

From: Thomas, Lewis (ESNR-Planning)
Sent: 10 February 2021 12:07
To: Litherland, Ceri M (ESNR-Planning)
Cc: Davies, Victoria (ESNR - Planning)
Subject: RE: Call-in request - Uskmouth Power Station - App 20/0748

Hi Ceri,

I set out relevant lines below.

Lewis.

Consideration has been given to whether the proposal which is subject to this call-in request is indeed a Development of National Significance (“DNS”) and should be instead be subject to an application directly to the Welsh Ministers under Section 62D of the Town and Country Planning Act 1990.

The criteria for whether a project is a DNS is set out in the DNS (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended). Regulation 4(1) specifies the construction of a generating station is DNS only if its expected installed generating capacity is between 10 megawatts and 350 megawatts.

Furthermore, Regulation 4(2) specifies the extension or alteration of a generating station is DNS only if the extension or alteration is expected to increase the installed generating capacity by at least 10 megawatts, but not so that the installed generating capacity exceeds 350 megawatts.

Planning application no. 20/0748 to Newport City Council comprises of operational development at Uskmouth Power Station and contains a number of ancillary works such as the erection of silos and a de-dusting building, the extension to rail unloading facility and new above ground conveyors. The application does not seek permission for works which amount to the construction of a new generating station nor does it seek an alteration of existing generating facilities at Uskmouth Power Station which amount to an increase in the installed generating capacity by at least 10 megawatts.

Accordingly, the planning application does not fall within the definition of DNS under Regulations 4(1)-(2) of the DNS (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended).

From: Litherland, Ceri M (ESNR-Planning)
Sent: 10 February 2021 11:25
To: Thomas, Lewis (ESNR-Planning) **Cc:** Davies, Victoria (ESNR - Planning)
Subject: Call-in request - Uskmouth Power Station - App 20/0748


Hi Lewis

Thanks for providing the lines below for our Ministerial replies.

I am now completing the call-in check list and would be grateful if you can provide further advice/lines on whether the project in question is DNS. Two of the call-in requestors have suggested that it should be dealt with as DNS, and therefore the decision be taken by Ministers.

Thanks
Ceri

REGARDS

Ceri Litherland (Mr)
Decisions Branch - Cangen Benderfyniadau
Planning Directorate - Y Gyfarwyddiaeth Gynllunio
Department for Natural Resources - Adran Cyfoeth Naturiol
Welsh Government – Llywodraeth Cymru Cathays Park - Parc Cathays Cardiff, CF10 3NQ -
Caerdydd, CF10 3NQ 

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.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

From: Thomas, Lewis (ESNR-Planning)

Sent: 02 February 2021 14:02 **To:** Litherland, Ceri M (ESNR-Planning) **Cc:** Davies, Victoria (ESNR - Planning)

Subject: RE: JJ0039621 - minute and suggested reply (A33263303) - Uskmouth Power Station - App 20/0748

Hi Ceri,

While we have already established a view on whether the proposal is DNS or not, I would prefer this to be first stated in the outcome to the call-in request.

In the meantime, I think these lines should be included:

The criteria for whether a project is a Development of National Significance (“DNS”) is set out in the DNS (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016 (as amended). Regulation 3 specifies the construction of a generating station is DNS only if its expected installed generating capacity is between 10 megawatts and 350 megawatts. The extension or alteration of a generating station is DNS only if the extension or alteration is expected to increase the installed generating capacity by at least 10 megawatts, but not so that the installed generating capacity exceeds 350 megawatts.

The question of whether the proposal is indeed DNS, and subject to an application under Section 62D of the Town and Country Planning Act 1990, will be considered in parallel with your request to call in the current planning application before the Local Planning Authority.

Hope this helps,

Lewis.

From: Litherland, Ceri M (ESNR-Planning)

Sent: 02 February 2021 13:41 **To:** Thomas, Lewis (ESNR-Planning)

Cc: Davies, Victoria (ESNR - Planning)

Subject: FW: JJ0039621 - minute and suggested reply (A33263303) - Uskmouth Power Station - App 20/0748

Lewis

To see below. I would be grateful for your views on whether this application should be treated as a DNS.

Ceri
REGARDS

Ceri Litherland (Mr)
Decisions Branch - Cangen Benderfyniadau
Planning Directorate - Y Gyfarwyddiaeth Gynllunio

**Department for Natural Resources - Adran Cyfoeth Naturiol
Welsh Government – Llywodraeth Cymru Cathays Park - Parc Cathays Cardiff, CF10 3NQ -
Caerdydd, CF10 3NQ**

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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From: Hawkins, Kris (ESNR-Planning)
Sent: 02 February 2021 13:38
To: Davies, Victoria (ESNR - Planning); Litherland, Ceri M (ESNR-Planning)
Subject: RE: JJ0039621 - minute and suggested reply (A33263303) - Uskmouth Power Station

Hi both

The requestor (on behalf of CPRW) is also claiming that the application should be DNS and not a planning application. We need a view from Lewis on that.

Thanks
Kris

From: Davies, Victoria (ESNR - Planning)
Sent: 02 February 2021 13:27
To: Hawkins, Kris (ESNR-Planning) S
Subject: FW: JJ0039621 - minute and suggested reply (A33263303) - Uskmouth Power Station

Hi Kris,

Attached Ministerial for your consideration.
Regards,

Vicky
Vicky Davies

From: Litherland, Ceri M (ESNR-Planning)
Sent: 02 February 2021 12:05
To: Davies, Victoria (ESNR - Planning) **Subject:** JJ0039621 - minute and suggested reply (A33263303)
- Uskmouth Power Station

Vicky

Here is a draft minute and suggested reply for the Minister to send to the Chair at CPRW.

It is not clear who the original email was sent to JJ or LG.

Further call in requests from Friends of the Earth and individuals are 'in the system'.

Ceri
REGARDS

Ceri Litherland (Mr)
Decisions Branch - Cangen Benderfyniadau
Planning Directorate - Y Gyfarwyddiaeth Gynllunio
Department for Natural Resources - Adran Cyfoeth Naturiol
**Welsh Government – Llywodraeth Cymru Cathays Park - Parc Cathays Cardiff, CF10 3NQ -
Caerdydd, CF10 3NQ**

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.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.