdurdod Archwilio i'r Ysgrifennydd Gwladol perthnasol.

Gall yr Ysgrifennydd Gwladol ddibynnu ar yr ymgynghoriad ar yr Adroddiad ar y Goblygiadau ar gyfer Safleoedd yn Ewrop i fodloni ei rwymedigaethau o dan Reoliad 63(3) y Rheoliadau Cynefinoedd a/neu Reoliad 28 y Rheoliadau Morol oddi ar yr Arfordir.



**Argaeledd dogfennau'r Archwiliad**

Bydd holl ddogfennau'r cais, gan gynnwys Sylwadau Perthnasol a dogfennau'r cais, ar gael ar y wefan Cynllunio Seilwaith Cenedlaethol:

<https://infrastructure.planninginspectorate.gov.uk/cy/projects/abergelli-power/>

– gwefan Gymraeg;

<https://infrastructure.planninginspectorate.gov.uk/projects/wales/abergelli-power/> – gwefan Saesneg.

Gellir gweld dogfennau'n electronig yn y lleoliadau canlynol. Sylwer, mae'n bosibl y bydd angen i chi ddod â rhyw fath o brawf adnabod ar gyfer defnyddio'r cyfrifiadur yn y lleoliadau hyn.

**Lleoliadau Adneuo Electronig:**

<b>Awdurdod Lleol</b>	<b>Llyfrgell/ Cyfeiriad</b>	<b>Oriau Agor</b>
Cyngor Abertawe	Llyfrgell Clydach  54-56 Stryd Fawr, Clydach, Abertawe SA6 5LN	Dydd Llun – 9.30-17.30 Dydd Mawrth – 9.30-17.30 Dydd Mercher – 9.30-17.30 Dydd Iau – 9.30-17.30 Dydd Gwener – 9.30-18.30 Dydd Sadwrn – 9.30-16.30 Dydd Sul – Ar gau
Cyngor Abertawe	Llyfrgell Treforys  Heol Treharne, Treforys, Abertawe, SA6 7AA	Dydd Llun – 9.00-18.00 Dydd Mawrth – 9.00-18.00 Dydd Mercher – 9.00-18.00 Dydd Iau – 9.00-18.00 Dydd Gwener – 9.00-18.00 Dydd Sadwrn – 9.00-17.00 Dydd Sul – Ar gau
Cyngor Abertawe	Llyfrgell Ganolog Abertawe  Y Ganolfan Ddinesig, Heol Ystumllwynarth, Abertawe, SA1 3SN	Dydd Llun – Ar gau Dydd Mawrth – 8.30-20.00 Dydd Mercher – 8.30-20.00 Dydd Iau – 8.30-20.00 Dydd Gwener – 8.30-20.00 Dydd Sadwrn – 10.00-16.00 Dydd Sul – 10.00-16.00
<b>Costau Argraffu</b>	<b>Du a Gwyn</b>	<b>Lliw</b>
<b>A4</b>	20c	70c
<b>A3</b>		
<b>Dolen i holl leoliadau llyfrgelloedd y cyngor:</b>		
<a href="http://www.abertawe.gov.uk/llyfrgellclydach">http://www.abertawe.gov.uk/llyfrgellclydach</a>		
<a href="http://www.abertawe.gov.uk/llyfrgelltreforys">http://www.abertawe.gov.uk/llyfrgelltreforys</a>		
<a href="http://www.abertawe.gov.uk/llyfrgellganolog">http://www.abertawe.gov.uk/llyfrgellganolog</a>		

## Penderfyniadau gweithdrefnol a wnaed gan yr Awdurdod Archwilio

Mae'r Awdurdod Archwilio wedi gwneud y penderfyniadau gweithdrefnol canlynol o dan Adran 89(3) Deddf Cynllunio 2008:

### 1. Datganiadau Tir Cyffredin

O ran rhai o'r Prif Faterion a nodir yn **Atodiad B**, byddai o gymorth i'r Awdurdod Archwilio pe gellir paratoi Datganiadau Tir Cyffredin rhwng yr Ymgeisydd a rhai Partion â Buddiant penodol. Felly, mae'r amserlen ddrafft ar gyfer yr Archwiliad yn darparu dyddiad cau ar gyfer cyflwyno Datganiadau Tir Cyffredin – **erbyn Dyddiad cau 1, sef dydd Iau 31 Hydref 2018.**

Nod Datganiad Tir Cyffredin yw cytuno ar wybodaeth ffeithiol a hysbysu'r Awdurdod Archwilio a phob parti arall drwy nodi lle y ceir cytundeb a lle y ceir gwahaniaethau, yn gynnar yn y broses archwilio. Dylai roi ffocws ac arbed amser drwy nodi materion nad ydynt yn destun anghydfod neu le nad oes angen iddynt fod yn destun tystiolaeth bellach. Hefyd, gall nodi'n ddefnyddiol ble a pham y gallai fod anghytundeb ynghylch dehongliad a pherthnasedd y wybodaeth. Wedyn, gellir ymhelaethu ar y rhesymau dros wahaniaethau a dehongli goblygiadau gwahaniaethau yn y dystiolaeth. Oni nodir neu y cytunir fel arall, dylai'r Datganiad Tir Cyffredin gael ei gytuno rhwng yr ymgeisydd a'r parti neu'r partion perthnasol eraill â buddiant, a dylai'r ymgeisydd ei gyflwyno.

Gofynnir i'r Datganiadau Tir Cyffredin gael eu paratoi gan:

e.e. Datganiad Tir Cyffredin â Sefydliad

- A. **Datganiad Tir Cyffredin gyda Dinas a Sir Abertawe** i gynnwys:
  - Statws y Cais Cynllunio ar gyfer Cysylltiad Nwy o dan y Ddeddf Cynllunio Gwlad a Thref
  - Statws y Cais am Gysylltiad Trydan o dan y Ddeddf Cynllunio Gwlad a Thref
  - Cytundeb A106
  - Bond datgomisiynu
  - Darpariaeth y Gorchymyn Caniatâd Datblygu ar gyfer cyflawni, monitro a gorfodi
- B. **Datganiad Tir Cyffredin â Cyfoeth Naturiol Cymru (CNC)** i gynnwys:
  - Adroddiad Dim Effeithiau Sylweddol
  - Ardal Lliniaru Ecolegol
  - Statws y Drwydded Amgylcheddol
  - Gorchymyn Caniatâd Datblygu
- C. **Datganiad Tir Cyffredin â Dŵr Cymru Cyfyngedig** i gynnwys:
  - Darpariaethau amddiffynnol
  - Ansawdd dŵr

Dylai'r Datganiadau Tir Cyffredin gynnwys y pynciau canlynol, os byddant yn berthnasol:

- Methodoleg ar gyfer Asesu'r Effeithiau Amgylcheddol, gan gynnwys asesiad o effeithiau cronus
- Dulliau casglu data
- Data sylfaenol
- Dadansoddiad data/ystadegol, dull o fodelu a chyflwyno canlyniadau (gan gynnwys methodolegau rhagamcanu)
- Mynegiant llawn o ddyfarniadau a rhagdybiaethau arbenigol
- Amlygu a nodi sensitifrwydd nodweddion perthnasol a meintioli'r effaith bosibl
- Effeithiau tebygol (uniongyrchol ac anuniongyrchol) ar nodweddion o ddiddordeb arbennig mewn safleoedd a ddynodir neu a hysbysir ar gyfer unrhyw ddiben cadwraeth natur
- Mesurau lliniaru posibl a chyflawnadwy a dull o sicrhau mesurau lliniaru tebyg o fewn y Gorchymyn Caniatâd Datblygu

## **2. Dogfennau'r cais ar ôl cyflwyno**

Ar ôl derbyn y cais ar 21 Mehefin 2018, cyflwynodd yr Ymgeisydd, ar 6 Awst 2018, y dogfennau cais diwygiedig i'r Arolygiaeth:

- Updated Book of Reference v1\_CLEAN (AS-002)
- Updated Book of Reference v1\_TRACKED (AS-003)

Derbyniwyd y dogfennau hyn i'r Archwiliad yn ffurfiol gan yr Awdurdod Archwilio, ac fe'u cyhoeddwyd ar dudalennau'r prosiect ar ein gwefan.

