

From: Kirsty.Owen@gov.wales on behalf of Decarbonisation&Energy.GovernmentBusiness@gov.wales
To: beiseip@beis.gov.uk
Cc: [Jones, Hefin](#)
Subject: Prosiect Pwr Abergelli/Abergelli Power Project - Welsh Government Response
Date: 09 August 2019 13:01:30
Attachments: [Abergelli Power Response Letter - LI\(14412\) - EM - wedi ei ddiweddarau - 9 Awst 2019.docx](#)
[Abergelli Power response letter - 09_08_19.docx](#)

Good Afternoon Gareth

Please find attached response to Prosiect Pwr Abergelli/Abergelli Power Project from the Welsh Government.

Many thanks and regards

Kirsty
On behalf of Decarbonisation & Energy Division

Ffon / Tel: 0300 062 5664

E-Bost / E-mail: datgarboneiddioAcYnni.BusnesYLlywodraeth@llyw.cymru /
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Ystyriwch yr amgylchedd cyn argraffu'r e-bost hwn – diolch | Please consider the environment before printing this email - thank you
Dyla'r datganiadau neu'r sylwadau uchod gael eu trin fel rhai personol ac nid o reidrwydd fel datganiadau neu sylwadau gan Llywodraeth Cymru, unrhyw ran ohono neu unrhyw gorff sy'n gysylltiedig ag ef | Any of the statements or comments made above should be regarded as personal and not necessarily those of the Welsh Government, any constituent part or connected body

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Gareth Leigh
Pennaeth Cynllunio Seilwaith
Yr Adran Busnes, Ynni a Strategaeth Ddiwydiannol
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Annwyl Gareth Leigh

Diolch am eich llythyr dyddiedig 26 Gorffennaf ynglŷn â'r cais gan Abergelli Power Ltd am Ganiatâd Datblygu. Mae'r llythyr hwn yn rhoi ymateb Llywodraeth Cymru, at sylw'r Ysgrifennydd Gwladol, i faterion nad oeddent wedi derbyn sylw ar ddiwedd ar Archwiliad.

Ym mis Chwefror 2018, ysgrifennodd Prys Davies, a oedd yn Bennaeth Datgarboneiddio ac Ynni Llywodraeth Cymru ar y pryd, at Dermot Scanlon o Peter Brett Associates mewn ymateb i'w wahoddiad i roi sylwadau fel rhan o'r ymgynghoriad statudol ar gynigion Abergelli Power Ltd. Roedd y llythyr hwn yn amlinellu safbwynt Llywodraeth Cymru ar ddatgarboneiddio ar y pryd. Amgaeaf gopi o'r llythyr hwn. Mae'r ymateb isod yn cynnwys gwybodaeth am yr argyfwng hinsawdd a datblygiadau eraill yn y maes polisi hwn ers mis Chwefror 2018.

Mae Llywodraeth Cymru wedi gwneud nifer o gyhoeddiadau polisi sy'n berthnasol i'r cais cyn ac ar ôl i'r argyfwng hinsawdd gael ei gyhoeddi. Mae Llywodraeth Cymru wedi rhoi rhaglen o weithdrefnau rhynglywodraethol ar ddatgarboneiddio. Gwneir hyn er mwyn cyflawni ein rhwymedigaethau statudol sydd wedi 'u cynnwys yn Neddf yr Amgylchedd (Cymru) 2016. Mae hyn yn cynnwys pennu cyllidebau carbon pum mlynedd a chyhoeddi cynllun i gwrdd â phob cyllideb. Ym mis Mawrth 2019, cyhoeddwyd *Ffyniant i Bawb: Cymru Carbon Isel* - y cynllun cyflawni statudol cyntaf ar gyfer datgarboneiddio yng Nghymru sy'n canolbwyntio ar y gyllideb garbon gyntaf. Mae hyn yn cynnwys proffiliau manwl o allyriadau fesul sector a 100 o bolisiâu a chynigion i sicrhau Cymru carbon isel. Mae'r cynllun yn codi lefel yr uchelgais er mwyn ymateb i her y newid yn yr hinsawdd, i sicrhau'r manteision mwyaf posibl i lesiant Cymru drwy newid i economi carbon isel.

