

Response from Planning Policy Branch 10 February 2021

Uskmouth Power Station, West Nash Road, Nash, Newport, South Wales Proposal: Erection of silos and de-dusting building, extension to the rail unloading facility, new above ground conveyors and ancillary development.

SIMEC have applied to Newport Council for planning permission for the necessary works at the Uskmouth site to convert it to handling waste pellets as a fuel source. They have also applied to NRW for a variation to their environmental permit to enable them to use waste as a fuel.

SIMEC state the following in their application:

“1.1..The development will facilitate the return of the plant to service (it is currently dormant) and extend its operating life by approximately 20 years and ensure the employment of retained staff with critical skills in the energy production industry and the creation of approximately 15 additional on site jobs during the operational period.

1.2 The plant has previously produced thermal energy from the combustion of coal, thereby generating electricity. The planned conversion of the plant will remove the need for coal and instead combust waste derived fuel pellets with the capacity to produce 220MW baseload electricity to the distribution network and potentially the ability to set up advantageous and reliable supply chains at competitive costs to existing and new large scale industrial users within the Newport area...

1.3 Planning permission is NOT sought for the conversion itself as a change in the fuel source from coal to waste derived pellets does not require planning permission and there is no change of use of the existing power station as its primary purpose would be thermal combustion to generate electricity...”

I have considered the call in request from the perspective of waste planning and planning policies on the decarbonisation of energy generation.

Waste planning

Together, waste policies/strategy, national planning policies and development plans constitute the statutory Waste Management Plan in Wales for the purposes of Article 28 of the revised Waste Framework Directive. As part of the waste management plan there is a requirement to establish an integrated and adequate network of installations for the disposal and recovery of mixed municipal and residual wastes. Planning Policy Wales and TAN 21 Waste reflects the relevant legislative requirements to apply the waste hierarchy, the proximity principle (enabling waste to be treated as close as possible to where it arises) and the drive towards self-sufficiency as part of decision making.

The application in question is being proposed on the basis that its conversion to enable the use of a different fuel does not change its primary purpose as a power station, although, at the same time there is a tacit acceptance that the plant will generate its energy through the incineration of waste.

On the basis that the power station will incinerate waste it is not clear why it has not been found necessary to consider the full planning implications associated with the choice of waste as a fuel. Indeed, some of the benefits of the fuel choice are noted relative to the continuation of fossil fuel combustion or a defined fall-back position, but the potential wider implications of the fuel choice for waste planning and management are not examined.

The officer's report states that the change of fuel is a matter to be regulated via the permit. Whilst the permitting regime is intended to consider the technical implications surrounding the choice of fuel it does not necessarily follow that this means that no matters of planning policy (environmental, social or economic) arise from the switch, or that if there were then these would not be matters for the planning authority to consider. If there has been a failure to consider relevant issues, potentially important waste management implications related to the fuel choice/source and the fate of its by-products may by-pass appropriate scrutiny. It would be a matter of concern if issues of potential relevance have not been fully examined and a conflict with national planning policy may result.

Even though it is claimed the primary purpose of the plant has not changed, the choice to incinerate waste means the plant potentially becomes, by default, a part of the integrated and adequate network of installations for the disposal and recovery of mixed municipal and residual wastes and as such it will draw waste from beyond Wales. In this respect national planning policy seeks to ensure the best environmental outcome, through the application of the waste hierarchy and the striking of an appropriate balance between ensuring sufficient capacity exists to manage waste arisings in the short term without impeding the achievement of the Welsh Government's long term goals of waste prevention, a high recycling society and minimal landfill. The implications of this plant in this respect have not been examined.

Planning and the decarbonisation of energy generation

The proposal is for operational development necessary to facilitate a re-purposing of the power station. Unlike the position for the fuel source, where no consideration has been afforded to any wider implications of the proposed switch, the imperative to transition to a lower carbon form of power generation has been given consideration. It has not, however, been considered appropriate by the applicant, or Newport CC, to address proposed emissions relative to the current non-operational status of the plant on the basis that the fall back situation would be employed.

By failing to properly examine the fact that the plant has not been operational since 2017, it may be arguable that the examination of issues is too narrow in the context of energy and decarbonisation policies contained in national planning policy which seek to promote renewable forms of energy, the meeting of emissions targets/reduction and to address climate change impacts. The consequence of this is

that very cursory consideration has been afforded to the necessity of this plant in terms of energy security (though it claims one) to meet energy needs moving forward.

Conclusions

On the basis of the information contained in the officer's report, this application is for operational development to facilitate a change of fuel source. I am concerned that the full implications may not have been considered. This in turn could inadvertently undermine the waste management plan for Wales. The case is less clear cut in relation to decarbonisation but the choice to ignore any examination of the period of closure relative to the fall back and the proposed fuel choice may raise the potential to undermine the decarbonisation agenda.

Therefore, in conclusion, I do not think the full extent of issues and implications have been examined and as a result there could be potential conflicts with national policy, particularly in relation to waste planning, but potentially also in regard to decarbonisation and energy. Further, the proposal is novel, in that whilst the prime purpose is power generation, the plant could by default become part of the integrated and adequate network for waste management and as such the potential implications of such a large facility for waste management and waste planning policies should not pass without sufficient consideration. Further, and stemming from these reasons, the proposal is likely to generate controversy and would be likely to have impacts wider than the immediate surroundings.

Taken together, these reasons suggest that issues of more than local importance are raised and Welsh Government may be better placed to consider this proposal and **intervention is therefore recommended.**