## **3. Gwrandawriad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu drafft**

Rwyf wedi gwneud penderfyniad gweithdrefnol i gynnal Gwrandawriad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu drafft **ddydd Mercher 10 Hydref 2018 am 2.00pm**. Trefnwyd y gwrandawriad hwn ar yr un diwrnod â'r Cyfarfod Rhagarweiniol er mwyn sicrhau y caf gyfle cynnar yn y broses archwilio i drafod y Gorchymyn Caniatâd Datblygu â'r Ymgeisydd a Phartion â Buddiant. Mae'r hysbysiad ffurfiol o'r gwrandawriad hwn i'w weld yn **Atodiad G** i'r llythyr hwn. Mae'r agenda i'w gweld yn **Atodiad H** i'r llythyr hwn.

At ddibenion Rheol 13(1) a (6) Rheolau Cynllunio Seilwaith (Gweithdrefn Archwilio) 2010 (fel y'u diwygiwyd), y cyfnod heb fod yn llai na 21 diwrnod erbyn pryd y mae'n rhaid i mi ddarparu hysbysiad o'r gwrandawriad ac mae'n rhaid i'r Ymgeisydd gyhoeddi hysbysiad cyhoeddus a hysbysebu trefniadau'r gwrandawriad yw dim hwyrach na **dydd Mercher 19 Medi 2018**. Mae'r dyddiad hwn cyn dechrau'r Archwiliad, ond mae'n sicrhau y rhoddwyd y cyfnod hysbysu statudol gofynnol o 21 diwrnod ar gyfer y gwrandawriad hwn.

Oherwydd y bydd y Gwrandawriad yn ymwneud â Materion Penodol yn dechrau'n fuan wedi hynny yn y prynhawn, rwyf wedi penderfynu hefyd y

dylai unrhyw un sy'n bwriadu cymryd rhan yn y Gwrandawriad hwn roi gwybod i'r Rheolwr Achos ei fod/bod yn bwriadu bod yn bresennol erbyn **canol dydd, 3 Hydref 2018**, fel y cynghorir yn **Atodiad G**.

**Cofnod yr Awdurdod Archwilio o Arolygiadau Safleoedd Di-gwmni y mae'r Cais neu'r Materion Penodedig yn ymwneud â hwy**

**Cais gan Abergelli Power Limited ar gyfer Prosiect Pŵer Abergelli**

**Cofnod yr Awdurdod Archwilio o Arolygiad Digwmni o Safleoedd y mae'r Cais neu Faterion Penodedig yn Ymwneud â nhw**

Cynhaliodd yr Arolygydd Archwilio, sef Martin Broderick (yr unigolyn a benodwyd yn Awdurdod Archwilio (y cyfeirir ato fel "yr Awdurdod Archwilio" o hyn allan) ar gyfer cais Prosiect Pŵer Abergelli), yr arolygiad ddydd Mercher 15 Awst 2018.

Cynhaliwyd yr arolygiadau mewn car ac ar droed ar ffyrdd a llwybrau troed cyhoeddus. Cynlluniwyd llwybr ar sail ystyried y materion a godwyd mewn Cynrychiolaethau Perthnasol, gan alluogi'r Awdurdod Archwilio i gael golygfeydd o Brosiect Pŵer Abergelli.

Er mwyn sicrhau effeithlonrwydd, dechreuodd yr Awdurdod Archwilio ei arolygiadau digwmni cyn y Cyfarfod Rhagarweiniol, gan gynnal arolygiadau o dir a oedd ar gael i'r cyhoedd, gan gynnwys priffyrdd a hawliau tramwy cyhoeddus. Ni chynhaliwyd unrhyw arolygiadau ar dir preifat; nid oedd angen caniatâd o flaen llaw i gael mynediad i dir, ac felly gellid cynnal yr arolygiadau hyn yn ddigwmni.

Cynhaliwyd yr arolygiadau i weld safle arfaethedig y cais fel y'i dangoswyd ar y Cynlluniau Tir [APP-057]. Arolygwyd darpar leoliadau o fewn lleoliad y cynigion datblygu yn y cais hefyd.

Cofnodir yr arolygiadau digwmni yn y nodyn hwn, a fwriadwyd i:

- hysbysu'r Ymgeisydd, partion â buddiant ac unigolion eraill am gamau gweithredu a gymerwyd eisoes gan yr Awdurdod Archwilio; ac
- i alluogi'r Ymgeisydd, partion â buddiant ac unigolion eraill i ystyried pa safleoedd ychwanegol y gallai fod angen i'r Awdurdod Archwilio eu harolygu.

**Mae'n bosibl y bydd angen arolygiadau safle ychwanegol.** Bydd y rhaglen arolygu safle yn cael ei thrafod yn y Cyfarfod Rhagarweiniol i'w gynnal ar 10 Hydref 2018. Bydd yr Ymgeisydd, Partion â Buddiant ac unigolion eraill yn cael cyfle i annerch yr Awdurdod Archwilio ynglŷn â'r ymagwedd y dylai ei defnyddio tuag at gynnal arolygiadau safle ac i enwebu lleoliadau arolygu safle. Rhoddir cyfle i gynnig arolygiadau o dir preifat gyda chwmni, os bydd angen.

Cyn cytuno ar arolygiad safle mewn lleoliad penodol, bydd yr Awdurdod Archwilio'n ystyried i ba raddau y mae angen ymweld â safle a enwebwyd ar gyfer ei arolygu er mwyn rhoi gwybodaeth iddo am y cais.

**Manylion yr Arolygiad**

Cynhaliwyd yr arolygiad digwmni gan yr Awdurdod Archwilio: yr Arolygydd Archwilio Martin Broderick. Diben yr ymweliad oedd i'r Awdurdod Archwilio ymglyfarwyddo â safle'r cais a'i amgylchedd, ac ardal yr astudiaeth asesu'r effaith dirweddol a gweledol y cyfeiriwyd ati ym Mhennod 11 y Datganiad Amgylcheddol ac a ddangoswyd ar Ffigurau Effeithiau Tirweddol a Gweledol 11.1 – 11.9 [APP-028; APP-024; APP-047].

### **Prynhawn 15 Awst 2018**

Cynhaliwyd yr arolygiad mewn car ac ar droed ar 15 Awst 2018. Roedd y tywydd yn gymylog gyda chawodydd ysbeidiol; roedd yn ddigonol i werthfawrogi golygfeydd byr a chanolig tuag at y datblygiad arfaethedig o bob un o'r lleoliadau a arolygwyd. Roedd perthi yn eu llawn dwf ac nid oeddent wedi cael eu torri. Canolbwyntiodd yr arolygiad ar safle'r Cais.

O fewn 2km o safle Prosiect Pŵer Abergelli, mae:

- 8 llinell trawsyrru foltedd uchel uwchben;
- 3 llinell uwchben 110kv Western Power Distribution;
- 2 is-orsaf drydanol;
- 2 fferm solar;
- gwaith trin dŵr; a
- gorsaf cywasgu nwy.

Dechreuodd yr arolygiad am oddeutu 14.30, gan adael yr M4 wrth gyffordd 46 a mynd ymlaen ar hyd y B4489. Y man cyntaf yr ymwelwyd ag ef oedd y fynedfa i'r ffordd fynediad arfaethedig i safle'r Cais.

Aeth yr arolygiad ymlaen i gyffordd y B4489 a ffordd Rhyd-y-Pandy ychydig i'r de o bentref Felindre. Roedd y perthi uchel iawn yn rhwystro golygfeydd o safle'r Cais. Aeth yr Awdurdod Archwilio i mewn i Felindre, sydd wedi'i lleoli islaw ael bryn serth iawn.

Aeth yr arolygiad ymlaen i ffordd Rhyd-y-Pandy heibio i'r gwaith trin dŵr i Olygfan 9 ar ffordd dramwy gyhoeddus i'r gogledd o Abergelli Fach. Dewisodd yr Awdurdod Archwilio beidio â mynd i union leoliad Golygfan 9, ond edrychodd ar safle'r Cais o'r ffordd. Bydd y cysylltiad nwy arfaethedig yn dechrau o'r fan hon.

Aeth yr arolygiad ymlaen i bentrefan Rhyd-y-Pandy. Roedd y llystyfiant rhyngol trwchus iawn a'r cawodydd yn golygu ei bod hi'n anodd gweld safle'r Cais.

Aeth yr arolygiad ymlaen ar hyd ffordd Rhyd-y-Pandy heibio i Bentwyn i Olygfan 17 ar fferm Cefn Betingau. Unwaith eto, dewisodd yr Awdurdod Archwilio beidio â mynd i union leoliad Golygfan 17, ond edrychodd ar safle'r Cais o'r ffordd. Dyma safle fferm solar.