Cyhoeddwyd fersiwn ddiwygiedig o Bolisi Cynllunio Cymru ym mis Rhagfyr 2019. Mae hon yn amlinellu polisiâu Llywodraeth Cymru ar ddefnyddio tir. Mae Polisi Cynllunio Cymru yn amlinellu hierarchaeth glir i gefnogi datgarboneiddio, sy'n rhoi tanwyddau ffosil ar waelod hierarchaeth ynni Cymru. Hefyd, mae Llywodraeth Cymru

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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wedi dechrau ymgynghoriad ar y Fframwaith Datblygu Cenedlaethol a fydd yn amlinellu'r cyfeiriad gofodol cyffredinol ar gyfer ynni adnewyddadwy ar raddfa fawr. Cyhoeddwyd y Fframwaith Datblygu Cenedlaethol ar 7 Awst er mwyn ymgynghori yn ei gylch.

Mae Llywodraeth Cymru yn ceisio sicrhau bod polisïau a chanllawiau cynllunio'n hwyluso'r gwaith o lunio polisïau ar ynni a newid yn yr hinsawdd, gan gynnwys targedau ar gyfer Cymru, y DU, Ewrop, ac yn rhyngwladol. Mae'r ymgynghoriad cyfredol ar y Fframwaith Datblygu Cenedlaethol yn cynnwys polisïau uchelgeisiol sydd â'r nod o hyrwyddo datgarboneiddio ymhellach.

Mae Deddf yr Amgylchedd (Cymru) 2016, yn amlinellu targed i Gymru leihau allyriadau nwyon tŷ gwydr o leiaf 80% – o'u lefelau cyn 1990 – erbyn 2050. Mae'r Ddeddf hefyd yn sefydlu proses gadarn a chynhwysfawr statudol drwy bennu lefel y targedau ar gyfer allyriadau a'r cyllidebau carbon yn y cyfamser.

Yn sgil y dystiolaeth ddiweddaraf gan y Panel Rhynglywodraethol ar y Newid yn yr Hinsawdd, mae Llywodraeth Cymru wedi derbyn cyngor gan Bwyllgor y DU ar y Newid yn yr Hinsawdd (UKCCC) ynghylch sut y gallai cyflawni'r nodau yng Nghytundeb Paris effeithio ar dargedau deddfwriaethol Cymru ar gyfer y tymor hir. Mae Llywodraeth Cymru wedi derbyn argymhelliad y pwyllgor ar gyfer gostyngiad o 95% yng Nghymru, ac mae'n bwriadu deddfu i'r perwyl hwn yn 2020.

Ym mis Ebrill 2019, y Cynulliad Cenedlaethol oedd y senedd gyntaf yn y byd i bleidleisio o blaid cyhoeddi argyfwng hinsawdd. Mae Llywodraeth Cymru hefyd wedi datgan uchelgais i gyrraedd targed o sero-net erbyn 2050, a bydd yn gweithio gyda UKCCC a rhanddeiliaid eraill i ddeall sut y gellid cyflawni hyn.

Roedd cynhyrchu ynni yn gyfrifol am 34% o allyriadau Cymru yn 2016. Er mwyn i'r sector pŵer yng Nghymru gyfrannu at gyrraedd y targedau ar gyfer datgarboneiddio, bydd angen canolbwyntio ar leihau allyriadau o ffynonellau tanwydd ffosil. Yn 2017 roedd 19% o drydan y DU sy'n cael ei gynhyrchu gan orsafoedd sy'n llosgi nwy yn cael ei gynhyrchu yng Nghymru. Fodd bynnag, mae Cymru yn defnyddio llai na 6% o gyfanswm trydan y DU. Mae'r cynllun cyflawni carbon isel yn cynnwys cynigion i ddatblygu polisi ar losgi tanwyddau ar gyfer pŵer ac echdynnu tanwydd ffosil, gan gynnwys datblygiadau glo newydd.

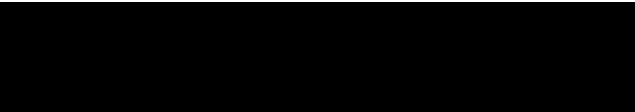
Gwnaeth Llywodraeth Cymru gomisiynu astudiaeth yn 2018 i edrych ar y cyfleoedd ar gyfer rhoi polisïau ar waith i leihau allyriadau o'r sector pŵer. Roedd hyn yn cynnwys cynhyrchu pŵer o lo, nwy, deunyddiau biomas a gwastraff. Bydd Llywodraeth Cymru yn gwneud rhagor o ddadansoddi, ymgynghori a thrafod â rhanddeiliaid craidd yn y Gyllideb Garbon gyfredol¹ (2016–20), a datblygu polisi ar losgi tanwydd ar gyfer pŵer a fydd ar waith erbyn diwedd Cyllideb Garbon gyfredol.

Er mwyn cyrraedd targedau carbon Cymru, mae angen i Lywodraeth Cymru ddatblygu polisi mewn perthynas â gorsafoedd pŵer sy'n llosgi nwy dros 350MW (a fyd yn cael ei ganiatáu gan Lywodraeth y DU) er mwyn bod yn gyson â'r llwybr carbon isel yng Nghymru. Bydd Llywodraeth Cymru yn parhau i ofyn i Lywodraeth y DU ystyried rôl nwy wrth gynhyrchu pŵer yng Nghymru dros y 10–15 mlynedd nesaf.

Hefyd mae Llywodraeth Cymru wedi dechrau paratoi'r cynllun datgarboneiddio nesaf i gyflawni'r ail gyllideb garbon (2021–26). Yn dilyn yr argyfwng hinsawdd yn cael ei gyhoeddi, a'r targedau uwch ar gyfer lleihau carbon, bydd angen i'r cynllun hwn fynd ymhellach ac yn gyflymach nag yr oeddem yn credu'n flaenorol.

Mae Cymru yn rhan o system ehangach yn y DU sy'n trosglwyddo ac yn dosbarthu trydan ledled y DU. Mae Llywodraeth y DU wedi gwneud nifer o benderfyniadau cynllunio seilwaith mawr sydd wedi arwain at lawer mwy o drydan sy'n cael ei gynhyrchu drwy losgi tanwydd ffosil yn cael ei gynhyrchu yng Nghymru, gallai hyn ychwanegu at y gost i ymdrechion datgarboneiddio yng Nghymru.

Yn gywir



Peter McDonald

Is-adran Datgarboneiddio ac Ynni / Decarbonisation and Energy Division
Llywodraeth Cymru/ Welsh Government
Parc Cathays/ Cathays Park

Cc Hefin Jones, yr Arolygiaeth Gynllunio hefin.jones@planninginspectorate.gov.uk



Gareth Leigh
Head of Infrastructure Planning
Department for Business, Energy & Industrial Strategy
1 Victoria Street
London
SW1H 0ET
beiseip@beis.gov.uk

Dear Gareth Leigh

Thank you for your letter of 26 July regarding the Application from Abergelli Power Ltd for Development Consent. This letter provides the Welsh Government response for the attention of the Secretary of State on the matters which remain outstanding at the end of Examination.

In February 2018 Prys Davies, then Head of Decarbonisation and Energy at Welsh Government, wrote to Dermot Scanlon of Peter Brett Associates in response to his invitation for comments as part of the statutory consultation on the Abergelli Power Ltd proposals. This letter set out the Welsh Government policy position on decarbonisation at the time. I enclose a copy of this letter. The response below includes information on the climate change emergency and other developments in this policy area since February 2018.

Welsh Government has made a number of policies announcements relevant to the Application both before and since the declaration of a climate emergency. Welsh Government has put in place a programme of activity to drive cross governmental action on decarbonisation. This is to fulfil our statutory obligations contained within the Environment (Wales) Act 2016. This includes setting five year carbon budgets and the publication of a plan to meet each budget. *Prosperity for All: A Low Carbon Wales* – the first statutory delivery plan for decarbonisation in Wales, with a focus on meeting the first carbon budget was published in March 2019. This contains detailed sector-by-sector emissions profiles and 100 policies and proposals to achieve a low-carbon Wales. The plan raises the level of ambition to meet the challenge of climate change to secure maximum benefits for the wellbeing of Wales through the transition to a low carbon economy.

Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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A revised version of Planning Policy Wales was published in December 2019. This sets out the land use planning policies of the Welsh Government. Planning Policy Wales sets out a clear energy hierarchy in support of decarbonisation, which places fossil fuels at the bottom of Wales energy hierarchy. Welsh Government has also commenced consultation on the National Development Framework (NDF) which will set the overall spatial direction for large-scale renewable energy. The NDF was published for consultation on 7 August.

Welsh Government seeks to ensure national planning policy and guidance facilitates the delivery of energy and climate change policies, including Welsh, UK, European and international targets. The current consultation on the National Development Framework (NDF) contains ambitious policies aimed at further promoting decarbonisation. The NDF adopts the three region model and starts to establish the requirement for regional land use planning in these regions.

The Environment (Wales) Act 2016 sets a target for Wales to reduce greenhouse gas emissions by at least 80% from their pre-1990 levels in 2050. The Act also establishes a rigorous and comprehensive statutory process in establishing the level of the interim emissions targets and carbon budgets.

Following the latest evidence from the Intergovernmental Panel on Climate Change, Welsh Government has received advice from the UK Committee on Climate Change (UKCCC) on how meeting the goals in the Paris Agreement might affect Wales' long-term legislative targets. Welsh Government has accepted the Committee's recommendation for a 95% reduction in Wales and intends to legislate to this effect in 2020.

