

20 May 2020

Delivered by email

Ms N Lake
East Team Leader
Neath Port Talbot County Borough Council
Planning Division
The Quays
Brunel Way, Baglan Energy Park
Neath
SA11 2GG

Ref: TATT3005

Dear Nicola,

RE-DISCHARGE OF REQUIREMENT 4 (DETAILED DESIGN) – THE PORT TALBOT STEELWORKS GENERATING STATION ORDER 2015

On behalf of our client Tata Steel UK Limited ("Tata Steel"), I am pleased to enclose an application to re-discharge Requirement 4 (detailed design) of the Port Talbot Steelworks Generating Station Order 2015. This application has been submitted via email directly to Nicola Lake at Neath Port Talbot County Borough Council.

This application comprises the following documents and supporting information:

Document Name	Author	Reference Number	Revision
Covering Letter	Turley	-	-
Proposed Site Layout Plan	Tata Steel	S17327-06-03	P05
Proposed North Elevation – Switchgear Building	Tata Steel	S17327-06-06	P04
Proposed South Elevation – Switchgear Building	Tata Steel	S17327-06-07	P04
Proposed East Elevation – Switchgear Building	Tata Steel	S17327-06-08	P06
Proposed West Elevation – Switchgear Building	Tata Steel	S17327-06-09	P05
Proposed North Elevation – Turbine Hall	Tata Steel	S17327-06-13	P02
Proposed South Elevation – Turbine Hall	Tata Steel	S17327-06-14	P02
Proposed East Elevation – Turbine Hall	Tata Steel	S17327-06-15	P02
Proposed West Elevation – Turbine Hall	Tata Steel	S17327-06-16	P02
Proposed Floor Plan – Cooling Tower	Tata Steel	S17327-06-19	P02

18 Windsor Place
Cardiff
CF10 3BY

T 02920 344 445 turley.co.uk

Proposed North Elevation – Cooling Tower	Tata Steel	S17327-06-20	P02
Proposed South Elevation – Cooling Tower	Tata Steel	S17327-06-21	P02
Proposed East and West Elevations – Cooling Tower	Tata Steel	S17327-06-22	P02
Proposed Longitudinal Section – Cooling Tower	Tata Steel	S17327-06-24	P02
Proposed Cross Section – Cooling Tower	Tata Steel	S17327-06-25	P02
Proposed Site North Elevation	Tata Steel	S17327-06-30	P05
Proposed Site South Elevation	Tata Steel	S17327-06-31	P03
Proposed Site East Elevation	Tata Steel	S17327-06-32	P05
Proposed Site West Elevation	Tata Steel	S17327-06-33	P05

APPLICATION FEE

An online payment for the requisite planning application fee of £95.00 has been made to Neath Port Talbot County Borough Council (NPTCBC).

BACKGROUND CONTEXT

The detailed design for the Development Consent Order (DCO) was discussed extensively with NPTCBC throughout the first half of 2018. Applications in relation to the discharge of Requirement 4 of the DCO (detailed design) have been submitted as follows:

- **P2018/0432:** An application for an immaterial amendment to Requirement 4(3) to increase the maximum parameters of the Boiler House was submitted and approved on 8 June 2018.
- **P2018/0420:** Application to discharge Requirement 4, 6 and 15 (design, landscaping and drainage respectively) was submitted and approved on 13 July 2018.

All other relevant DCO Requirements have been discharged to allow the development to lawfully commence on the first Build Programme Phase.

Detailed Design Updates

Since this time, final technical details associated with the process design have become available. This has resulted in some minor changes to the final dimensions of the sump and cooling tower structure to achieve a plumeless cooling tower.

To prevent any impact on the validity of the completed remediation works and town sewer located beneath part of the site, the decision was made during the construction process not to excavate the sump area of the cooling tower too deeply. In doing so, this has also provided the following benefits:

- A level work area for the operators;
- Helped the design of the drainage across the development site;
- Avoided sinking the cooling tower pumps further into the ground, which had significant operational, safety and maintenance risks.

As a result of less excavation, the overall height of the Cooling Tower has increased. This remains within the maximum parameters of the DCO. The minor extent of the change is detailed further in subsequent sections of this covering letter.

As final technical and construction details have been progressed, the locations of louvre openings to accommodate pipework connections and appropriate ventilation of the buildings have been added to the elevations. These minor insertions into the completed elevations have been detailed on the submitted planning drawings. This ensures full consistency between the final approved drawings and built development.

Other non-material updates, such as clarifications on the pipework route, personnel doors and external staircases have been made to the plans to reflect the final operational design and layout.

PRE-APPLICATION DISCUSSIONS

The proposed amendments were discussed with NPTCBC in late 2019 and early 2020. It was agreed that the appropriate approach for formalising these design changes is through an application to re-discharge Requirement 4 of the DCO.

SUMMARY OF REQUIREMENT 4

A full extract of the Requirement is provided at **Appendix 1**. The sub-paragraphs relevant to this application are summarised below.

Requirement 4 sub-paragraph 4, requires written details of the design to be submitted and approved before that stage of development can commence. Requirement 4 sub-paragraph 6 requires the development to be carried out in accordance with the approved plans and other approvals given by the local planning authority.

The Requirement also sets out the maximum parameters for each element of the authorised development which must be complied with. The parameters for the Cooling Tower, as specified in Table B of Requirement 4, are:

- Maximum height of 22m
- Maximum width of 25m
- Maximum length of 80m
- Maximum area of 1,280 sqm

It is against these parameters that the design changes will be assessed below.

PROPOSED DESIGN AMENDMENTS

The extent of the design changes to be approved under the re-discharge of Requirement 4 are as follows:

Element of the Proposed Development	Proposed Design Amendment (against originally approved drawings)
Site-wide	Louvre openings added to elevational drawings to allow pipework connections and building ventilation
	Addition of pipework routes and design
Cooling Tower	Decrease in width from 22.42m to 21.2m
	Decrease in length from 43.6m to 42.9m

	Revised foundations design to reflect changes in the excavation approach
	Increase in height from 16.7m to 20.15m
Turbine Hall	Additional personnel door on southern elevation
Switchgear Building	Elevational clarifications, including external staircase detail and transformer pens

Assessment

The majority of the changes comprise minor updates to the external detail of the elevations. They result in a decrease in the height, width or length of the structures. The development remains fully in accordance with all elements of Requirement 4 and the maximum parameters.

The most notable change is the increase in height to the Cooling Tower. This increase is a result of operational and construction matters. The changes were required to the depth of excavation below the structure to prevent damage to the town sewer or on-site remediation. This design update thus ensures that wider aspects of the DCO, including the completed and validated remediation remains compliant.

The proposed increase to 20.15m remains within the maximum parameters set out by Requirement 4 of 22m and is set within the context of the surrounding DCO development. On this basis, the proposed changes to the detailed design remain wholly in accordance with the relevant sub-paragraphs of Requirement 4 of the DCO.

SUMMARY AND CONCLUSION

As is the case on projects of this nature, final technical details for the design were confirmed during the process design stage. This has resulted in some minor clarifications and updates to the technical drawings to reflect the final design. Minor changes have been required to the layout of the Cooling Tower to prevent any risk of obstructing the town sewer or remediation works during the excavations.

The proposed changes remain comfortably within the maximum design parameters set out in Requirement 4 of the DCO. This application to discharge Requirement 4 (detailed design) should be approved accordingly.

We look forward to receiving confirmation of registration in due course. In the meantime, please contact us with any queries.

Yours sincerely



Jadine Havill
Senior Planner

jadine.havill@turley.co.uk

Appendix 1: Extract of DCO Requirement 4

2015 No. 0000

INFRASTRUCTURE PLANNING

The Port Talbot Steelworks Generating Station Order 2015

Made - - - - 8th December 2015

Coming into force - - 30th December 2015

CONTENTS

PART 1

PRELIMINARY

1. Citation and commencement
2. Interpretation

PART 2

PRINCIPAL POWERS

3. Development consent granted by Order
4. Power to maintain authorised development
5. Operation of generating station
6. Benefit of Order
7. Consent to transfer benefit of Order
8. Defence to proceedings in respect of statutory nuisance

PART 3

STREETS

9. Street works

PART 4

SUPPLEMENTAL POWERS

10. Discharge of water
11. Authority to survey and investigate land

PART 5

POWERS OF ACQUISITION

12. Compulsory acquisition of rights
13. Application of Compulsory Purchase (Vesting Declarations) Act 1981

14. Compulsory acquisition of land: minerals
15. Time limit for exercise of authority to acquire rights compulsorily
16. Acquisition of subsoil or airspace only
17. Private rights
18. Statutory undertakers

