



# The Planning Inspectorate Yr Arolygiaeth Gynllunio

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Sarah Burley (on behalf of the applicant)  
Powys County Council  
Natural Resources Wales  
Cadw  
Clwyd-Powys Archaeological Trust

Ein Cyf / Our Ref: DNS/3214813

Dyddiad / Date: 26/05/2021

(Sent via e-mail)

**Town and Country Planning Act 1990 (as amended) ('The 1990 Act')**  
**The Developments of National Significance (Wales) Regulations 2016 (as amended) ('The DNS Regulations')**  
**The Developments of National Significance (Procedure) (Wales) Order 2016 (as amended) ('The DNS Procedure Order')**

**Application by: ALISTAIR HILDITCH-BROWN (BROAD ENERGY (WALES) LTD)**  
**Site address: BUTTINGTON QUARRY, BUTTINGTON, WELSHPOOL, SY12 8SZ**

The appointed Inspector, A McCooey BA (Hons) MSc MRTPI, has asked me to contact you regarding this Developments of National Significance (DNS) examination.

This communication constitutes official notification of important matters related to this DNS examination. Please read the following information in its entirety. If anything is unclear, please contact us. This letter should be treated as:

- 1. Notice under Section 62L(5) of the 1990 Act that the determination period shall be suspended**
- 2. A formal request for 'further information' under Regulation 15(2) of the DNS Regulations for further information from the parties named in the relevant section**
- 3. Procedural note**

**1. Notice under Section 62L(5) of the 1990 Act that the determination period shall be suspended**

It is apparent that Natural Resources Wales (NRW) have failed to provide a substantive response to the Inspectorate's initial consultation which closed on 24 May 2021. As NRW were consulted as a 'specialist consultee', they were required to respond by virtue of Article 23 of the DNS procedure order.

In line with the published Guidance on the DNS process, and as NRW is considered to be a key consultee, the Inspector considers it appropriate to suspend the determination of the application to allow time for the submission of NRW's full consultation response.

I hereby suspend the determination period for this application by a period of 5 weeks, i.e. the determination period will resume on **30 June 2021**.

**2. A formal request for 'further information' under Regulation 15(2) of the DNS Regulations for further information from the parties named in the relevant section**

The Inspector has determined that further information is required from several parties:

- **Natural Resources Wales**

The Inspector notes the attached representation submitted by the Buttington Incinerator Impact Group (BIIG) and invites NRW to comment on the issues raised by residents in relation to need for the facility, air quality issues, and impacts on European Protected sites and Sites of Special Scientific Interest.

NRW must submit **both** their substantive response on the application, and a response to the representation by BIIG by no later than **30 June 2021**.

- **Cadw**

The National Trust as owner and custodian of Powis Castle and Garden (which the Trust states constitutes four separate Grade 1 listed buildings, and the Park and Garden is also Grade 1), has objected to the development on the grounds of impact on the setting and views of/from the Castle and Gardens. A copy of the objection is attached, and the Inspector seeks any views that Cadw may wish to offer on the contents.

This should be received by no later than **30 June 2021**.

- **Clwyd-Powys Archaeological Trust**

The appointed Inspector wishes to seek the views of the Clwyd-Powys Archaeological Trust (CPAT) on the DNS application. All the application documentation can be found on the website:

<https://dns.planninginspectorate.gov.uk/projects/wales/buttington-quarry-erf/?ipcsection=docs&stage=app>

Any response from CPAT should be received by no later than **30 June 2021**.

**3. Procedural note**

Upon the close of the suspension period on 30 June 2021, the ten-working day window for the applicant to apply to vary the scheme under Article 27 of the DNS Procedure Order and for the Inspector to determine the appropriate procedure in accordance with Regulation 12 of the DNS Regulations will continue.

One working day has already passed, so there are nine working days remaining. The new deadline for both above will therefore be **12 July 2021**.

Please contact The Planning Inspectorate directly if you have any queries.

Yours sincerely,

*H Edgeworth*

**HARRY EDGEWORTH**  
**Team Leader**