

REPORT BY THE HEAD OF PLANNING AND PUBLIC PROTECTION

**NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT DEVELOPMENT
CONSENT ORDERS**

APPROVAL OF REQUIREMENTS

1. PURPOSE OF REPORT

1.1 The purpose of the report is to seek Members agreement to a revision to the Scheme of Delegation to enable Officers to issue decisions on technical detail submitted to the local planning authority in accordance with planning 'Requirements' contained in Nationally Significant Infrastructure Project Development Consent Orders.

2. BACKGROUND

2.1 There are two Nationally Significant Infrastructure Projects within the County that have obtained Development Consent from the UK Government. These are the Clocaenog Forest windfarm and the North Wales Wind Farms Connection.

2.2 A Development Consent Order has been enacted for each scheme which transfers power to the undertaker to carry out the developments, i.e.:

- The Clocaenog Forest Wind Farm Order 2014 - came into force on 2nd October 2014.
- The North Wales Wind Farms Connection Order 2016 - came into force on 19th August 2016.

2.3. Members may appreciate that the North Wales Wind Farms Connection Development Consent Order was very recently enacted and is therefore still within the 6 week timescale for legal challenge at the time of drafting this report. There is a separate information report on this matter on the agenda.

2.4 Development Consent Orders include a suite of planning 'Requirements' which have the same purpose and function as planning conditions imposed on normal permissions for development.

2.5 A number of planning Requirements contained in the respective Development Consent Orders require submission of technical detail for consideration and approval by the Local Planning Authority, such as Construction Method Statements, Traffic Management Plans etc. prior to development commencing.

2.6 Appendix 1 lists the Requirements contained within the Clocaenog Forest Windfarm Development Consent Order and Appendix 2 lists the Requirements contained within the North Wales Wind Farms Connection Development Consent Order.

2.7 Officers have delegated powers to determine normal approval of condition applications, however this does not extend to approval of Requirement requests as they fall outside of the Town and Country Planning Act 1990 approval of condition application process.

2.8 Delegated powers are therefore sought to allow Officers to deal with approval of Requirement requests without referral to Planning Committee, so these can be dealt with in an expedient manner. The power to determine applications for approval of Requirements would of course be used with discretion and in agreement with local Members, with more 'contentious' matters being referred to Committee for determination if necessary.

4. RESOLUTION

4.1 It is requested that Members resolve to delegate powers to Officers to determine submissions to the local planning authority in accordance with planning Requirements contained in Nationally Significant Infrastructure Project Development Consent Orders, and to revise the Scheme of Delegation through the insertion of the following paragraph:

“1.4.5 To determine submissions to the local planning authority in accordance with planning Requirements contained in Nationally Significant Infrastructure Project Development Consent Orders”

GRAHAM H. BOASE

HEAD OF PLANNING AND PUBLIC PROTECTION