PART 6 MISCELLANEOUS AND GENERAL

19. Application of landlord and tenant law
20. Operational land for purposes of 1990 Act
21. Protective provisions
22. Certification of plans, etc.
23. Service of notices
24. Procedure in relation to certain approvals, etc.
25. Arbitration
26. Crown rights

-
- SCHEDULE 1 — AUTHORISED DEVELOPMENT
SCHEDULE 2 — REQUIREMENTS
SCHEDULE 3 — MODIFICATION OF COMPENSATION AND
COMPULSORY PURCHASE ENACTMENTS FOR
CREATION OF NEW RIGHTS
SCHEDULE 4 — PROTECTIVE PROVISIONS
 PART 1 — PROTECTION OF NETWORK RAIL INFRASTRUCTURE
 LIMITED, ETC.
 PART 2 — PROTECTION OF WESTERN POWER DISTRIBUTION
 (SOUTH WALES) PLC
 PART 3 — PROTECTION OF NATIONAL GRID ELECTRICITY
 TRANSMISSION PLC
 PART 4 — PROTECTION OF DŴR CYMRU CYFYNGEDIG
SCHEDULE 5 — PROCEDURE FOR DISCHARGE OF REQUIREMENTS

only within the Order limits and insofar as such development is unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

SCHEDULE 2 REQUIREMENTS

Article 3(3)

Interpretation

1.—(1) In this Schedule—

“commencement” means the carrying out of a material operation, as defined in section 155 of the 2008 Act (when development begins), comprised in or carried out for the purposes of the authorised development; and “commence” and “commenced” must be construed accordingly;

“commissioning” means the process during which plant components and systems, having been constructed or modified, are made operational and are tested and verified to be in accordance with design assumptions and to have met the appropriate safety criteria;

“stage” means a stage of the construction of the authorised development, the extent of which is set out in the notice given to the relevant planning authority under Requirement 3 (stages of authorised development).

(2) Where a Requirement provides that the authorised development is to be carried out in accordance with details or a scheme, plan, code or other document approved or agreed by the relevant planning authority, the approved or agreed details, scheme, plan, code or other document must be taken to include any amendments or revisions subsequently approved or agreed by the relevant planning authority.

Time limits

2.—(1) The authorised development must be commenced on or before 7th December 2020.

(2) If the notice given to the relevant planning authority under Requirement 3 states that the authorised development is to be constructed in 2 stages, the second stage must be commenced within 10 years of the commencement of the first stage.

Stages of authorised development

3.—(1) The authorised development must not be commenced until the undertaker has given a written notice to the relevant planning authority stating whether the authorised development is to be constructed in 1 stage or 2 stages.

(2) If the notice states that the authorised development is to be constructed in 2 stages, the notice must state the extent of the authorised development that is to be constructed in each stage, which must not exceed the maximum parameters set out in Requirement 4 (detailed design).

(3) The authorised development must be constructed in accordance with the number of stages specified in the notice.

Detailed design

4.—(1) Subject to sub-paragraph (3), the elements of the authorised development set out in column 1 of Table A—

- (a) must not exceed the maximum dimensions set out in relation to that element in columns 2 to 4; and
- (b) must comply with the other parameters set out in relation to that element in column 5.

Table A

<i>(1) Element of authorised development</i>	<i>(2) Maximum height (metres)</i>	<i>(3) Maximum width (metres)</i>	<i>(4) Maximum length (metres)</i>	<i>(5) Other parameters</i>
Stacks	80	-	-	Maximum of 2. Minimum height of 80 metres.
Cooling tower unit	22	25	160	Maximum area of 2,560 square metres. Maximum volume of 56,320 cubic metres.
Turbine hall	25	85	55	Maximum area of 3,575 square metres. Maximum volume of 89,375 cubic metres.
Boiler house	35 (at apex)	65	60	Maximum area of 3,900 square metres. Maximum volume of 136,500 cubic metres.
Switchgear station	20	55	35	-
Administration and control building	12	28	50	-
Water treatment plant incorporating chemical dosing skids, condensate polisher, condensate pumps and condensate storage tank	10	60	60	-
66 kilovolt electrical connection (Work No. 2(a))	-	4	-	-
Cable bridge for section of 66 kilovolt electrical connection (Work No. 2(a))	5.5	4	800	The cable bridge may only be installed for the section of Work No. 2(a) between the Grange and Cefn Gwrgan substations.
Car parking area	-	-	-	Maximum of 30 parking spaces.
Perimeter fencing	3	-	-	-