In April 2019 the National Assembly became the first Parliament in the world to vote in favour of the declaration of a climate emergency. Welsh Government has also declared an ambition to reach net-zero by 2050 and will work with the UKCCC and other stakeholders to understand how this could be achieved.

Power generation accounted for 34% of Welsh emissions in 2016. In order for the power sector in Wales to contribute to meeting decarbonisation targets, it will be necessary to concentrate on reducing emissions from fossil fuel sources. In 2017 Wales hosted nineteen per cent of the UK's gas fired electricity generation capacity. However, Wales uses less than six per cent of the UK's total electricity. The low carbon delivery plan includes proposals to develop policy on combustion of fuels for power and fossil fuel extraction, including new coal developments.

Welsh Government commissioned a study in 2018 to look at the options for implementing policies to reduce emissions from the power sector. This included generation from gas, coal, biomass materials and waste. Welsh Government will undertake further analysis, consultation and engagement with core stakeholders within the current Carbon Budget (2016-20) and develop a policy on combustion of fuels for power that will be in place by the end of the current Carbon Budget.

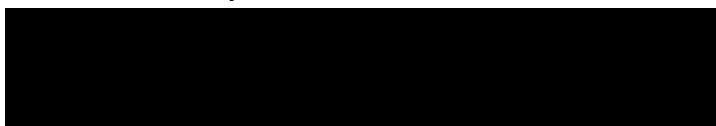
In order to meet Wales carbon targets Welsh Government needs to develop a policy regarding new gas generation above 350MW (which will be consented by UK

Government) to be consistent with the low carbon pathway in Wales. Welsh Government will continue to make the case to UK Government to consider the role of gas in Wales power generation over the next 10 to 15 years.

Welsh Government has also started preparing the next decarbonisation plan to meet the second carbon budget (2021-26). Following the declaration of the climate emergency and the increases to carbon targets this plan will need to go further and faster than previously envisaged.

Wales is part of a wider UK power system, which transmits and distributes electricity across the UK. The UK Government has made a number of major infrastructure planning decisions which have resulted in significant amount of additional fossil fuel generation being located in Wales, potentially adding cost to Wales' decarbonisation efforts.

Yours sincerely

A large black rectangular box redacting the signature of Peter McDonald.

Peter McDonald

Is-adran Datgarboneiddio ac Ynni / Decarbonisation and Energy Division
Llywodraeth Cymru/ Welsh Government
Parc Cathays/ Cathays Park

Cc Hefin Jones, Planning Inspectorate hefin.jones@planninginspectorate.gov.uk

From: Kirsty.Owen@gov.wales on behalf of Decarbonisation&Energy.GovernmentBusiness@gov.wales
To: beiseip@beis.gov.uk; Denise.Libretto@beis.gov.uk
Cc: [Jones, Hefin](#); [Abergelli Power](#); Decarbonisation&Energy.GovernmentBusiness@gov.wales
Subject: RE: Prosiect Pwer Abergelli/Abergelli Power Project - Welsh Government Response
Date: 13 August 2019 09:08:57
Attachments: [image001.png](#)
[Abergelli - WG Response Letter to Peter Brett Associates re Abergelli Power Ltd - 15.....pdf](#)

Morning Denise
My apologies – please find attached.

Many thanks

Kirsty

From: Energy Infrastructure Planning <beiseip@beis.gov.uk>
Sent: 12 August 2019 13:08
To: Decarbonisation & Energy / Datgarboneiddio ac Ynni
<Decarbonisation&Energy.GovernmentBusiness@gov.wales>; Energy Infrastructure Planning
<beiseip@beis.gov.uk>
Cc: HEFIN.JONES@planninginspectorate.gov.uk; Abergelli Power
<Abergelli.Power@planninginspectorate.gov.uk>; Libretto, Denise (Energy Development & Resilience)
<Denise.Libretto@beis.gov.uk>
Subject: RE: Prosiect Pwer Abergelli/Abergelli Power Project - Welsh Government Response

Hi Kirsty

Thank you for your email and attached letter. I note in your letter to Gareth Leigh, you indicate that a copy of the Welsh Government letter from Prys Davies to Dermot Scanlon was to be enclosed, however this was not attached to your email. I would be grateful if you could please provide.

Look forward to hearing from you.

