

Report of the Head of Planning and City Regeneration

To

Planning Committee – 7th August 2018

Abergelli Power Limited (APL) – Gas Fired Power Station Item Report

Purpose:	This report provides an update on the APL submission for a Development Consent Order for a gas fired power station at Felindre.
Legislative Framework:	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.
Policy Framework:	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.
Reason for Decision:	To enable the Local Planning Authority to respond to the tight deadlines set by the Examining Authority (PINS).
Recommendation:	To note the Council's Relevant Representation.
Report Author:	Andrew Ferguson, Principal Planner Area 1

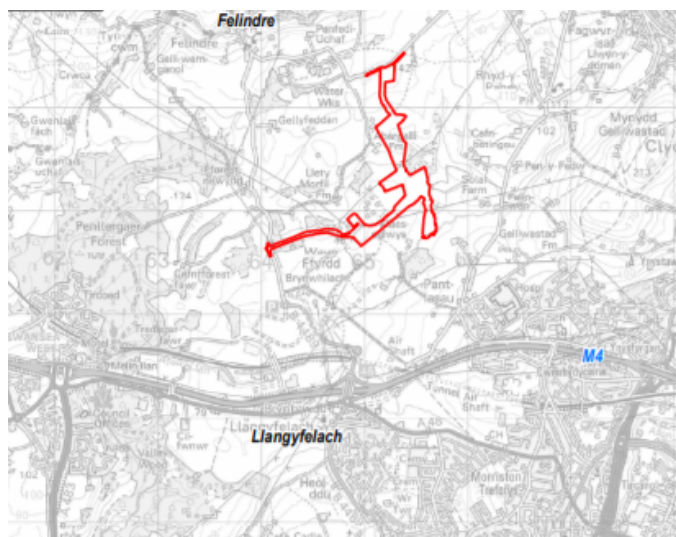
1.0 Introduction:

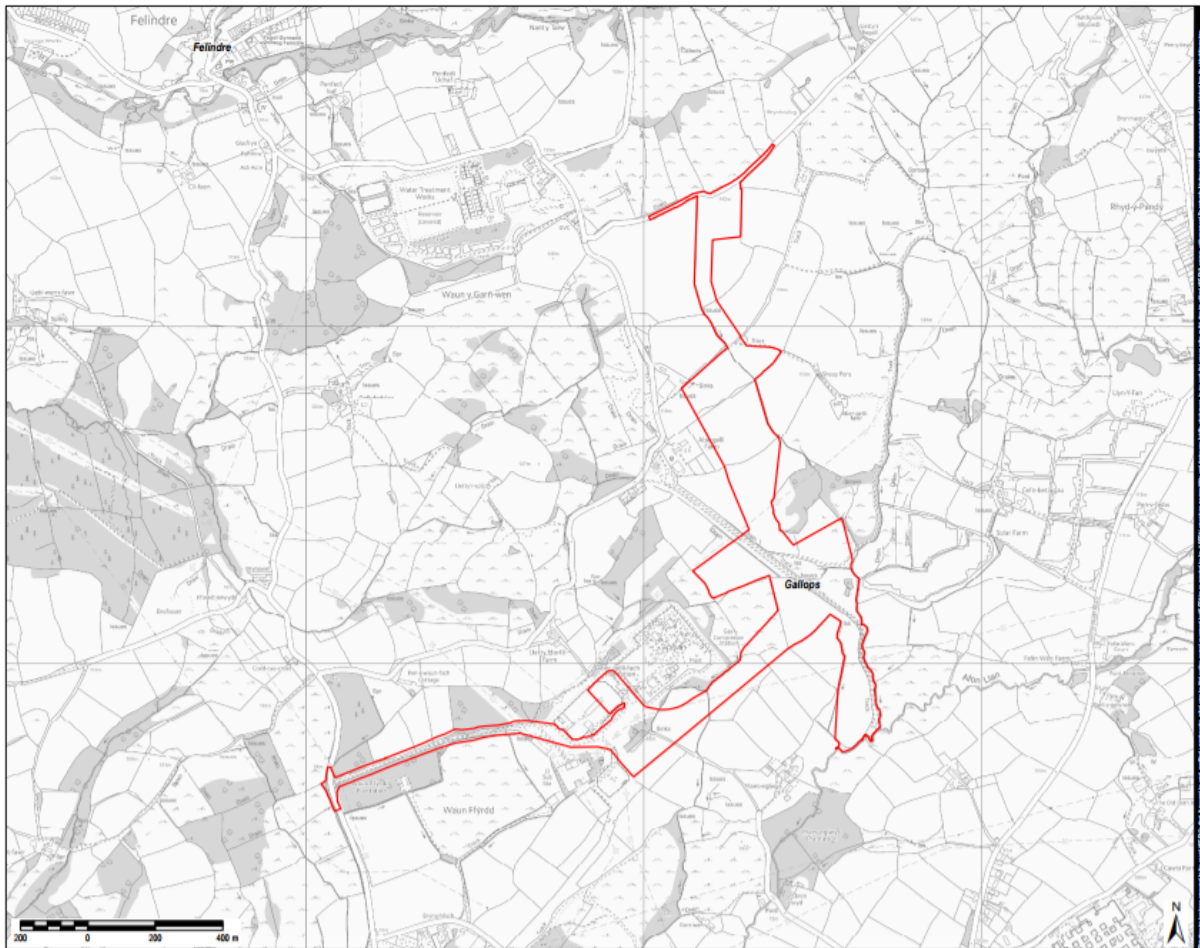
- 1.1 Abergelli Power Limited (APL), a subsidiary business of Drax Group, wishes to build a gas-fired power station on land located at Abergelli Farm, south of Felindre, adjacent to the National Grid Gas Compressor Station and to the north of the M4 motorway.
- 1.2 The Project includes a power generation 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 21st June 2018.
- 1.7 Sections 2, 3 and 4 have not changed since the previous item report but have been included for information purposes.

