



The North Wales Wind Farms Connection Project

Application Letter including s55
Checklist

Application reference: EN020014

March 2015



Document reference 1.1



The Secretary of State for Energy
and Climate Change
c/o The Planning Inspectorate
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Our Ref: 1.1 Application Letter
AREAACW/081

Date: 20/03/2015

**FAO: Nicholas Coombes, Major
Applications and Plans
Directorate**

Contact: Environmental Planning
SP Energy Networks
3 Prenton Way
Prenton
Merseyside
CH43 3ET
0151 609 2568

Dear Sirs,

North Wales Wind Farms Connection Project - EN020014

Planning Act 2008

SP Manweb Plc

I am pleased to enclose, on behalf of SP Manweb plc ("SP Manweb"), an application under section 37 of the Planning Act 2008 ("the Act") for the proposed North Wales Wind Farms Connection Order.

As set out in the enclosed application form, the application is for the installation of a 132 kV electric line above ground located wholly in Wales. Accordingly, the electric line is classed a Nationally Significant Infrastructure Project pursuant to sections 14(1)(b) and 16 of the Act. Development consent is therefore required for the 132 kV electric line above ground and all works that form part of that line under section 31 of the Act.

The Proposed Development as explained in the enclosed application comprises an approximate 17 kilometre 132,000 volt (132kV) electric line above ground (electricity distribution connection) from a collector substation at Clocaenog Forest, Denbighshire, to a terminal point located to the south of the unnamed Groesffordd Marli to Glascoed Road and the B5381 (Glascoed Road) near to St Asaph, Denbighshire. In addition to the electric line above ground, the following works form part of this Nationally Significant Infrastructure Project:

- A temporary construction compound at Broadleys Farm, A543, Denbighshire and temporary storage or 'laydown areas' along the alignment;
- Access points for pedestrians and vehicles along the length of the route alignment for construction and maintenance;
- Landscaping and ecological measures to restore trees and other vegetation that have removed during construction
- Landscaping to mitigate any adverse effects;
- Other integral works such as site preparation and clearance, earth works, alteration of existing services and minor street works



Consultation on the Proposed Development has been carried out by SP Manweb in three stages, with stage three complying with the Act. As required by section 37(3)(c) of the Act the enclosed application includes a consultation report (document reference 5.1).

As required, enclosed are:

- three paper copies of the application, comprising document references 1.1-7.5 (please note that document reference 5.4 is not used);
- accompanying this letter (document reference 1.1) is a navigation document and the S.55 Checklist;
- six DVD's containing the electronic version of the application documents;

Please note that the application includes the confidential document ES Chapter 6 – Ecology and Biodiversity Technical Appendices 6.8 document reference 6.19.8.

A fee of £4500.00 has already been submitted by cheque to the Planning Inspectorate.

I would be grateful if you could confirm receipt of this application.

Yours faithfully,



Claire Duffy
Environmental Planning, SP Energy Networks for an on behalf of SP Manweb

Introduction

- 1.1. SP Manweb has submitted an application to the Secretary of State for a development consent order to construct and install, operate and maintain a new 132 kV electric line above ground between Clocaenog Forest and a terminal point located to the south of Glascoed Road near to St Asaph, Denbighshire. This Navigation Document provides a summary of the reports and plans in the application.
- 1.2. The reports and plans have been split into seven volumes:

Volume	Content
1. Application Information	the documents provide details of the specific application information required by the Planning Inspectorate
2. Plans and Drawings	these plans and drawings contain the information of where SP Manweb proposes to undertake the development should it be authorised as well as the limits within which the authorised development (the Proposed Development) can be carried out and maintained, works to accesses and public rights of way, landscaping and design drawings
3. Draft Development Consent Order	the documents outline the legal powers SP Manweb is seeking to construct and install, operate and maintain the Proposed Development
4. Compulsory Acquisition Information	the documents provide evidence of why SP Manweb requires the ability to compulsorily acquire and how it would fund such acquisition.
5. Consultation and Other Information	the documents provides details of the pre-application consultation undertaken by SP Manweb for the Proposed Development and other information relevant to the application such as Flood Consequences Assessment and Statement of Statutory Nuisance.
6. Environmental Statement	the documents provides details on how SP Manweb assessed the likely impacts of the Proposed Development on the environment
7. Other Documents	includes additional documents produced to support the application

Volume 1: Application Information

- 1.3. The volume provides details of the specific application information required by the Planning Inspectorate.