Kind regards

Denise



Denise Libretto
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From: Kirsty.Owen@gov.wales <Kirsty.Owen@gov.wales> On Behalf Of
Decarbonisation&Energy.GovernmentBusiness@gov.wales
Sent: 09 August 2019 13:01
To: Energy Infrastructure Planning <beiseip@beis.gov.uk>
Cc: HEFIN.JONES@planninginspectorate.gov.uk
Subject: Prosiect Pwer Abergelli/Abergelli Power Project - Welsh Government Response

Good Afternoon Gareth

Please find attached response to Prosiect Pwer Abergelli/Abergelli Power Project from the Welsh Government.

Many thanks and regards

Kirsty

On behalf of Decarbonisation & Energy Division

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Llywodraeth Cymru
Welsh Government

BY EMAIL – info@abergellipower.co.uk

Dermot Scanlon
Peter Brett Associates LLP
For and on behalf of Abergelli Power Limited

15 February 2018

Dear Mr Scanlon

Abergelli Power Limited (APL) – Proposed gas fired power plant at land adjacent to the Felindre Gas Compressor Station and Abergelli Farm, Felindre, Swansea, SA5 7NN

Further to your letter of 5 January 2018, inviting comments, as part of the statutory consultation, on the Abergelli Power Ltd (APL) proposals, please find our response below.

Decarbonisation & Energy

The Welsh Government has responsibility for environmental pollution and emissions reduction policy. The Environment Act Wales sets a long term target of reducing our emissions in Wales by 80% by 2050 and requires us to set interim targets and carbon budgets. The UK Committee on Climate Change [CCC] the Welsh Government's statutory advisors, have provided their advice on the setting of the targets. Within the CCC's recommended pathway, the level of electricity generation from gas plants must reduce substantially in Wales before 2030 and 2050. The impact additional gas capacity in Wales would have on the ability to meet our statutory emissions reduction targets should be considered within this application.

The CCC's Climate Change Risk Assessment [CCRA] report summary for Wales provides a review of risks which may impact Wales as a result of climate change. A number of these risks have the potential to impact heavily on energy generation and infrastructure, as well as business productivity. APL should review the CCRA carefully in the development of their DCO application, consider the implications for the development and demonstrate how their project will be resilient in a changing climate.



**BUDDSODDWYR | INVESTORS
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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

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Transport Network Management Division

As Junction 46 is affected with heavy traffic build-up due to an increase of vehicles during rush hour and the Hospital shift change, it would be prudent to suggest to the applicant that they should seek to programme their deliveries in their Construction Traffic Management Plan, to arrive outside the peak hours on the motorway.

Historic Environment Service (Cadw)

Cadw agrees with the conclusions of the PEIR on the impact of the proposal to the historic assets identified within the study area.

Land Nature and Forestry Division - Nature Policy & Land Use

It is noted that the environmental impact assessment is ongoing and comments are unable to be made on assessments not yet undertaken or publicised.

The undergrounding of the power-lines is welcome in the long term, however the impact of the installation process on wildlife should be fully assessed and compensatory provision made where required.

Reference should be made to all protected species issues raised when the nearby gas pipeline was laid and Gas Compressor Station built. The developers should ensure that the current proposal has no negative effect in combination with those previous works, even when either scheme, viewed in isolation, had or has no significant effect.

If the scheme yields opportunities to enhance biodiversity, the developer should take every viable opportunity to progress these, thus contributing to enhancements to biodiversity under Section 6 of the Environment (Wales) Act 2016, both in their own right and on behalf of the various permitting and infrastructure authorities involved, including Welsh Government.

Planning Policy Branch

Please note as a consequence of the Wales Act 2017 (Commencement No. 4) Regulations 2017, sections 39 to 42 of the Wales Act 2017 will be fully commenced on 1 April 2019. The implication of this is the application for a non-wind onshore generating station in Wales under section 37 of the Planning Act 2008 with a capacity of below 350MW and which has yet to be accepted by the Secretary of State before this date cannot proceed as a Nationally Significant Infrastructure Project. Any application made on or after 1 April 2019 will fall to be determined under Town and Country Planning Act 1990, for which there are different pre-application procedures and submission requirements.

Marine Planning Policy

We note this development is near to but not in the Welsh National Marine Plan area. Under the Marine and Coastal Access Act 2009 any development with potential to affect the Welsh National Marine Plan area has to take account of the marine plan. The Welsh National Marine Plan is currently under development and we expect it to be adopted in 2018/19, so developers may wish to consider the draft plan in developing their proposals. The draft plan is currently undergoing public consultation and can be viewed via the following webpage: <https://consultations.gov.wales/consultations/draft-welsh-national-marine-plan>

Yours sincerely



Prys Davies
Deputy Director – Head of Decarbonisation and Energy