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 3rd July 2018 giving interested parties 28 days to register as an interested party and to provide a 'relevant representation'. This S56 Notice gives details of the proposal, where copies of the application can be obtained from and how to make representations on the proposal. This Notice has been sent to various statutory consultees, community Councils and APL have also consulted using a Press and Site Notice.
- 5.2 This is the stage where people (individuals and organisations) are given the opportunity to register as an "Interested Party". Becoming an Interested Party gives you the right to make representations about the application that is being examined. Interested parties are informed of the progress of the Examination and are notified of the final decision by the Secretary of State. Interested Parties also have the opportunity to attend and speak at the Preliminary Meeting or hearings that take place during the Examination.
- 5.3 Representations and responses must be received by the Planning Inspectorate by 11.59pm on Thursday 2nd August.

- 5.4 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.
- 5.5 Various internal departments have been consulted on this DCO application to ascertain their views comments, including:
- 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)
- 5.6 The Development, Conservation and Design Manager has delegated powers to submit this Relevant Representation. As the deadline is not until after the Planning Committee Agenda is finalised, the Relevant Representation will be forwarded on to Members prior to Planning Committee.
- 5.7 The Relevant Representation will have a caveat that the Local Planning Authority may make further representations in the Local Impact Report that have not been included in the Relevant Representation in case Members or other consultees raise issues that haven’t been raised to date.

6.0 Local Impact Report (LIR):

- 6.1 The relevant Secretary of State will appoint an ‘Examining Authority’ to examine the application in due course. The Examining Authority will be from the Planning Inspectorate, and will be either a single Inspector or a panel of three or more Inspectors.
- 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 **deadline for the submission of the LIR will be set by the Examining Authority following the Preliminary Meeting**, which is likely to take place in September 2018. The Authority are therefore encouraged to begin preparation of the LIR now, and put in place internal approval procedures.
- 6.3 At this stage, it is envisaged that the Local Impact Report will be reported to Committee for consideration. Officers will start preparing this in due course.

6.4 In addition, authorisation may be sought to agree a Statement of Common Ground with the applicant as well as preparing written statements on individual topics depending on the timeframes for comment. The timeframes for the process will become clearer following the Preliminary Meeting (assuming the application is accepted by PINS).

6.5 In coming to a decision, the Secretary of State must have regard to any LIRs that are submitted by the deadline. Local authorities are therefore strongly encouraged to produce LIRs when invited to do so. Relevant local authorities should prioritise preparation of their LIR irrespective of whether the local authority considers the development would have a positive or negative impact on their area. The local authority will be able to submit a separate written representation if it wishes to express a particular view on whether the application should be granted.

7.0 Recommendation

7.1 It is recommended that Committee note the Council's Relevant Representation.

7.2 As stated above, the Relevant Representation has not been finalised at the time of preparing this Item Report. The Relevant Representation will be made available to Members prior to Planning Committee.

8.0 The Process:

