

Lambert, Fiona

From: Lewis.Thomas19@gov.wales
Sent: 27 July 2021 14:37
To: Robinson, Ian
Subject: RE: Barry Biomass

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Hi Ian,

Further to your correspondence below, I attach a response.

I'm happy to discuss.

Many thanks,

Lewis.

From: Robinson, Ian <IRobinson@valeofglamorgan.gov.uk>
Sent: 22 July 2021 16:07
To: Thomas, Lewis (ESNR-Planning) <Lewis.Thomas19@gov.wales>
Subject: Barry Biomass

Good afternoon Lewis,

As you are aware, the Council has recently received an application from the developer of the Barry Biomass plant to retain a fire water tank. This Council sent the developer an 'invalid notice', principally on the grounds that we consider the application should be made to The Welsh Ministers as a DNS. I have attached to this email the invalid notice. That notice sets out the reasoning why the Council considers this to be the correct approach, so I won't repeat that in full in this email.

However, I should set out the wider context, and the full scope of the discrepancies on site. I have attached a plan which shows the location of the various elements of the development that do not have permission, and a number of these are substantial in size (such that individually or cumulatively they could not reasonably be regularised with a Non Material Amendment application). In addition, the whole development is a 'mirror image' (flipped 180 degrees) of the approved elevation plans. The development on the ground is not authorised by the planning permission and the variances from the approved plans are significant. Taken together, the effect of regularising the whole development would be to consent a generating station (i.e. DNS, given its size), and we do not believe that can be circumvented by seeking to regularise individual items one by one.

The appeal against the notice was successful and the inspector concluded that the Section 62ZB process is not the appropriate route to determine if this development is DNS. Consequently, please could you advise me whether WG would be likely to consider this development as DNS. I appreciate you cannot necessarily give a formal determination, but your views would assist the Council's progression of the matter. If you require any further information, plans, photographs etc, please let me know.

Regards

Ian

Ian Robinson
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Regeneration and Planning / Adfywio a Chynllunio
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Correspondence is welcomed in Welsh or English / Croesewir Gohebiaeth yn y Gymraeg neu yn Saesneg.

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