1.1 Application Letter including s55 checklist and application navigation information	Covering letter for the application accompanied by a section 55 checklist completed by SP Manweb as part of its due diligence
1.2 Application Form	A plain English, high level summary of the Proposed Development and what documents are included in the application
1.3 Planning Inspectorate Application Index	A detailed list of the application documents submitted as part of the application
1.4 Copies of Newspaper Notices	Copies of newspaper notices published as part of section 47 and section 48 consultation

Volume 2: Plans and Drawings

- 1.4. The volume contains the plans and drawings which describe the application for development consent. The Land Plans, Works Plans, Access and Rights of Way Plans and landscaping plans each include thirteen sheets. Key plans showing the location of each sheet are contained within each set of the aforementioned plans.
- 1.5. There are nine different types of plan, each showing a different element of the Proposed Development.

2.1 Location Plan	Showing the overall location of the Proposed Development and the Order Limits
2.2 Land Plans	Show the Order Limits within which SP Manweb proposes to construct and install, operate and maintain the Proposed Development and the land over which it is proposed to exercise powers of compulsory acquisition
2.3 Works Plans	Shows the Order Limits and the proposed route alignment for which development consent is sought and the limits of deviation for the Proposed Development
2.4 Access and Rights of Way Plans	Shows any new or altered means of access, affected public rights of way and temporary closures
2.5 Crown Land Plans	Shows Crown land affected by the Proposed Development
2.6 Landscaping Plans	Shows the areas proposed for landscaping
2.7 Design Drawings	Shows the sections drawings for the Proposed Development. Also shows the construction compound layout
2.8 Nature Conservation Sites Plans	Shows any statutory or non-statutory sites or features of nature conservation, habitats of protected species, important habitats or other diversity features and any other water bodies in a river basin management plan
2.9 Historic Sites Plans	Shows statutory or non statutory sites or features of the historic environment

Volume 3: Draft Development Consent Order

1.6. This volume includes the draft development consent order and the explanatory memorandum.

3.1 Draft Development Consent Order	Provisions authorising the construction, installation and operation of the Proposed Development and setting out related powers and obligations of SP Manweb
3.2 Explanatory Memorandum	Explains each of the provisions of the development consent order and gives reasons for any departures from the model clauses

Volume 4: Compulsory Acquisition Information

1.7. The application for development consent includes powers of compulsory acquisition. This is explained further in the following documents:

4.1 Statement of Reasons	Gives reasons for the seeking of powers for compulsory acquisition
4.2 Funding Statement	Explains how compulsory acquisition is proposed to be funded
4.3 Book Of Reference Parts 1 – 5	The Book of Reference describes the land and all interests in land which would be affected by the Proposed Development.

Volume 5: Consultation and Other Information

- 1.8. The volume provides details of the pre-application consultation undertaken by SP Manweb for the Proposed Development and provides other information relevant to the application.

<p>5.1 Consultation Report</p>	<p>Explains the pre-application consultation undertaken on the Proposed Development, including statutory consultation under sections 42, 47 and 48 of the Planning Act 2008. It includes a summary of the relevant responses received as part of the pre-application consultation and how these responses have been taken into account in the final proposals</p> <p>Includes a Welsh Translation of the Summary</p>
<p>5.2 Consultation Report Appendices 1 to 14</p>	<p>Appendices to support the Consultation Report</p>
<p>5.3 Flood Consequence Assessment</p>	<p>Provides an assessment of the flood risk to and of the Proposed Development</p>
<p>5.4</p>	<p>This number has not been used</p>
<p>5.5 Statement of Statutory Nuisance</p>	<p>Describes the relevant nuisances defined in the Environmental Protection Act 1990, which are a result of the Proposed Development</p>
<p>5.6 Statement of Statutory Nuisance Technical Appendix</p>	<p>Appendix to support the Statement of Statutory Nuisance</p>
<p>5.7 Habitats Regulations Assessment No Significant Effects Report</p>	<p>Produced to inform the Habitat Regulations Assessment (HRA) process for the Proposed Development</p>
<p>5.8 Habitats Regulations Assessment No Significant Effects Report Appendix 1</p>	<p>Appendix to support the Habitats Regulation Assessment No Significant Effects Report</p>
<p>5.9 Other Consents and Licences Report</p>	<p>Lists other consents, licences and permits potentially required for the Proposed Development to enable it to be construction and operated</p>

