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23 August 2016  
Kevin Hughes  
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Dear Mr Sir/Madam,

**Planning Act 2008 (as amended-section 88 and the Infrastructure.**

**Planning (Examination Procedure) Rules 2010 (as amended) Rule 6 and 13)**

**RE: Application for Wrexham Power Limited for an Order Granting Development Consent for the Wrexham Energy Centre**

**I would make the following comments regarding the preliminary meeting and the issues raised relating to planning.**

**Article 15- (2a and 2b)**

***After further discussions with WCBC Traffic Section they have confirmed that:***

***(2a) 6 week's notice would be required for the Traffic Order***

***(2b) any advertising of the works would be carried out by WCBC Traffic Section as part of the Traffic Order.***

Article 39 purports to confer deemed consent in defined circumstances if a consultee or respondent does not respond within 8 weeks (a one way guillotine provision)  
Schedule 9 paragraph 1 purports to provide an approach which confers either deemed consent or deemed refusal in defined circumstances depending on whether the application relates to subjects that give rise to any materially new  
Or materially different environmental effects in comparison with the authorised development as approved ( a two-way guillotine).

***Planning Committee dates are determined well in advance. Planning Committee Meetings are held monthly with the exception of August (no meeting) and July (2 meetings).***

***One objection necessitates an application being referred to Committee with all objections detailed on the report and for determination by the Planning Committee.***

***Larger applications and some more minor applications depending on complexity may require an extension of time to more fully consider the application, a request***

*Rydym yn croesawu gohebiaeth yn Gymraeg.*

*Byddwn yn ymateb i unrhyw ohebiaeth yn Gymraeg ac ni fydd hyn yn arwain at unrhyw oedi.*

*We welcome correspondence in Welsh.*

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***for additional time and an additional requirement for re-consultation. This type of application with particular problems and objections could fall foul of the proposed approach and objections not considered or perceived not to be considered.***

***Some minor alterations/changes could be determined under Section 96A of The Town and Country Planning Act 1990 if deemed to be non-material amendments.***

***To apply the above approach would require the Councils Delegation Scheme for determination of the application which would need to be revised and I consider it unlikely the Members would wish to adopt such an approach.***

***Art 2(1)-date of final commissioning. How are the local planning authority and others to ascertain when this takes place. As referred to in the prelim meeting A planning condition would be required to stipulate the date. NRW would be the relevant organisation to issue a permit. Advice should be taken from them to ascertain the lead in time for notification required.***

***ART 16-the list of organisations should include Wrexham Planning, Welsh Water and NRW.***

***R81- Condition on Archaeology.***

***Wrexham conditions are as follows.***

***No development/works shall commence until the applicant has secured the maintenance of an on site watching brief by a suitably qualified archaeologist. during construction works in accordance with details which have been submitted to and approved in writing by the LPA. In the event of the discovery of important archaeological features outside of the scope of the watching brief, all works shall cease until otherwise advised in writing by the LPA.***

***A second condition requires a copy of the watching brief being submitted to and approved by the LPA within 2 months of completion of the fieldwork.***

***R9(4) with regard to abnormal in divisible loads the councils traffic section cannot give a particular definition. However given Highways would be involved with a formal process regarding larger and wider vehicles on the County Roads and assessing the routes and the suitability of particular crossing points etc planning would be consulted on particular movements by virtue of the planning condition.***

***I would assume CPAT have made recommendations on Archaeology.***

**Kevin Hughes-Senior Planning Officer, Wrexham County Borough Council.**

Yours faithfully,



Head of Environment and Planning

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