STATUTORY INSTRUMENTS

2016 No. 1087

INFRASTRUCTURE PLANNING

The Hirwaun Generating Station (Amendment) Order 2016

Made - - - -	*11th November 2016*
Coming into force - -	*12th November 2016*

An application has been made, under paragraph 2 of Schedule 6 to the Planning Act 2008(**1**), to the Secretary of State in accordance with the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011(**2**) for non-material changes to the Hirwaun Generating Station Order 2015(**3**).

The Secretary of State, having considered the application, the responses to the publicity and consultation required by regulations 6 and 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011, has decided to make the changes on terms that in the opinion of the Secretary of State are not materially different from those proposed in the application.

Accordingly, the Secretary of State, in exercise of the powers conferred by paragraphs 2(1) and (9) of Schedule 6 to the Planning Act 2008, makes the following Order—

Citation and commencement

1. This Order may be cited as the Hirwaun Generating Station (Amendment) Order 2016 and comes into force on 12th November 2016.

Amendment to the Hirwaun Generating Station Order 2015

2. The Hirwaun Generating Station Order 2015 ("the 2015 Order") is amended in accordance with this Order.

Amendment to article 2 (interpretation)

3. In paragraph (1) of article 2, for the definition of "the works plans" substitute the following—

(**1**) 2008 c. 29. Paragraph 2 was amended by paragraph 4 of Schedule 8 to the Marine and Coastal Access Act 2009 (c. 23), by paragraphs 1 and 72 of Schedule 13 to the Localism Act 2011 (c. 20), and by section 28 of the Infrastructure Act 2015 (c. 7). There are other amendments to the Act that are not relevant to this Order.
(**2**) S.I. 2011/2055, as amended by S.I. 2012/635 and S.I. 2015/760.
(**3**) S.I. 2015/1574, as amended by S.I. 2015/2070.

""the works plans" means the revised works plans submitted with the application dated 18th August 2016 for a non-material change to this Order under paragraph 2 of Schedule 6 to the 2008 Act and certified by the Secretary of State in accordance with article 36(1A)."

Amendments to article 36 (certification of plans etc.)

4.—(1) Article 36 is amended as follows.

(2) In paragraph (1), omit sub-paragraph (c).

(3) Insert the following paragraph after paragraph (1)—

"(1A) The undertaker must, as soon as practicable after the coming into force of the Hirwaun Generating Station (Amendment) Order 2016, submit to the Secretary of State copies of the revised work plans (revision 4 of the plans identified with document reference number 2.3) submitted with the application dated 18th August 2016 for a non-material change to this Order under paragraph 2 of Schedule 6 to the 2008 Act for certification that they are true copies of the documents referred to in this Order."

Amendments to Schedule 1 (authorised development)

5.—(1) Schedule 1 (authorised development) to the 2015 Order is amended as follows.

(2) In the description of numbered work 2B, for paragraph (e) substitute the following paragraph —

"(e) three black start diesel generators where one gas turbine generator is constructed and one black start diesel generator where two, three, four or five gas turbine generators are constructed;"

(3) In the description of numbered work 2B, insert the following paragraph after paragraph (f)—

"(g) external fin fan cooler (where only one gas turbine generator is constructed)."

Amendments to Schedule 2 (requirements)

6.—(1) Schedule 2 (requirements) to the 2015 Order is amended as follows.

(2) In paragraph 4, Table 1 is replaced by Table 1 in Schedule 1 to this Order.

(3) In paragraph 4, Table 2 is replaced by Table 2 in Schedule 2 to this Order.

Signed by authority of the Secretary of State for Business, Energy and Industrial Strategy

Giles Scott
Head of Energy Infrastructure Planning and Coal Liabilities
Department for Business, Energy and Industrial Strategy

11th November 2016

SCHEDULE 1 Article 6(2)

Table 1

Works plans	Submission document reference number 2.3 Revision 4
Rights of way, streets and access plan	Submission document reference number 2.7 Revision 3

SCHEDULE 2 Article 6(3)

Table 2

Building or Structure	*Maximum height (metres above 211 metres AOD)*	*Minimum height (metres above 211 metres AOD)*	*Maximum length (metres)*	*Minimum length (metres)*	*Maximum width (metres)*	*Minimum width (metres)*
Each gas turbine generator (where one gas turbine generator is constructed) (part of numbered work 2A)	19.0		50.0		40.0	
Each gas turbine generator (where two gas turbine generators are constructed) (part of numbered work 2A)	19.0	–	30.0	–	30.0	–
Each gas turbine generator (where three, four or five gas turbine generators are constructed)	10.0	–	36.0	–	23.0	–