Volume 6: Environmental Statement

- 1.9. The volume provides details on how SP Manweb assessed the likely impacts of the Proposed Development on the environment. SP Manweb has carried out an environmental impact assessment of the Proposed Development and the results of that assessment are reported in an environmental statement (ES).
- 1.10. The ES is made up of four parts:
- ES main text – chapters one to fifteen
 - ES figures and plans
 - ES technical appendices – supports the main ES
 - ES non-technical summary – non technical summary and overview of the ES

6.1 Environmental Statement Chapter 1: Introduction	An introduction to the Environmental Statement
6.2 Environmental Statement Chapter 2: Description of the Proposed Development	Describes the Proposed Development
6.3 Environmental Statement Chapter 3: Alternatives and Design Evolution	Describes the alternatives and design evolution of the Proposed Development
6.4 Environmental Statement Chapter 4: EIA Methodology	Describes the EIA methodology for the Proposed Development
6.5 Environmental Statement Chapter 5: Planning Considerations	Describes the planning considerations for the Proposed Development
6.6 Environmental Statement Chapter 6: Ecology and Biodiversity	Describes the assessment of likely impact on protected habitats and species
6.7 Environmental Statement Chapter 7: Landscape and Visual	Describes the assessment of likely impacts on the landscape and visual receptors
6.8 Environmental Statement Chapter 8: Historic Environment	Describes the assessment of likely impacts on the historic environment
6.9 Environmental Statement Chapter 9: Flood Risk and Water Quality	Describes the assessment of likely impacts on flooding and water quality
6.10 Environmental Statement Chapter 10: Land Use and Agriculture	Describes the assessment of likely impacts on land use and agriculture
6.11 Environmental Statement Chapter 11: Socio-Economics and Tourism	Describes the assessment of likely impacts on socio-economics and tourism
6.12 Environmental Statement Chapter 12: Traffic and Transport	Describes the assessment of likely impacts on traffic and transport
6.13 Environmental Statement Chapter 13: Emissions	Describes the likely emissions associated with the Proposed Development
6.14 Environmental Statement Chapter 14: Electric and Magnetic Fields	Describes the assessment of likely impacts associated with electric and magnetic fields of the Proposed Development

6.15 Environmental Statement Chapter 15: Summary of Environmental Effects	A summary of the environmental effects described in the ES
6.16 Environmental Statement Figures Document	Contains figures to support the ES
6.17 Environmental Statement Chapter 1 Technical Appendix	Appendix to support ES Chapter 1
6.18 Environmental Statement Chapter 2 Technical Appendix	Appendix to support ES Chapter 2
6.19 Environmental Statement Chapter 6 Technical Appendix	Appendix to support ES Chapter 6
6.20 Environmental Statement Chapter 7 Technical Appendix	Appendix to support ES Chapter 7
6.21 Environmental Statement Chapter 8 Technical Appendix	Appendix to support ES Chapter 8
6.22 Environmental Statement Chapter 10 Technical Appendix	Appendix to support ES Chapter 10
6.23 Environmental Statement Chapter 11 Technical Appendix	Appendix to support ES Chapter 11
6.24 Environmental Statement Chapter 12 Technical Appendix	Appendix to support ES Chapter 12
6.25 Environmental Statement Chapter 13 Technical Appendix	Appendix to support ES Chapter 13
6.26 Environmental Statement Chapter 14 Technical Appendix	Appendix to support ES Chapter 14
6.27 Glossary	Provides detail of the defined terms used within the ES
6.28 Environmental Statement Non-Technical Summary	Describes the ES in non-technical language and provides an overall summary of the findings of the ES
6.28.1 Environmental Statement Non-Technical Summary Welsh Translation	Describes the ES in non-technical language and provides an overall summary of the findings of the ES in Welsh
6.29 Scoping Opinion	Provides the Secretary of States Opinion on the contents of the ES
6.30 Scoping Report	Describes SP Manweb's approach to the ES methodology. Supported a request to the Secretary of State for a Scoping Opinion