Aeth yr arolygiad ymlaen ar hyd ffordd Rhyd-y-Pandy heibio i Felin Wen Court gan groesi Afon Llan i Olygfan 16 yn Dorglwyd. Roedd golygfeydd yr Awdurdod Archwilio'n aneglur o ganlyniad i llystyfiant rhyngol.

Aeth yr arolygiad ymlaen ar hyd ffordd Rhyd-y-Pandy i Bant-Iasau i Olygfannau 15 a 14 ger fferm Maes Eglwys. Gwelodd yr Awdurdod Archwilio safle'r Cais o'r is-ffordd ar droed yn y ddwy olygfan.

Daeth yr arolygiad i ben am oddeutu 16.05.

### **Casgliad**

Mae'r Awdurdod Archwilio wedi ymgyfarwyddo â safle'r Cais a'i amgylchedd. O ystyried yr amodau gwael, bydd yr Awdurdod Archwilio'n ailymweld â'r holl Olygfannau yn ystod yr archwiliad.

## Hysbysiad o Wrandawriad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu drafft

Ysgrifennaf atoch i'ch hysbysu y caiff Gwrandawriad yn ymwneud â Materion Penodol ei gynnal **ddydd Mercher 10 Hydref 2018** yng **Ngwesty'r Village Hotel, Langdon Road, Abertawe, SA1 8QY**. Bydd cofrestru'n agor am 1.30pm a bydd y gwrandawriad yn dechrau am 2.00pm.

Dylai'r partïon â buddiant hynny sy'n dymuno siarad yn y gwrandawriad roi gwybod i'r Rheolwr Achos, Hefin Jones, yn y cyfeiriad post neu'r cyfeiriad e-bost yn y prif lythyr erbyn **canol dydd, ddydd Mercher 3 Hydref 2018**.

Byddai'n helpu o ran rheoli'r gwrandawriad pe gallech roi gwybod i dîm yr achos erbyn **canol dydd, ddydd Mercher 3 Hydref 2018**:

- A fyddwch yn bresennol
- Os hoffech siarad yn y cyfarfod
- Am unrhyw anghenion arbennig sydd gennych (e.e. mynediad i'r anabl, dolen glyw)

Dylech sicrhau eich bod yn cynnwys eich rhif cyfeirnod parti â buddiant yn eich gohebiaeth.

Mae agenda ar gyfer y gwrandawriad yn ymwneud â materion penodol mewn perthynas â materion y Gorchymyn Caniatâd Datblygu drafft wedi'i hatodi i'r llythyr hwn yn **Atodiad H**, ac mae'n amlinellu'r pynciau i'w trafod.



**EN010069: Cais gan Abergelli Power Ltd am Orchymyn yn rhoi Caniatâd Datblygu ar gyfer Gorsaf Bŵer Abergelli Power sy'n Rhedeg ar Nwy (y cais)**

**Agenda Gwrandawriad: Gwrandawriad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu drafft**

**Rheolau Cynllunio Seilwaith (Gweithdrefn Archwilio) 2010<sup>1</sup>**

Mae'r ddogfen hon yn amlinellu agenda ar gyfer Gwrandawriad yn ymwneud â Materion Penodol ar y Gorchymyn Caniatâd Datblygu.

**Lleoliad: Gwesty'r Village Hotel, Langdon Road, Abertawe, SA1 8QY**

**Dyddiad: Dydd Mercher 10 Hydref 2018**

**Amser: Bydd y drysau'n agor am 13.30, bydd y gwrandawriad yn dechrau am 14.00**

**Cymryd rhan mewn gwrandawriadau**

Gwahoddir pob parti â buddiant i fod yn bresennol yn y gwrandawriad.

Mae gan bob parti â buddiant hawl i wneud sylwadau llafar yn y gwrandawriad<sup>2</sup> (yn amodol ar bŵer yr Awdurdod Archwilio i reoli'r gwrandawriad). Dylai sylwadau llafar fod yn seiliedig ar y sylwadau perthnasol neu ysgrifenedig a wnaed gan yr unigolyn sy'n gwneud y sylwadau llafar (neu y gwneir sylwadau llafar ar ei r(h)an)<sup>3</sup>.

Caiff gwahoddiad penodol ei estyn i'r partion â buddiant hynny y byddai ganddynt rôl benodol mewn cyflawni a gorfodi gofynion a/neu sy'n gyfrifol am ddyletswyddau a chaniatâd presennol y gallai'r Gorchymyn Caniatâd Datblygu arfaethedig effeithio arnynt.

Dylai sylwadau llafar fod yn seiliedig ar sylwadau a wnaed gan y cyfranogwr penodol yn ysgrifenedig yn flaenorol, neu sy'n deillio'n uniongyrchol o'r materion a godwyd gan bob parti â buddiant. Fodd bynnag, ni ddylai sylwadau a wneir yn y gwrandawriad ailadrodd materion a grybwyllwyd yn flaenorol mewn sylwadau ysgrifenedig yn unig. Yn hytrach, dylent dynnu sylw at y sylwadau hynny'n gryno a rhoi rhagor o fanylion, esboniad a chadarnhad tystiolaethol er mwyn helpu i lywio'r Awdurdod Archwilio.

Gallai'r Awdurdod Archwilio ofyn cwestiynau am y sylwadau neu ofyn i'r ymgeisydd neu barti arall roi sylwadau neu ymateb.

Ceir egwylliau yn ystod y gwrandawriad, yn unol â chyfarwyddiadau'r Cadeirydd.

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<sup>1</sup> Arweiniad ar archwilio ceisiadau ar gyfer caniatâd datblygiad ar gyfer Prosiectau Seilwaith o Arwyddocâd Cenedlaethol, Yr Adran Cymunedau a Llywodraeth Leol, Mawrth 2015

<sup>2</sup> a91 y Ddeddf Cynllunio (PA 2008)

<sup>3</sup> a91 y Ddeddf Cynllunio (PA 2008)

Dylai pob parti nodi mai diben yr agenda isod yw helpu a darparu fframwaith ar gyfer y gwrandawriad hwn a darparu pwyntiau trafod, ac nid yw'n cyfyngu'r Awdurdod Archwilio i bynciau penodol. Efallai y bydd yr Awdurdod Archwilio eisiau codi materion eraill sy'n deillio o gyflwyniadau a dilyn trywyddau ymholi yn ystod y trafodaethau nad ydynt ar yr agenda. Dylid nodi nad cynnal ymarfer drafftio manwl yw diben y gwrandawriad, ond amlygu materion o egwyddor a materion sy'n weddill rhwng y partion. Bydd yr Awdurdod Archwilio eisiau clywed cyflwyniadau ynghylch pam ac ar ba sail y mae angen mynd i'r afael â materion sydd wedi'u cynnwys yn y Gorchymyn Caniatâd Datblygu drafft neu sy'n absennol ohono.

Argymhellir bod pob parti sy'n bresennol yn dod yn barod â chopi o:

- Gorchymyn Caniatâd Datblygu drafft Abergelli Power (Gorsaf Bŵer sy'n Rhedeg ar Nwy), Fersiwn yr Archwiliad, Cyf. y Ddogfen: 3.1, a gyflwynwyd ym Mai 2018.

Bydd y gwrandawriad yn ystyried materion a amlinellwyd eisoes mewn cyflwyniadau i'r Archwiliad, gan gynnwys:

- Sylwadau perthnasol
- Datganiadau Tir Cyffredin

## AGENDA

1. SYLWADAU AGORIADOL
2. CYFLWYNO'R PARTI'ON A FYDD YN CYMRYD RHAN
3. CEISIADAU I HOLI UNIGOLYN SY'N GWNEUD SYLWADAU LLAFAR YN UNIONGYRCHOL O DAN A94 DEDDF CYNLLUNIO 2008
4. ERTHYGLAU'R GORCHYMYN CANIATÂD DATBLYGU

Ystyried y diffiniadau a'r disgrifiadau fel y maent wedi'u drafftio ar hyn o bryd, a ph'un a ydynt yn cwmpasu'r holl faterion a'r gwaith angenrheidiol ar ffurf sy'n galluogi pob parti i ddeall paramedrau sylfaenol, strwythur, dull a chyfyngiadau'r caniatâd a geisir.

Graddau darpariaethau a phwerau'r gwaith a geisir, gan gynnwys y cyfnod amser cyffredinol ar gyfer rhoi unrhyw ganiatâd ar waith, a goblygiadau neu gyfranoledd yr hawliau sy'n cael eu ceisio dros unrhyw dir ar sail dros dro.