(2) Subject to sub-paragraph (3), if the authorised development is constructed in 2 stages,—

- (a) the elements of the authorised development set out in column 1 of Table B constructed at the first stage—
- (i) must not exceed the maximum dimensions set out in relation to that element in columns 2 to 4; and
 - (ii) must comply with the other parameters set out in relation to that element in column 5; and
- (b) the authorised development when completed at the second stage must not exceed the maximum dimensions and parameters set out in Table A.

Table B

<i>(1) Element authorised development</i>	<i>(2) Maximum height (metres)</i>	<i>(3) Maximum width (metres)</i>	<i>(4) Maximum length (metres)</i>	<i>(5) Other parameters</i>
Stack	80	-	-	Maximum of 1. Minimum height of 80 metres.
Cooling tower unit	22	25	80	Maximum area of 1,280 square metres. Maximum volume of 28,160 cubic metres.
Turbine hall	25	45	55	Maximum area of 2,475 square metres. Maximum volume of 61,865 cubic metres.
Boiler house	35 (at apex)	45	60	Maximum area of 2,700 square metres. Maximum volume of 94,500 cubic metres.
Switchgear station	20	55	35	-
Administration and control building	12	28	50	-
Water treatments plant incorporating chemical dosing skids, condensate polisher, condensate pumps and condensate storage tank	10	60	60	-
66 kilovolt electrical connection (Work No. 2(a))	-	4	-	-

(1) <i>Element of authorised development</i>	(2) <i>Maximum height (metres)</i>	(3) <i>Maximum width (metres)</i>	(4) <i>Maximum length (metres)</i>	(5) <i>Other parameters</i>
Cable bridge for section of 66 kilovolt electrical connection (Work No. 2(a))	5.5	4	800	The cable bridge may only be installed for the section of Work No. 2(a) between the Grange and Cefn Gwrgan substations.
Car parking area	-	-	-	Maximum of 30 parking spaces.
Perimeter fencing	3	-	-	-

(3) The relevant planning authority may at the request of the undertaker approve amendments to the maximum parameters for the turbine hall and boiler house set out in columns 3 and 4 of the Tables A and B, but such approval must not be given except in relation to minor or immaterial amendments that—

- (a) will not result in the parameters set out in column 5 of either Table being exceeded for the relevant building; and
- (b) have been demonstrated to the satisfaction of the relevant planning authority as being unlikely to give rise to any materially new or materially different environmental effects from those assessed in the environmental statement.

(4) No stage of the authorised development may be commenced until written details of the following for that stage have been submitted to and approved by the relevant planning authority—

- (a) the layout, design, external appearance, dimensions and floor levels of all permanent buildings and structures;
- (b) the colour, materials and surface finishes of all permanent buildings and structures; and
- (c) the durability of all cladding materials.

(5) The details to be submitted for approval under sub-paragraph (4) must—

- (a) be in accordance with the design and access statement and the design principles document; and
- (b) include appropriately scaled plans and sectional drawings.

(6) The authorised development must be carried out in accordance with the approved plans and any other approvals given by the relevant planning authority pursuant to this Requirement.

Decommissioning of existing generating station

5.—(1) The undertaker must give written notice (the “completion notice”) to the relevant planning authority within 7 days of the date on which the commissioning of the authorised development is completed.

(2) If the authorised development is constructed in 2 stages, the duty in sub-paragraph (1) applies to the completion of commissioning of the second stage of the authorised development.

(3) The undertaker must cease to operate the existing generating station for the purposes of generating electricity as soon as reasonably practicable following service of the completion notice, having regard to the operational requirements of the steelworks, and in any event within 2 years of the date of the completion notice.

(4) Sub-paragraph (3) does not require the undertaker to demolish any part of the existing generating station.

(5) In this Requirement, “existing generating station” means—