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|-----------------|-----------------|----------------|---------------------------|
| Adeilad y Goron | Crown Buildings | Ffon/tel: | 029 2082 3308 |
| Parc Cathays | Cathays Park | Ffacs/fax: | 029 2082 5150 |
| Caerdydd | Cardiff | | |
| CF10 3NQ | CF10 3NQ | e-bost/e-mail: | dns.wales@pins.gsi.gov.uk |

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| Dan Simons | Eich Cyf / Your Ref | |
| Project Manager | | |
| Egnedol Limited | Ein Cyf / Our Ref | APP/N6845/A/16/3146073 |
| Via Email | Dyddiad / Date | 18 March 2016 |

Dear Mr Simons

Proposed 49.9MW Biomass Energy Facility and associated works at Blackbridge and Waterston, Pembrokeshire.

I write further to our meeting on Monday 14th March 2016.

At that meeting, it was agreed that we would provide you with confirmation on a number of points regarding the scope of the DNS application and any related secondary consents. Those points and our responses are set out below.

*Which parts of the proposed scheme **would** fall within the scope of the DNS application?*

The definition of 'generating station', as set out in regulation 4(3) of the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016, is 'a station, plant or buildings that generate electricity'.

Given that definition, we consider that the proposed biomass to energy facility and any on-site enabling works and plant, including connections for bringing fuel into the facility and carrying waste products away and the provision of a road access, would fall to be considered under a DNS application. The scope of the DNS application would end where those connections meet a separate land use, for example the proposed Eco Park.

*Which parts of the proposed scheme **would** fall to be considered as secondary consents and could be dealt with in combination with the DNS application?*

The majority of those parts of the proposal which fall outside the definition of 'generating station' and do not form part of the proposed grid connection, as set out above, can be considered as a standard planning application(s), which would be a secondary consent and could be considered in combination with the DNS application, under the same process.

*Which parts of the proposed scheme **would not** fall to be considered either as part of the DNS application or under a secondary consent?*

Powers under the Town and Country Planning Act 1990 (as amended) end at the mean low water mark and this position is reflected by the defined boundary of the Local Planning Authority area for Pembrokeshire County Council. The works to the proposed jetty are therefore outside those powers and would not fall to be considered either as part of, or in conjunction with, the DNS application.

Similarly, the proposed grid connection falls outside the Welsh Ministers' jurisdiction and would not fall to be considered either as part of, or in conjunction with, the DNS application. Any red line plan for the DNS or secondary consent applications should therefore exclude these aspects of the scheme.

Where proposed works fall outside the scope of the DNS and secondary consents process we would recommend that you seek legal advice in order to establish any requirements for other types of consent and would draw your attention to the following advice, as set out in our procedural guidance:

'Applicants should aim to 'twin-track' related consents with their DNS application. If the need for other licences or consents is not considered until late in the process, this could pose a significant risk, both for applicants, as those licences or consents may require changes to the proposed development, and also for the Welsh Ministers, when having regard to their duties under the Habitats Regulations.'

I hope this provides some clarity following our initial discussion. As mentioned previously, we would encourage you make regular contact with us regarding the progress of your application and to make use of the range of pre-application services that we can offer, as outlined in chapter 2 of our procedural guidance.

Yours sincerely

C Sweet

Christopher Sweet MPlan
Planning Officer

Planning and Environment Team
The Planning Inspectorate