



The Planning Inspectorate Yr Arolygiaeth Gynllunio

3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Customer 0303 444 5000
Services:

e-mail: environmentalservices@infrastructure.gsi.gov.uk

Your Ref IAJ/hlc/WPL

Our Ref: 130520_EN010055 further
info (2)

Date: 20 May 2013

Dear [REDACTED]

By email only

SECTION 53: THE PLANNING ACT 2008 PROPOSED WREXHAM ENERGY CENTRE ("the proposed development") WREXHAM POWER LIMITED ("the Applicant")

Thank you for your letter dated 7 May 2013 providing comments on the Applicant's authorisation requests to the Planning Inspectorate, on behalf of the Secretary of State, for rights to enter land under section 53 of the Planning Act 2008 (as amended) ('the Act') for the purpose of surveying in relation to the proposed development. We note you are acting on behalf of:

- [REDACTED]: Land Parcel 1 – unregistered land (termed '**Authorisation Request 1**' by the Planning Inspectorate)
- [REDACTED]: Land Parcel 2 – unregistered land (termed '**Authorisation Request 2**' by the Planning Inspectorate)
- [REDACTED]: Land Parcel 3 – registered title number WA655857 (termed '**Authorisation Request 3**' by the Planning Inspectorate)
- [REDACTED] and [REDACTED]: Land Parcel 4 – registered title number CYM413391 (termed '**Authorisation Request 4**' by the Planning Inspectorate) and Land Parcel 5 – registered title number CYM 165549 (termed '**Authorisation Request 5**' by the Planning Inspectorate)
- [REDACTED]: Land Parcel 6 – registered title number CYM123301 (termed '**Authorisation Request 6**' by the Planning Inspectorate)
- [REDACTED] and [REDACTED]: Land Parcel 7 – unregistered land (termed '**Authorisation Request 7**' by the Planning Inspectorate)

As per the Planning Inspectorate's Advice Note Five 'Section 53: Rights of Entry (Planning Act 2008)', we have forwarded your correspondence to the Applicant and have requested a response to your comments. A copy of this

letter is enclosed.

Points of clarification

Authorisation Request 2

The Planning Inspectorate needs to clarify the relationship between the landowner and the occupiers for this request. We note that most of the responses to the Applicant have been made by [REDACTED] but are not clear what her interest is in the land. Please could you clarify this point; when the Planning Inspectorate issues a response on the section 53 request from the Applicant we will need to ensure that it is addressed to the correct individual(s).

Authorisation Request 6

The Planning Inspectorate would like to clarify a point raised in the letter from Forge Property Consultants on behalf of [REDACTED]. In the table of detailed comments, against 'Summary of communication to date' it states that on 26 February 2013 the Applicant wrote to your client indicating that the property was outside the route corridor. However the copy of correspondence between the Applicant and your client provided as part of the section 53 application documents does not contain this letter. Please could you explain if you are referring to a letter that is not included in the application documents and if so, provide a copy.

Requests for comment

If the Secretary of State is minded to grant authorisation under section 53 of the Act then any such authorisation may be granted subject to conditions. The Planning Inspectorate would like to invite you to provide any comments you may have on these draft conditions. This may include any conditions that you would like the Planning Inspectorate to consider imposing, taking into account the current usage of the land.

Please provide the requested information by 10 June 2013. Provided satisfactory replies have been received by this date, the Planning Inspectorate will move to make a recommendation to the Secretary of State regarding the authorisation requests, on the basis of the information which has been provided.

If there are any queries regarding the contents of this letter, please contact Helen Lancaster on 0303 444 5000.

Yours sincerely,

Helen Lancaster

Senior EIA and Land Rights Advisor

Enclosed:

- (i) Letter dated 20 May 2013 from the Planning Inspectorate to the Applicant.
- (ii) Draft licence conditions

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.