### Rhan 1

- Erthygl 2 – Graddau diffiniad cynnal. Barn Cyngor Dinas a Sir Abertawe
- Diffiniad dechrau

### Rhan 2

- Manteision Erthygl 6 y Gorchymyn, a
- Throsglwyddo manteision Erthygl 7

### Rhan 4

- Cymhwyso a dileu'r gofyniad ar gyfer caniatâd arall ac effaith deddfwriaeth leol
- Darpariaethau amser yn Erthyglau 17 ac 18

### Rhan 5

**Sylwer**, mewn perthynas â chaffael gorfodol, eir i'r afael â'r materion hyn yn y gwrandawriad Caffael Gorfodol yn bennaf. Fodd bynnag, os oes gan Bartion â Buddiant faterion drafftio penodol yr hoffent dynnu sylw atynt yn y Gorchymyn Caniatâd Datblygu yn ymwneud â chaffael a meddiant tir, byddwn yn clywed y materion hyn o dan yr eitem hon ar yr agenda.

### Rhan 7

- Erthygl 40 – Ardystio cynlluniau ac ati

- Erthygl 42(4) – y fwyell 8 wythnos

## **5. ATODLEN 1 DATBLYGIAD AWDURDODEDIG**

- Datblygiad Integrol – safbwynt yr Ymgeisydd
- Gwaith Rhif 3 – statws y bont

## **6. ATODLEN 2 GOFYNIION**

### 6.1 Ystyried defnyddio cynllunio rheoli.

- Gofyniad 8 i'w gwneud yn ofynnol cynnal arolygon cyfyngiadau ecolegol cyn-adeiladu cyn dechrau'r gwaith ar y safle. Barn CNC.
- Gofyniad 17 Cynllun Rheolaeth Amgylcheddol Adeiladu – statws
- Gofynion 18, 19 a 20. A oes eu hangen?
- Gofyniad 23 a Gofyniad 17
- Gofyniad 27 (2)- "caniatâd perthnasol"

### 6.3 Allbwn y safle, sef 299MWe:

- Pa ddull a argymhellir i sicrhau na ragorir ar allbwn y safle, sef 299MWe?

### 6.4 Statws y cais i CNC am Drwydded Amgylcheddol:

- Sawl awr neu ddiwrnod y bydd y safle'n gweithredu, fel arfer?
- A fydd y drwydded amgylcheddol yn cyfyngu'r safle i 1500 awr y flwyddyn?

### 6.5 Terfyn amser ar gyfer Gofyniad gweithredu'r orsaf bŵer

### 6.6 Gofyniad ar gyfer bond datgomisiynu

### 6.7 Taliad cyflawni, monitro a gorfodi

## **7. ATODLEN 11 DARPARIAETHAU AMDDIFFYNNOL**

### 7.1 Darpariaethau amddiffynnol:

- National Grid Gas plc
- National Grid Electricity Transmission plc
- Western Power Distribution
- DCC/Welsh Water
- Wales and West Utilities
- Abergelli Solar Limited
- Eraill

## **8. Atodlen 12**

- Erthygl 42 2 (2) diwygio'r fwyell 14 diwrnod i 28 diwrnod

**9. CYTUNDEBAU A106**

- Dinas a Sir Abertawe
  - o Cyflawni, monitro a gorfodi
- Eraill?

**9. UNRHYW FATER ARALL**

**10. SYLWADAU TERFYNOL**



National Infrastructure Planning  
Temple Quay House  
2 The Square  
Bristol, BS1 6PN

Customer Services: 0303 444 5000  
e-mail: Abergelli.Power@pins.gsi.gov.uk

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Recipient name  
Address line 1  
Address line 2  
Town  
County  
Postcode

Your Ref:

Our Ref: EN010069

Date: 12 September 2018

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Dear Sir/Madam

**Planning Act 2008 (as amended) – Section 88 and the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) – Rules 6 and 13**

**Application by Abergelli Power Limited for an Order Granting Development Consent for the Abergelli Power Project**

**Appointment of the Examining Authority**

I write to you following my appointment by the Secretary of State as the Examining Authority (ExA) to carry out an examination of the above application. A copy of the appointment letter can be viewed at: [Rule 4 Letter](#).

In the interests of efficiency, the ExA commenced its unaccompanied inspections before the Preliminary Meeting, undertaking inspections from publicly accessible land including highways and public rights of way (PROW). No inspections were undertaken on private land, advance permission to enter land was not required and so these inspections could be undertaken on an unaccompanied basis. The inspection took place on Wednesday 15 August 2018 and a note of which can be found in **Annex F**.

**Invitation to the Preliminary Meeting**

This letter is an invitation to the Preliminary Meeting to discuss the examination procedure and contains a number of supporting annexes. I would like to thank those of you who submitted Relevant Representations. These representations have assisted me when preparing my proposals regarding how to examine this application.

**Date of meeting: Wednesday 10 October 2018**

**Seating available from: 09.30am**

<https://infrastructure.planninginspectorate.gov.uk> <https://infrastructure.planninginspectorate.gov.uk/cy/>



**Meeting begins: 10.00am**

**Venue: The Village Hotel, Langdon Road, Swansea, SA1 8QY**

**Access and parking:**

- **There is free on-site parking at the venue**

- **Swansea Train station 1.1 miles from the venue**

High Street Station, Bus Number 25 – Exit at the Bus Station for Bus Number 48 (Stand H) – Exit at the Old Police Station for a 5 minute walk to the venue.

- **Liberty Stadium 2.2 miles from the venue**

Landore Metro 4 to Bus Station (Stand N) – Bus Number X3(Stand F) towards Maesteg – Exit at the Old Police Station for a 5 minute walk to the venue.

Given the volume and frequency of letters the Planning Inspectorate needs to send to Interested Parties during an examination, the Planning Inspectorate aims to communicate with people by e-mail wherever possible, as electronic communication is more environmentally friendly and cost effective for the Planning Inspectorate as a Government agency. If you are able to receive communications by email, please confirm this with us by **Deadline 1, Wednesday 24 October 2018**, in the Examination Timetable.

You are welcome to make oral contributions in Welsh during the Preliminary Meeting if you wish; translation facilities will be present to enable people to do so. You may also make written representations and respond to written questions in Welsh at any stage during the Examination.

**Purpose of the Preliminary Meeting**

The purpose of the Preliminary Meeting is to enable views to be put to me about the way in which the application is to be examined. At this stage, I am only looking at the procedure, and not the merits of the application. The merits of the application will only be considered once the Examination starts, which is after the Preliminary Meeting has closed.

I wish to run a fair, efficient and effective meeting so that all relevant views can be heard. As such, I strongly encourage groups of individuals who have similar views on the procedure to choose one representative to speak for the group.

The agenda for the meeting is in **Annex A**. This has been set following my initial assessment of the Principal Issues arising on the application. That assessment is set out in **Annex B**. As a result of this assessment I wish to hear at the meeting from the Applicant, Interested Parties, Statutory Parties and Local Authorities where they consider changes may be needed to the draft timetable set out in **Annex C**.

Up to date information about the project and the Examination can be obtained from:

<https://infrastructure.planninginspectorate.gov.uk> <https://infrastructure.planninginspectorate.gov.uk/cy/>



<https://infrastructure.planninginspectorate.gov.uk/projects/wales/abergelli-power/> - English language website;  
<https://infrastructure.planninginspectorate.gov.uk/cy/projects/abergelli-power/> - Welsh language website.

These are the project website addresses from which I will make copies of all future communications and Examination documents available to the public. Please note that all communications issued by the ExA will be bilingual but responses received from the parties will only be published in the language in which they are submitted. You can use these pages to track progress of the Examination and access all relevant documents and correspondence from the links it contains. As the examination process makes substantial use of electronic documents, it will be useful to become familiar with this resource.

If you wish to receive an email notification when relevant documents and correspondence are published you can register on the project website homepages to do so.

### **Attendance at the Preliminary Meeting**

If you wish to attend the Preliminary Meeting please contact Hefin Jones, Case Manager, using the details set out at the top of this letter. Please confirm this by **midday, Wednesday 4 October 2018.**

It will help the management of the meeting and benefit everyone if you also:

- Tell us whether you wish to speak at the meeting and on which agenda items, listing points you wish to make; and
- Notify us of any special requirements you may have (eg disabled access, hearing loop etc).

The Preliminary Meeting provides a useful introduction to the examination process. I will use it to make procedural decisions that will affect everyone participating in the Examination. The meeting provides you with an opportunity to have your say about procedural issues before these decisions are finalised. If you intend to play an active part in the Examination or you have questions about procedure it is useful to attend the meeting. However, please note that you are not required to attend the Preliminary Meeting in order to participate in the Examination.

If you are an Interested Party you will still be able to make written representations and participate in any hearings that are arranged. Should you no longer wish to be an Interested Party and do not wish to be involved in the examination process, you can notify the Case Manager of this in writing.

### **After the Preliminary Meeting**

After the Preliminary Meeting you will be sent a letter setting out the timetable for the Examination. An audio recording and a note of the meeting will also be published on the project pages listed above.

Interested Parties have the right to request an Open Floor Hearing and those persons affected by any request for compulsory acquisition or temporary possession of their

<https://infrastructure.planninginspectorate.gov.uk> <https://infrastructure.planninginspectorate.gov.uk/cy/>





land or rights may request a Compulsory Acquisition Hearing. Any other Issue Specific Hearings (ISH) are at the discretion of the ExA and will be arranged if I feel that consideration of oral representations would ensure an issue is adequately considered. My Examination will comprise of Written Representations about the proposal and any oral representations made at the hearings, in addition to consideration of the application documents, policy and legal positions, site inspections and any other matters I consider to be relevant and important.

All relevant and important matters will be taken into account when I make a recommendation to the Secretary of State for Business, Energy and Industrial Strategy, who will take the final decision in this case.

### **Procedural decisions made by the ExA under ss89(3) and 93(1) of the Planning Act 2008**

I have made some preliminary procedural decisions, which are set out in full at **Annex E**. One of which includes holding an early ISH on the draft Development Consent Order (DCO). Formal notification of the ISH is set out in **Annex G** and the agenda is set out in **Annex H**.

### **Your status in the Examination**

This letter has been sent to you because you (or the body you represent) fall within one of the categories in s88(3) of the Planning Act 2008 (PA2008).

If you have made a Relevant Representation, have a legal interest in the land affected by the application, or are a relevant Local Authority (reference numbers beginning with ABER-000', 'ABER-S57' or '2001') you have a formal status as an Interested Party in the Examination.

Interested Parties will receive notifications from the Planning Inspectorate about the Examination throughout the process and may make written and oral submissions regarding the application.

If you are a prescribed consultee (ie body specified in the relevant regulations supporting the PA2008) but have not made a Relevant Representation (reference number beginning with 'ABER-SP') you will not automatically be an Interested Party. However, following the Preliminary Meeting, you will have a further opportunity to notify the Planning Inspectorate that you wish to be treated as an Interested Party.

If you are not an Interested Party or a prescribed consultee (ie body specified in the relevant regulations supporting the PA2008), you have received this letter because I wish to invite you to the Preliminary Meeting as an 'Other person' because it appeared to me that the Examination could be informed by your participation. 'Other persons' have a reference number beginning with 'ABER-OP'.

If you are not sure whether you are an Interested Party, please contact the Case Manager, Hefin Jones, using the details at the top of this letter. Information regarding the formal status of Interested Parties and how you can get involved in the process is set out in the Planning Inspectorate Advice Note 8 Series on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk> <https://infrastructure.planninginspectorate.gov.uk/cy/>



<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/> - English language version;  
<https://infrastructure.planninginspectorate.gov.uk/cy/legislation-and-advice/advice-notes/> - Welsh language version.

### **Award of Costs**

I also draw your attention to the possibility of the Award of Costs against Interested Parties who behave unreasonably. You should be aware of the relevant cost guidance "Awards of costs; examinations of applications for development consent orders" which applies to National Infrastructure projects. This guidance is available at:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/guidance/> - English language website;  
<https://infrastructure.planninginspectorate.gov.uk/cy/legislation-and-advice/guidance/> - Welsh language website.

### **Management of Information**

The Planning Inspectorate has a commitment to transparency. Therefore, all information submitted for this project (if accepted by the EXA) and any record of advice which has been provided, is published at:

<https://infrastructure.planninginspectorate.gov.uk/projects/wales/abergelli-power/> - English language website;  
<https://infrastructure.planninginspectorate.gov.uk/cy/projects/abergelli-power/> - Welsh language website.

All Examination documents can also be viewed electronically at the locations listed in **Annex D**.

Please note that in the interest of facilitating an effective and fair examination, we consider it necessary to publish some personal information. To find out how we handle your personal information, please view our Privacy Notice (hyperlink below).

I look forward to working with all parties in the examination of this application.

Yours faithfully

*Martin Broderick*

**Examining Authority**

<https://infrastructure.planninginspectorate.gov.uk> <https://infrastructure.planninginspectorate.gov.uk/cy/>



## **Annexes**

- A** Agenda for the Preliminary Meeting
- B** Initial Assessment of Principal Issues
- C** Draft timetable for examination of the application
- D** Availability of Examination documents
- E** Procedural decisions made by the Examining Authority
- F** Note of USI carried out on 15 August 2018
- G** Formal notification of Issue Specific Hearing on the draft DCO
- H** Agenda for the ISH hearing on 10 October 2018

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<https://infrastructure.planninginspectorate.gov.uk> <https://infrastructure.planninginspectorate.gov.uk/cy/>



## Agenda for the Preliminary Meeting

<b>Date:</b>	<b>Wednesday 10 October 2018</b>
<b>Registration open from:</b>	<b>09.30am</b>
<b>Meeting Start Time:</b>	<b>10.00am</b>
<b>Venue:</b>	<b>The Village Hotel, Langdon Road, Swansea, SA1 8QY</b>

<b>09.30am</b>	Registration opens
<b>Item 1 (10.00am)</b>	Welcome and introductions
<b>Item 2</b>	The Examining Authority's (ExA's) remarks about the examination process
<b>Item 3</b>	Initial Assessment of Principal Issues – see <b>Annex B</b>
<b>Item 4</b>	Deadlines for submission of: <ul style="list-style-type: none"> <li>• Written Representations</li> <li>• Local Impact Reports</li> <li>• Responses to the ExA's Written Questions</li> <li>• Statements of Common Ground</li> <li>• Notifications relating to hearings</li> <li>• Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by <b>3 October 2018</b>.</li> </ul>
<b>Item 5</b>	Hearings and Accompanied Site Inspection (ASI): <ul style="list-style-type: none"> <li>• Date of ASI to application site and surrounding area</li> <li>• Date of Issue Specific Hearing on draft Development Consent Order</li> <li>• Dates reserved for Open Floor Hearing(s)</li> <li>• Time period reserved for Issue Specific Hearings</li> <li>• Time period reserved for Compulsory Acquisition Hearing</li> <li>• Procedural requests relating to these items that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by <b>3 October 2018</b>.</li> </ul>
<b>Item 6</b>	Any remaining submissions regarding procedural matters not set out in the agenda that have been submitted to the Planning Inspectorate in advance of the Preliminary Meeting or by <b>3 October 2018</b> .
<b>Item 7</b>	<ul style="list-style-type: none"> <li>• Status of s106</li> <li>• Status of Gas &amp; Electrical Connection Planning Applications</li> <li>• Status of Environmental Permit</li> </ul>

<b>Item 8</b>	Any other matters
	<b>Close of the Preliminary Meeting</b>

**Please note:** Please register and be available from the start and throughout the meeting. The agenda is subject to change at the discretion of the ExA. The ExA will conclude the meeting as soon as all relevant contributions have been made. If there are any additional matters to be dealt with or submissions take a considerable amount of time the ExA may change the order of the agenda items and may introduce breaks in the proceedings.

## **Initial Assessment of Principal Issues**

This is the initial assessment of the Principal Issues arising from consideration by the Examining Authority (ExA) of the application documents and Relevant Representations received. It is not a comprehensive or exclusive list of all relevant matters; regard will be had to all important and relevant matters in reaching a recommendation after the Examination is concluded. A number of these Principal Issues set out below have an interrelationship and overlap and this will be reflected in the Examination. The Principal Issues are listed in alphabetical order and should not be taken to imply an order of importance.

