

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

VIA E\_MAIL

Dear Sirs

**Town and Country Planning Act 1990**  
**The Developments of National Significance (Wales) Regulations 2016**  
**Application by: Môr Hafren Bio Power Limited DNS/3236340Site**  
**Address: Land off Newlands Road, Cardiff CF3 2EU**

## Background

Further to the close of the Hearing sessions on 29<sup>th</sup> June 2021, the Applicant (Môr Hafren Bio Power Ltd) is in receipt of:

- A supplementary representation regarding Alexandra Dock, received by e-mail from PINS on 1<sup>st</sup> July 2021, and
- A further e-mail from PINS on 2<sup>nd</sup> July 2021, within which the Inspector requests responses in respect of the planning status and other details for the Alexandra Dock facility.

## The Applicant's Response

The Applicant wishes to place on record its full and timely compliance with previous requests for information, all of which were considered appropriate and reasonable.

On the matter of Alexandra Dock, this was raised at Hearing 1 and discussed. It was raised again at Hearing 5 and the views of all parties were made known.

The latest planning Decision Notice (21/0091) is dated 11<sup>th</sup> March 2021. The application was validated on 1<sup>st</sup> February 2021. The residents had an opportunity to raise this in their Hearing Statement and a further opportunity to raise it at Hearing 1. They had an opportunity to raise it in response to the

Applicant's additional information. They had an opportunity to raise it at Hearing 5 and yet only chose to do so after the Examination Hearing sessions had been completed.

The onus is firmly on the residents to provide evidence to back up their case for inclusion of Alexandra Dock in the assessment of need for the Môr Hafren ERF. It is not up to the Applicant, or NRW, to provide additional evidence related to the facility. Both parties have already presented their respective views to the Inspector. Further clarity with regard to the planning status would be a matter for lawyers to contend.

NRW are 'Environmental Regulators', they are not planning experts and can only provide data and comment within their areas of responsibility. NRW have tried to assist the Inspector in writing and at the Hearing Sessions (having already undertaken the exercise with Newport Council to understand the nature of the Alexandra Dock facility). Newport Council have provided their understanding to NRW. NRW responded in their Hearing Statement 1 (page 3) and their Hearing Statement 5 (page 5) as to the status of Alexandra Dock.

Given the above, the Applicant considers this request wholly inappropriate and unreasonable.

### **The Relevance of Alexandra Dock**

The Applicant has, as requested, updated its Waste Planning Assessment (DOC 10 Revision 2) in accordance with the Welsh Government's Strategic Assessment (SA), which was issued by the Welsh Government without forewarning on 24<sup>th</sup> March 2021 during the first round of Examination Hearings. It is a strategic assessment for the future need for energy from waste capacity in the three economic regions of Wales. Its purpose is clearly stated at the top of page 2.

The SA, updates the basis upon which an assessment of need for the proposed Môr Hafren Energy Recovery Facility should be carried out. It is based on existing operational capacity as that is stated as a 'known guarantee'. The capacity figures cited are based upon Trident Park.

The SA explains that the significance which can be attached to proposed/planned capacity, in accordance with TAN 21.

The only known facts are:

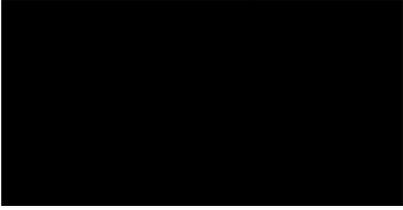
1. The Alexandra Dock facility is described in its planning applications as:

*"Bulk drying and pelleting facility with onsite energy centre, open store bays, site access and parking, security gate house, site office and workshop and elevated conveyor to the quay".*

2. There is no Environmental Permit in place to operate the facility, a requirement for a waste facility. NRW confirmed, at Hearing 5, that the last discussions took place in 2019 and are unaware of the nature and status of the development as a Regulator.

Neither the residents nor NRW have advanced evidence to suggest the facility at Alexandra Dock should be a material consideration in the demonstration of need for the Môr Hafren Energy Recovery Facility. The Applicant reserves its right to be able to respond to any further information submitted by parties on this matter.

Yours sincerely



**Maureen Darrie**  
**Director**