

Planning and Environment Decisions Wales
Crown Buildings
Cathays Park
Cardiff, CF10 3NQ

19th November 2021

Our Ref: SOL2111 PCML\SB\lett

Dear Sir or Madam,

RE: Non-Determination Appeal Submission

Project: Barry Biomass Facility, Barry

Application reference: 2015/00031/5/CD

Appellant: Sol Environment Ltd on behalf of Biomass UK No.2 Ltd

Please find enclosed an appeal submission pursuant to section 78 (2) of The Town and Country Planning Act 1990 (as amended) (the "1990 Act") and Article 26 of The Town and Country Planning (Development Management Procedure) (Wales) Order 2012 (as amended) (the "DMPO").

This appeal relates to an application to discharge all outstanding conditions submitted pursuant to Planning Permission 2015/00031/OUT to The Vale of Glamorgan Council by Biomass No.2 Ltd on 5th May 2020.

The Non-Determination Appeal Form

The Applicant for the underlying condition discharge application was stated in the application form to be Biomass No.2 Ltd. This was a typo and the applicant was actually Biomass UK No.2 Ltd.

We have therefore stated the Appellant in the non-determination appeal form as Biomass No.2 UK Ltd. Mr Steve Butler acts as Agent to Biomass No.2 UK Ltd through his firm Sol Environment Ltd (see sections A and B of the Planning Appeal Form).

The Appeal Submission

In accordance with the requirements of the DMPO and the "When you Can Appeal" guidance dated 1st October 2021 by The Welsh Government, the appeal submission comprises:

- i. Non-Determination appeal form dated 19th November 2021
- ii. A copy of the '*Application for Approval of Details Reserved by Condition*' application as submitted to The Vale of Glamorgan Council on the 5th May 2020
- iii. All forms, documents, plans, drawings, statements, declarations, certificates, particulars and evidence submitted to The Vale of Glamorgan Council in connection with the Condition Discharge application.

- iv. Copies of email correspondence with Vale of Glamorgan Planning Officers in relation to the condition discharge application
- v. Technical Briefing Note relating to the Grounds of Appeal

Kindly confirm receipt of this letter and its enclosures by email to [REDACTED]
[REDACTED]

If you have any questions, please contact [REDACTED]

Yours sincerely,

[REDACTED]

Steve Butler

Sol Environment Ltd

encs