### **Compulsory Acquisition, including issues related to:**

- The need for the land to be subject to compulsory acquisition
- The need to establish a compelling case in the public interest
- Financial arrangements

### **Design, Layout and Visibility, including issues related to:**

- The design of the power station
- Landscaping and screening

### **Development Consent Order (DCO), including issues related to:**

- Powers acquired through the DCO
- Requirements
- Protective provisions
- Provision of bond for decommissioning
- Operational time limit for Generating Station
- Provision of funds for discharge, monitoring and enforcement

### **Economic and Social Impacts, including issues related to:**

- The impact on the local economy including tourism
- The impact on local services and facilities
- The impact on housing and employment, Pentre Felindre
- Property blight
- S106

### **Environmental Impact Assessment, including issues related to:**

- The assessment of the potential impacts of the Proposed Development
- Noise and the use of NPPF/PPG thresholds in Wales
- Cumulative impacts
- Mitigation measures

### **Environmental Issues including issues related to:**

- Airborne emissions and air quality
- Water quality and flooding
- Landscape and visual impacts
- Health Impacts
- Lighting, dust and vibration nuisance

- Sterilisation of mineral resources
- Ground conditions

**Habitats, Ecology and Nature Conservation, including issues related to:**

- Impacts on European and other protected sites and species
- Impacts on habitats and on biodiversity
- No Significant Effects Report (NSER) and embedded mitigation

**Historic Environment, including issues related to:**

- Impacts on heritage assets and historic landscapes

**Operational, including issues related to:**

- Limitations on use of plant
- Environmental permitting
- Gas and electrical connections
- Provision of CHP

**Transport and Traffic, including issues related to:**

- Construction traffic movement and routing

**Draft timetable for examination of the application**

The Examining Authority (ExA) is under a duty to complete the examination of the application by the end of the period of six months beginning with the day after the close of the Preliminary Meeting.

My examination of the application primarily takes the form of the consideration of written submissions. The ExA will also consider any oral representations made at Hearings.



Item	Matters	Due Dates
1	<b>Preliminary Meeting</b>	<b>Wednesday 10 October 2018 at 10:00</b>
2	<b>Issue Specific Hearing (ISH)</b> ISH1 into: <ul style="list-style-type: none"> <li>• the draft Development Consent Order (dDCO)</li> </ul>	<b>Wednesday 10 October 2018 at 14:00</b>
4	Issue by the ExA of: <ul style="list-style-type: none"> <li>• Examination Timetable (including the date for any hearings)</li> <li>• The ExA's Written Questions (ExQs)</li> </ul>	<b>As soon as practicable after the PM</b>
5	<b>Deadline 1</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on Relevant Representations (RRs);</li> <li>• Summaries of all RRs exceeding 1500 words;</li> <li>• Written Representations (WRs);</li> <li>• Summaries of all WRs exceeding 1500 words;</li> <li>• Local Impact Reports (LIRs) from any Local Authorities;</li> <li>• Statements of Common Ground (SoCG) requested by the ExA;</li> <li>• Responses to the ExA's Written Questions;</li> <li>• Comments on updated application documents;</li> <li>• Responses to further information requested by the ExA;</li> <li>• Post hearing submissions including written submissions of oral case;</li> <li>• Notification of wish to speak at any subsequent Issue Specific Hearing (ISH);</li> <li>• Notification of wish to speak at a Compulsory Acquisition (CA) Hearing;</li> </ul>	<b>Wednesday 31 October 2018</b>

	<ul style="list-style-type: none"> <li>• Notification of wish to make oral representations at the later Issue Specific Hearing on the dDCO (if required);</li> <li>• Notification of wish to speak at an Open Floor Hearing (OFH);</li> <li>• Provision of suggested locations and justifications for site inspections for consideration by the ExA;</li> <li>• Notification of wish to attend an Accompanied Site Inspection (ASI).</li> </ul>	
<b>6</b>	<p><b>Deadline 2</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Comments on WRs and responses to comments on RRs;</li> <li>• Comments on LIRs;</li> <li>• Comments on responses to the ExA's Written Questions;</li> <li>• Revised dDCO from Applicant;</li> <li>• Comments on any additional information/submissions received by D1;</li> <li>• Responses to further information requested by the ExA for this deadline.</li> </ul>	<b>Wednesday 14 November 2018</b>
<b>7</b>	<p><b>CA Hearing</b></p> <p>Date reserved to hold a CAH1.</p>	<b>Wednesday 12 December 2018 at 10.00</b>
<b>8</b>	<p><b>Open Floor Hearing</b></p> <p>Date reserved for OFH</p>	<b>Wednesday 12 December 2018 at 19.00</b>
<b>9</b>	<p><b>Issue Specific Hearings</b></p> <p>Date reserved for any ISH2/ISH3.</p>	<b>Thursday 13 December 2018 at 10.00</b>
<b>10</b>	<p><b>Accompanied Site Inspection</b></p> <p>Date reserved to hold an ASI (if required)</p>	<b>Friday 14 December 2018 at 09.00</b>
<b>11</b>	<p><b>Deadline 3</b></p>	<b>Friday 21 December 2018</b>

	<p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Post hearing submissions including written submissions of oral case;</li> <li>• Responses to further information requested by the ExA</li> <li>• Comments on any additional information/ submissions received by D2.</li> </ul>	
<b>12</b>	<p>Publication by the ExA of:</p> <ul style="list-style-type: none"> <li>• The ExA's Further Written Questions (if required);</li> <li>• The ExA's consultation on the dDCO (if required);</li> </ul>	<b>Friday 11 January 2019</b>
<b>13</b>	<p><b>Deadline 4</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to further information requested by the ExA for this deadline;</li> <li>• Any revised/ updated SoCGs;</li> <li>• The Applicant's revised dDCO;</li> <li>• Comments on any additional information/ submissions received by D3.</li> </ul>	<b>Friday 25 January 2019</b>
<b>14</b>	<p><b>Deadline 5</b></p> <p>Deadline for receipt by the ExA of:</p> <ul style="list-style-type: none"> <li>• Responses to the ExA's Further Written Questions (if required);</li> <li>• Comments on the Applicant's revised dDCO;</li> <li>• Comments on the ExA's RIES (if required);</li> <li>• Responses to further information requested by the ExA for this deadline;</li> <li>• The Applicant's preferred DCO in the SI template validation report;</li> <li>• Comments on any additional information/ submissions received by D4.</li> </ul>	<b>Friday 1 February 2019</b>
<b>15</b>	<p><b>Issue Specific Hearings (if required)</b></p> <p>Date reserved for any ISH4.</p>	<b>Tuesday 26 and Wednesday 27 February 2019</b>

<b>16</b>	Publication by the ExA of: <ul style="list-style-type: none"> <li>• The ExA's dDCO (if required);</li> <li>• Report on the Implications for European Sites (RIES) (if required)</li> </ul>	<b>Monday 11 March 2019</b>
<b>17</b>	<b>Deadline 6</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Post hearing submissions including written submissions of oral case;</li> <li>• Any revised/ updated SoCG;</li> <li>• Responses to further information requested by the ExA for this deadline;</li> <li>• Comments on any additional information/submissions received by D5.</li> </ul>	<b>Wednesday 6 March 2019</b>
<b>18</b>	<b>Deadline 7</b> Deadline for receipt by the ExA of: <ul style="list-style-type: none"> <li>• Comments on the ExA's dDCO (if required);</li> <li>• Responses to further information requested by the ExA;</li> <li>• Responses to further information requested by the ExA for this deadline;</li> <li>• Comments on any additional information/submissions received by D6;</li> <li>• Final DCO to be submitted by the Applicant in the SI template with the SI template validation report.</li> </ul>	<b>Wednesday 20 March 2019</b>
<b>19</b>	Reserved for issue of any R17 requests for further information	<b>Monday 27 March 2018</b>
<b>20</b>	Deadline for: <ul style="list-style-type: none"> <li>• Any responses to R17 requests</li> <li>• Any responses to the RIES (if required)</li> </ul>	<b>Wednesday 3 April 2019</b>
<b>21</b>	The ExA is under a duty to complete the examination of the application by the end of the period of 6 months beginning with the day after the close of the Preliminary Meeting.	<b>Thursday 11 April 2019</b>

## **Publication Dates**

All information received will be published on the project website as soon as practicable after the deadline for submissions. An Examination Library will be kept up to date throughout the Examination and can be accessed via the project pages below. Each document will be afforded a unique reference. These references will be used by the ExA during the Examination.

<https://infrastructure.planninginspectorate.gov.uk/projects/wales/abergelli-power/> - English language website;

<https://infrastructure.planninginspectorate.gov.uk/cy/projects/abergelli-power/> - Welsh language website.

## **Hearing Agendas**

Please note that we will aim to publish a detailed draft agenda for each hearing on the project website at least five working days in advance of the hearing date; but the actual agenda on the day of each hearing may be subject to change at the discretion of the ExA.

