



Meeting note

File reference	EN010068
Status	Final
Author	Karl-Jonas Johansson
Date	16 December 2014
Meeting with	Millbrook Power Limited
Venue	Temple Quay House
Attendees	The Planning Inspectorate Tom Carpen (Principal Case Manager) Alison Down (EIA Adviser) Karl-Jonas Johansson Millbrook Power Limited Chris McKerrow Paul Wormald (Peter Brett Associates) Nick Johnson Richard Griffiths
Meeting objectives	Project update
Circulation	All attendees

Summary of key points discussed and advice given:

1. Introduction

The Planning Inspectorate (the Inspectorate) outlined its openness policy and ensured those present understood that any issues discussed and advice given was under s.51 of the Planning Act 2008 ('PA 2008') and would be recorded and placed on the Inspectorate's website. Further to this, it was made clear that any advice given did not constitute legal advice upon which the applicant (or others) can rely.

2. Progress to date

The applicant informed the Inspectorate that after discussion with National Grid (NG) about the electricity connection configuration, the maximum number of new towers needed for the connection to the substation had been reduced from seven to four, and that therefore, including the two existing towers, the worst case scenario would be 6 towers in total. The applicant advised that they were no longer considering a double circuit and that the application would include a single circuit. It is not yet known

whether it will include a single or a double tie-in. The applicant also advised that there are three other cabling configurations that the applicant is exploring:

1. Single circuit (four towers);
2. Partly undergrounding one of the cables to the substation;
3. Undergrounding both cables to the substation.

Depending on which option is taken forward there might be a need to build one or two sealing-end compounds next to the substation. The DCO will contain all four options in Work No 5, with a requirement specifying which one will be brought forward. The requirement will also stipulate that the relevant Local Authority (LA) must be notified of the selected option.

The Inspectorate advised that this approach was acceptable as long as the worst case scenarios for both overgrounding and undergrounding were fully assessed in the Environmental Statement (ES). The Inspectorate emphasised that the applicant needed to clearly explain in the ES their reasoning for deciding which options they considered to represent the worst scenarios. The applicant stated that they would include some information on all four options in each ES topic chapter but would only do a full assessment of the two worst scenarios as the other options were permutations of those. The Inspectorate informed the applicant that it may need to justify its choice of worst case scenarios and that this may become an examination issue. The Inspectorate offered to provide them with more advice on how to incorporate the four options in the ES.

The applicant stated in its update that the proposed gas connection pipeline route would be moved slightly to the south, but would still be contained within the same red line boundary as previously identified.

3. Feedback from outreach event

The applicant informed the Inspectorate that they had had no formal feedback from the stakeholder meeting and that they would continue their stakeholder engagement, especially regarding the 'Rochdale Envelope' approach/visual impact. The Inspectorate informed the applicant that the term 'Rochdale Envelope' would be explained further in the outreach meeting note.

4. Draft Development Consent Order (DCO)

The Inspectorate advised the applicant that since this was an early draft of the DCO, only an initial review has been conducted, and that it had some initial questions.

Article 7

The Inspectorate advised the applicant to review its definition on 'maintain' in line with the Inspectorate's Advice Note on drafting DCOs. The applicant explained that the definition of 'maintain' will be based on the consented orders for Hirwaun and Progress Power.

The Inspectorate discussed reference to outline strategies in articles with the applicant and whether, they would benefit from being cross referenced to the relevant requirements.

Article 10

It was agreed that the applicant would provide the Inspectorate with a list of the permits necessary to run the power station and that the wording 'and operate' would be added to Article 10(2).

Articles 14, 15 and 17

The applicant explained that the term 'Street Authority' could either refer to private landowners (private roads) or the relevant highway authority. The applicant agreed to amend the definition of Street Authority so that it would allow for any changes to the Street Authority during the life of the project.

The applicant clarified that Article 15(2) would not make them a Statutory Undertaker but would grant them the equivalent powers until they formally became a Statutory Undertaker.

In addition, the applicant explained that powers to do street works would be governed by Articles 14(2)(4) and 17(1-4).

Articles 20 and 21

The Inspectorate sought clarification on the extent of flexibility sought under these articles and scope of powers, in particular the definition of 'any street'. The applicant agreed to consider and informed the Inspectorate that the detailed access to works could not be defined until after an Order had been granted as this is part of the post-consent detailed design stage.

Article 22

The Inspectorate asked for clarification on whether discharge of water required a permit and any discussions that had taken place relating to this article. The applicant stated that it was not aware of any issues relating to discharge of water and that a permit to discharge would be required for the Low Level Restoration Scheme, not this project.

Article 48

The applicant explained that the purpose of the inclusion of this article was to set out the approval process in relation to Schedule 10 of the DCO.

Requirement 2

The applicant stated that this requirement together with Requirement 16 would allow them to apply to the relevant Planning Authority to amend the detailed design, but noted that any amendments could not go beyond what had been assessed in the ES.

Explanatory Memorandum (EM)

The applicant explained that due to this being an early draft no EM had been included in the draft documents sent to the Inspectorate.

Miscellaneous

The Inspectorate requested that the applicant explained what they meant in the DCO by the term 'substantial' where it is used. The applicant clarified that it was to give them maximum flexibility to respond to design changes at later stages, eg such as in relation to siting of plant and related landscaping, but that this flexibility was governed by and had to remain within the parameters that were assessed in the ES.

Currently, the applicant is assuming that they not will be including any associated development in their application because all elements of the project, such as the substation and electricity connection, are on the main site. The applicant was advised to be prepared to explain during the examination why they regarded the development as not having any associated development.

5. Other draft documents

The Inspectorate passed written comments on the draft plans to the applicant.

It was agreed that the applicant would use the Inspectorate's initial comments on the draft consultation report for the Abergelli Power project as a basis for drafting their consultation report, and that the Inspectorate would conduct a fuller review of the draft documents when the next round of draft documents were submitted in mid-January (DCO, Book of Reference, Land and Works plans, EM and No Significant Effects Report.).

The Inspectorate stated that it was helpful to see a copy of the draft ES prior to submission if possible, but that no comments on the ES could be provided.

The applicant indicated that the application would be submitted late February and that final draft documents would be submitted early February.

6. Emerging Key issues.

The Inspectorate advised the applicant that the stakeholders that attended the round table meeting on 26 November 2014 appeared to regard the number of stacks and the flexible design principles as issues they wanted further information and discussion on and advised the applicant to ensure it continued that dialogue.

7. Review of the application against the National Policy Statements (NPSs)

The Inspectorate and the applicant discussed the need to review the application against all relevant NPS policies. The applicant advised that it was doing so and both parties agreed to discuss any issues arising at forthcoming meetings.

8. AOB

The Inspectorate advised that due to resourcing requirements both Millbrook Power and Abergelli Power may be handled by a different team to the current team at acceptance..

It was agreed that the relevant requirements in the DCO, such as those relating to proposed mitigation measures, would be tabulated in the ES, and that each document would include appropriate cross-referencing. .

Specific decisions / follow up required?

The Inspectorate to provide further advice on how to incorporate the four cabling options in the DCO.