



Appendix 3.3

Welsh Government Scoping Response Letter (2nd February 2021)



Richard Frearson
Managing Director
Power Consulting (Midlands) Ltd

rf@powerconsultingmidlands.com

02/02/2020

Dear Richard

Thank you for your letter of 13 November and our subsequent meeting of 4 December to agree the scope of the environmental statement to replace the voluntary environmental statement provided to the Welsh Government last year.

My email of the 5 November had explained that our work on this case has been delayed because we have been working on responses to coronavirus and Brexit. We had yet to conclude working through what further information would be required within the proposed consultation document, in light of the review undertaken by WSP of your environmental statement provided last year. I noted WSP had identified some deficiencies in the information your client provided. Our intention remains to consult on an environmental statement that fulfils the requirements of the environmental impact assessment (EIA) regulations as closely as possible.

Your letter set out a proposed structure for the environmental statement. At our meeting we discussed how that scope should be refined in light of the advice in the WSP report, the significant RAG ratings it identified, the required content of environmental statements set out in the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017 and our views on the likely significant effects of the development.

We have agreed the baseline for the assessment should be as close to the start of construction as possible, up to 2016.

We agreed a number of topics would not fall within the scope of the environmental statement.

Ground conditions were scoped out because ongoing impacts are not considered significant in the context of EIA. The site is capped with concrete and the site benefits from a sealed drainage system. Furthermore, all tanks are served with secondary and tertiary

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.

containment, therefore the likelihood of discharges to land are low. There are no releases to land or groundwater associated with the Installation. In addition, there are no point source releases of process effluents to controlled waters from site, as all process effluents are discharged to the Dŵr Cymru/ Welsh Water sewer system. This assessment is set out by Natural Resources Wales in page 19 onwards of the Environmental Permit decision letter of 7 February 2018.

Flooding was scoped out because the plant is not located in an area at risk of flooding shown on Natural Resources Wales's 'Flood Risk Assessment Wales map'.

Drainage has similarly been scoped out because process effluent discharges to the sewer and is subsequently subject to treatment by Dwr Cymru Welsh Water. Boiler blowdown consists of demineralised water and chemicals to prevent corrosion. The water is non-hazardous, has a pH of 7 and is cooled prior to discharge. Discharges are considered not likely to have a significant environmental impact, which aligns with the view of Natural Resources Wales in page 109 onwards of the Environmental Permit decision letter of 7 February 2018.

Ecology has been scoped out. We do not support WSP's suggestion a phase one habitats survey should be undertaken as the documents supporting the planning application in 2008, the appeal decision and subsequent scoping input from the Vale of Glamorgan Council's ecologist indicate the potential presence of *Althaea hirsuta* was the only possible likely significant effect relating to onsite ecology. The survey work undertaken prior to construction is adequate to conclude there is no likely significant effect on the environment. The ecological effects from emissions to air will be dealt with in the air quality topic.

The topics scoped in, so will be included in the new environmental statement are:

- Air quality
- Climate change
- Health
- Noise
- Landscape
- Waste

The WSP report provides helpful advice about how these topics should be addressed in the environmental statement.

The scoping stage is important as it is the Welsh Government's policy that environmental statements should focus only on likely significant effects, enabling statements to be clear and easy to understand, thereby ensuring the issues that matter get the proper attention they deserve.

The subsequent consultation on the environmental statement will allow all interested parties to consider and comment on a single comprehensive document, which would reflect the requirements for environmental statements as described in regulations applying EIA to Town and Country Planning. This would ensure that all of the potential environmental impacts which could arise from the development are collated and that communities have the opportunity to consider and respond to that information.

Yours sincerely

Hywel Butts

Y Gyfarwyddiaeth Gynllunio | Planning Directorate