## **Report on the Implications for European Sites (RIES)**

Where the applicant has provided a No Significant Effects Report or a Habitats Regulations Assessment (HRA) Report with the DCO application, the ExA may decide to issue a RIES during the Examination. The RIES is a factual account of the information and evidence provided to the ExA on HRA matters during the Examination up to the date of the publication of the RIES, for the purposes of enabling the Secretary of State, as competent authority, to undertake its HRA. It is not the ExA's opinion on HRA matters. Comments on the RIES will be invited by the ExA and any received will be taken into account as part of the ExA's Recommendation to the relevant Secretary of State.

The Secretary of State may rely on the consultation on the RIES to meet its obligations under Regulation 63(3) of the Habitats Regulations and/ or Regulation 28 of the Offshore Marine Regulations.

## Availability of Examination documents

All application documents including Relevant Representations and application documents are available on the National Infrastructure Planning website:

<https://infrastructure.planninginspectorate.gov.uk/projects/wales/abergelli-power/> - English language website;

<https://infrastructure.planninginspectorate.gov.uk/cy/projects/abergelli-power/> - Welsh language website.

Documents can be viewed electronically at the following locations. Please note that you may need to bring a form of ID to use the computer at these locations.

### Electronic Deposit Locations:

Local Authority	Library/ Address	Opening Hours
Swansea Council	Clydach Library  54-56 High St, Clydach, Swansea SA6 5LN	Monday – 9.30-17.30 Tuesday – 9.30-17.30 Wednesday – 9.30-17.30 Thursday – 9.30-17.30 Friday – 9.30-18.30 Saturday – 9.30-16.30 Sunday – Closed
Swansea Council	Morrison Library  Treharne Road, Morrison, Swansea, SA6 7AA.	Monday – 9.00-18.00 Tuesday – 9.00-18.00 Wednesday – 9.00-18.00 Thursday – 9.00-18.00 Friday – 9.00-18.00 Saturday – 9.00- 17.00 Sunday – Closed
Swansea Council	Swansea Central Library  Civic Centre, Oystermouth Road, Swansea, SA1 3SN.	Monday – Closed Tuesday – 8.30-20.00 Wednesday – 8.30-20.00 Thursday – 8.30-20.00 Friday – 8.30-20.00 Saturday – 10.00-16.00 Sunday – 10.00-16.00
<b>Printing Costs</b>	<b>Black and White</b>	<b>Colour</b>
<b>A4</b>	20p	70p
<b>A3</b>		
<b>Link to all council library locations:</b>		
<a href="https://www.swansea.gov.uk/clydachlibrary">https://www.swansea.gov.uk/clydachlibrary</a>		
<a href="https://www.swansea.gov.uk/morrisonlibrary">https://www.swansea.gov.uk/morrisonlibrary</a>		
<a href="https://www.swansea.gov.uk/centrallibrary">https://www.swansea.gov.uk/centrallibrary</a>		

## Procedural decisions made by the Examining Authority (ExA)

The ExA has made the following procedural decisions under Section 89(3) of the PA2008:

### 1. Statements of Common Ground (SoCG)

In relation to some of the Principal Issues identified in **Annex B**, the ExA would be assisted by the preparation of SoCGs between the Applicant and certain Interested Parties. The draft timetable for the Examination therefore provides a deadline for submission of SoCGs – **by Deadline 1, Thursday 31 October 2018**.

The aim of a SoCG is to agree factual information and to inform the ExA and all other parties by identifying where there is agreement and where the differences lie at an early stage in the examination process. It should provide a focus and save time by identifying matters which are not in dispute or need not be the subject of further evidence. It can also usefully state where and why there may be disagreement about the interpretation and relevance of the information. The reasons for the differences and interpretation of the implications of a difference can then be expanded in the evidence. Unless otherwise stated or agreed, the SoCG should be agreed between the applicant and the other relevant interested party or parties, and submitted by the applicant.

The SoCGs are requested to be prepared by:

eg SoCG with Organisation

- A. **SoCG with City and County of Swansea** to include:
  - Status of Gas Connection Planning Application under TCPA
  - Status of Electrical Connection Application under TCPA
  - S106 agreement
  - Decommissioning bond
  - DCO provision for discharge, monitoring and enforcement
  
- B. **SoCG with Natural Resources Wales (NRW)** to include:
  - No Significant Effect Report (NSER)
  - Ecological Mitigation Area
  - Status of Environmental Permit
  - DCO
  
- C. **SoCG with Dŵr Cymru Cyfyngedig (DCC)** to include:
  - Protective Provisions
  - Water Quality

The SoCGs should cover the following topics where relevant:

- Methodology for Environmental Impact Assessment including assessment of cumulative effects
- Data collection methods
- Baseline data

- Data/ statistical analysis, approach to modelling and presentation of results (including forecast methodologies)
- Full expression of expert judgements and assumptions
- Identification and sensitivity of relevant features and quantification of potential impact
- Likely effects (direct and indirect) on special interest features of sites designated or notified for any nature conservation purpose
- Feasible and deliverable mitigation and method for securing such mitigation within the Development Consent Order

## **2. Post submission application documents**

Following the acceptance of the application on 21 June 2018, the Applicant submitted, on 6 August 2018, the following revised application documents to the Inspectorate:

- Updated Book of Reference v1\_CLEAN (AS-002)
- Updated Book of Reference v1\_TRACKED (AS-003)

These documents have been formally accepted by the ExA into the Examination and have been published on the project pages of our website.

## **3. Issue Specific Hearing on the draft DCO**

I have made a procedural decision to hold an Issue Specific Hearing on the draft DCO on **Wednesday 10 October 2018 at 2.00pm**. This has been scheduled on the same day as the Preliminary Meeting to ensure that I have an early opportunity in the examination process to discuss the draft DCO with the applicant and Interested Parties. The formal notification of this hearing can be found in **Annex G** of this letter. The agenda can be found in **Annex H** of this letter.

For the purposes of Rule 13(1) and (6) of the Infrastructure Planning (Examination Procedure) Rules 2010 (as amended) (the EPR), the periods of not less than 21 days with reference to which I must provide notice of a hearing and the Applicant must publicly notify and advertise the hearing arrangements no later than **Wednesday 19 September 2018**. This is a date before the start of the Examination, but it ensures that the required statutory 21 days' notice period has been provided for this hearing.

In light of this ISH commencing shortly after the PM, I have also decided that any person intending to participate in this ISH must notify the Case Manager of their intention to attend by **midday 3 October 2018**, as advised in **Annex G**.



## **Examining Authority's Record of Unaccompanied Inspection of Sites to Which the Application or Specified Matters Relates**

Examining Inspector Martin Broderick (the person appointed as the Examining Authority (hereafter "the ExA") for the application for the Abergelli Power Project) undertook the inspection on Wednesday 15 August 2018.

The inspections were undertaken by car and on foot on public roads and footpaths. A route was planned having regard to issues raised in Relevant Representations, enabling the ExA to obtain views of the Abergelli Power Project.

In the interests of efficiency, the ExA commenced its unaccompanied inspections before the Preliminary Meeting, undertaking inspections from publicly accessible land including highways and public rights of way (PROW). No inspections were undertaken on private land, advance permission to enter land was not required and so these inspections could be undertaken on an unaccompanied basis.

The inspections were undertaken to view the proposed application site as shown on the Land Plans [APP-057]. Locations prospectively within the setting of the development proposals in the application were also inspected.

The unaccompanied inspections are recorded in this note, the purposes of which are:

- to inform the Applicant, interested parties and other persons of actions already taken by the ExA; and
- to enable the Applicant, interested parties and other persons to consider which additional sites the ExA might need to inspect.

**Further site inspections may be required.** The site inspection programme will be discussed at the Preliminary Meeting to be held on 10 October 2018. The Applicant, Interested Parties and other persons will be provided with an opportunity to address the ExA on the approach that it should take to site inspections and to nominate site inspection locations. An opportunity will be provided to propose inspections of private land on an accompanied basis, should this be necessary.

Before agreeing to a site inspection at a particular location, the ExA will consider the degree to which it is necessary to visit a site that has been nominated for an inspection to inform it about the application.

### **Particulars of the Inspection**

The unaccompanied inspection was undertaken by the ExA: Examining Inspector Martin Broderick. The purpose of the visit was for the ExA to become familiar with the application site and surrounds and the landscape and visual impact assessment study area referred to in the Environmental

Statement (ES) at Chapter 11 and shown on the Landscape and Visual Effects Figures 11.1 – 11.9 [APP-028; APP-024; APP-047].

### **Afternoon of 15 August 2018**

The inspection was undertaken by car and on foot on 15 August 2018. Weather conditions were cloudy with intermittent showers; adequate to appreciate short, and medium range views towards the proposed development from each of the locations that were inspected. Hedgerows had a full summer's growth and had not been cut. The inspection was focused on the Application site.

Within 2km of the Abergelli Power Project site there are:

- 8 high voltage overhead transmission lines;
- 3 Western Power Distribution 110kv overhead lines;
- 2 electrical sub stations;
- 2 solar farms;
- Water Treatment works and
- Gas compressor station.

The inspection commenced at approximately 14.30, leaving the M4 via junction 46 leading onto the B4489. The first stop was at the entrance to the proposed access road to the Application site.

The inspection carried on to the junction of the B4489 and Rhyd-y-Pandy road just south of the village of Felindre. The very high hedges obstructed views of the Application site. The ExA entered Felindre which is situated below the brow of a very steep hill.

The inspection carried on to the Rhyd-y-Pandy road past the water treatment works to Viewpoint 9 on a PROW north of Aber-gelli fach. The ExA chose not to go to the exact VP9 location, but viewed the Application site from the road. The proposed gas connection will start here.

The inspection carried on to the hamlet of Rhyd-y-Pandy. Intervening vegetation was very dense together with showers which made viewing the Application site difficult.

The inspection carried on along the Rhyd-y-Pandy road past Pentwyn to Viewpoint 17 at Cefn Betingau farm. Again the ExA chose not to go to the exact VP 17 location, but viewed the Application site from the road. This is the site of a solar farm.

The inspection carried on along the Rhyd-y-Pandy road past Felin – Wen Court crossing the Afon Llan river to Viewpoint 16 at Dorglwyd. The ExA's views were obscured by intervening vegetation.

The inspection carried on along the Rhyd-y-Pandy to Pant-Iasau to Viewpoints 15 and 14 near Maes-Eglwys farm. The ExA viewed the Application site from the minor road on foot at both viewpoints.

The inspection concluded at approximately 16.05.

**Conclusion**

The ExA has familiarised himself with the Application site and its environs. Given the poor viewing conditions the ExA will revisit all Viewpoints during the course of the examination.

**Notification of Issue Specific Hearing on the draft Development Consent Order**

I write to advise you that an Issue Specific Hearing will be held on **Wednesday 10 October 2018** at **The Village Hotel, Langdon Road, Swansea, SA1 8QY. Registration will open at 1.30pm and the hearing will commence at 2.00pm.**

Those interested parties who wish to speak at the hearing should notify the Case Manager, Hefin Jones, at the postal or email address in the main letter by **midday Wednesday 3 October 2018.**

It would help with the management of the hearing if you can let the case team know by **midday Wednesday 3 October 2018**, if:

- You will be attending
- You wish to speak at the meeting
- Notify us of any special needs you may have (e.g. disabled access, hearing loop)

Please ensure that you include your interested party reference number in your correspondence.

An agenda for the issue specific hearing related to draft DCO matters is attached to this letter at **Annex H** and sets out the topics to be discussed.

**EN010069: Application by Abergelli Power Ltd for an Order Granting Development Consent for Abergelli Power Gas Fired Generating Station (the application)**

**Hearing Agenda: Issue Specific Hearing on the Draft Development Consent Order (DCO)**

**Infrastructure Planning (Examination Procedure) Rules 2010<sup>1</sup>**

This document sets out agenda for DCO Issue Specific Hearing.

**Venue: The Village Hotel, Langdon Road, Swansea, SA1 8QY**

**Date: Wednesday 10 October 2018**

**Time: Doors will open 13.30, the hearing will begin at 14.00**

**Participation in hearings**

All interested parties are invited to attend the hearing.

Each interested party (IP) is entitled to make oral representations at the hearing<sup>2</sup> (subject to the Examining Authority's (ExA's) power to control the hearing). Oral representations should be based on the relevant or written representations made by the person by whom (or on whose behalf) the oral representations are made<sup>3</sup>.

A specific invitation is made to those IP's which would have a particular role in the discharge and enforcement of requirements and/or are responsible for existing duties and consents that may be affected by the proposed DCO.

Oral submissions should be based on representations previously made in writing by the particular participant or arising directly from the matters raised by each IP. However, representations made at the hearing should not simply repeat matters previously covered in a written submission. Rather, they should draw attention to those submissions in summary form and provide further detail, explanation and evidential corroboration to help inform the ExA.

The ExA may ask questions about their representation or ask the applicant or other party to comment or respond.

Breaks will be taken during the hearing as directed by the Chair.

All parties should note that the agenda given below is to assist and provide a framework for this hearing and give discussion points and does not constrain the ExA to particular topics. The ExA may wish to raise other matters arising from submissions and pursue lines of inquiry in the course of the discussions which are not on the agenda. It should be noted that the purpose of the hearing is not to undertake a detailed drafting exercise

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<sup>1</sup> Guidance for the examination of applications for development consent for Nationally Significant Infrastructure Projects, DCLG, March 2015

<sup>2</sup> s91 Planning Act (PA 2008)

<sup>3</sup> s91 Planning Act (PA 2008)

but is to identify matters of principle and outstanding matters between the parties. The ExA will want to hear submissions on why and on what basis matters within or absent from the draft DCO need addressing.

All parties attending are recommended to come prepared with a copy of:

- The Draft Abergelli Power (Gas Fired Power Generating Station) Development Consent Order, Examination Version, Doc Ref: 3.1, submitted for May 2018.

The hearing will have regard to matters already set out in submissions to the examination, including:

- Relevant representations
- Statements of Common Ground

## AGENDA

1. **INTRODUCTORY REMARKS**
2. **INTRODUCTION OF THE PARTICIPATING PARTIES**
3. **REQUESTS TO QUESTION A PERSON MAKING ORAL REPRESENTATIONS DIRECTLY UNDER S94 OF THE PLANNING ACT 2008**
4. **DEVELOPMENT CONSENT ORDER ARTICLES**

Consideration of the definitions and descriptions as currently drafted and whether they encompass all necessary matters and works in a form that allows all parties to understand the fundamental parameters, structure, approach and limitations of the consents sought.

Extent of the works provisions and powers sought including the overall time period for implementation of any consent and the implications or proportionality of rights being sought over any land on a temporary basis.

### **Part 1**

- Article 2 - Extent of the definition of maintain. City and County of Swansea Council view
- Definition of commence

### **Part 2**

- Benefit of the Order Article 6, and
- Transfer of benefit Article 7

### **Part 4**

- Application and removal of requirement for other consents and effect of local legislation.
- Time provisions in Articles 17 and 18

### **Part 5**

**Please note** that in relation to compulsory acquisition these matters will principally be dealt with in the Compulsory Acquisition hearing. However, if IPs have particular drafting matters that they wish to draw attention to in the DCO in relation to the Acquisition and possession of land we will hear such matters under this agenda item.

### **Part 7**

-Article 40 – Certification of plans etc.

- Article 42(4) – 8 week guillotine

## **5. SCHEDULE 1 AUTHORISED DEVELOPMENT**

- Integral Development the applicant's position.

- Work No. 3 – status of bridge

## **6. SCHEDULE 2 REQUIREMENTS**

6.1 Consideration of the use of management plans.

- Requirement 8 to require pre-construction ecological constraints surveys to be undertaken ahead of commencing work onsite. NRW view
- Requirement 17 Construction Environmental Management Plan-status
- Requirements 18, 19 and 20. Are they needed
- Requirement 23 and Requirement 17
- Requirement 27 (2)- "relevant permissions"

6.3 Plant output of 299MWe:

- What mechanism is proposed to ensure that Plant output of 299MWe will not be exceeded?

6.4 Status of Environmental Permit application to NRW:

- How many hours or days will the plant typically operate?
- Will the environmental permit limit the plant to 1500 hours/annum?

6.5 Time Limit for generating station operation Requirement

6.6 Bond for decommissioning Requirement

6.7 Discharging, Monitoring and Enforcement payment

## **7. SCHEDULE 11 PROTECTIVE PROVISIONS**

7.1 Protective provisions:

- National Grid Gas plc
- National Grid Electricity Transmission plc
- Western Power Distribution
- DCC/Welsh Water
- Wales and West Utilities
- Abergelli Solar Limited
- Others

## **8. Schedule 12**

- Article 42 2 (2)14 day guillotine amend to 28 days



**9. S106 AGREEMENTS**

- City and County of Swansea
  - o Discharge, monitoring and enforcement
- Others?

**9. ANY OTHER MATTERS**

**10. CLOSING REMARKS**