Volume 7: Other Documents

1.11. This volume includes additional documents produced to support the application.

7.1 Design and Construction Report	Describes the design for the Proposed Development, SP Manweb's approach to the Proposed Development and the construction of the Proposed Development
7.2 Design and Construction Report Technical Appendix	Appendix to support the Design and Construction Report
7.3 Strategic Options Report	Describes the process of developing and assessing options leading to the Proposed Development
7.4 Planning Statement	Describes the relevant national and local planning policies relating to the Proposed Development Includes a Welsh Translation of the Summary
7.5 Planning Statement Technical Appendix	Appendix to support the Planning Statement

**SP Manweb
North Wales Wind Farms Connection Project
Schedule of Compliance with Section 55¹**

Section 55 Application Checklist	SP Manweb Comments
1. s55(3)(a) and s55(3)(c) It is an application for an order granting development consent	
<p>1.1 Is the development a nationally significant infrastructure project² (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a development consent order³ (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which category or categories in ss14-30 does the application scheme fall)?</p> <p>If the development does not fall within the categories in ss14-30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>The development is a nationally significant infrastructure project (NSIP).</p> <p>The Application Form (reference 1.2) states "The application is for the installation of a 132 kV electric line above ground located wholly in Wales. Accordingly, the electric line is classed a Nationally Significant Infrastructure Project pursuant to sections 14(1)(b) and 16 of the Planning Act 2008. Development consent is therefore required for the 132 kV electric line above ground and all works that form part of that line under section 31 of the Planning Act 2008.".</p> <p>The application letter (reference 1.1) also states that it is an application for a development consent order (DCO) under s.37 of the Planning Act 2008. It is set out in accordance with the Planning Inspectorate's Advice Note 6 "How to submit your application" (October 2014).</p>

¹ References in this document to the Secretary of State include references (where applicable) to the Planning Inspectorate Major Applications and Plans Directorate which carries out functions related to consenting nationally significant infrastructure projects on behalf of the Secretary of State

² NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15-30

³ Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

2. s55(3)(e) The applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)

2.1 Did the applicant before carrying out the s42 consultation either (a) request the Secretary of State to adopt a screening opinion in respect of the development to which the application relates, or (b) notify the Secretary of State in writing that it proposed to provide an environmental statement in respect of that development⁴?

At an early stage of the project SP Manweb considered that the Proposed Development would be EIA development under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 and as such did not seek a screening opinion from the Secretary of State.

SP Manweb notified the Secretary of State of its intention to carry out an environmental impact assessment (EIA) under Regulation 6 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 as part of its request for a Scoping Opinion. SP Manweb submitted its request for a Scoping Opinion on 10 January 2014. The Scoping Report (document reference 6.30) contains the statement under Regulation 6 in paragraph 1.28.

2.2 Have any adequacy of consultation representations⁵ been received from "A", "B", "C" and "D" authorities; and if so do they confirm that the applicant has complied with the duties under s42, s47 and s48?

Following submission of the application for development consent the Planning Inspectorate will invite relevant local authorities to provide an adequacy of consultation statement, as set out in Advice Note 14 (April 2012). Feedback received from local authorities by SP Manweb during the three stage consultation process is set out in Chapters 8 and 12 of the Consultation Report (document reference 5.1), whilst chapters 9,10 and 11 describe how SP Manweb consulted under sections 42, 47 and 48 of the Planning Act 2008.

⁴ Regulation 6 of the The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

⁵ S55(4) of the PA2008 provides that the Secretary of State must have regard to the consultation report, and any adequacy of consultation representations received

s42: Duty to Consult

2.3 Did the applicant consult the following about the proposed application:

s42(1)(a) persons prescribed ⁶ ?	SP Manweb consulted statutory consultees prescribed under Schedule 1 of the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations) during stage three statutory consultation. The list of prescribed consultees is in Appendix 9 of the Consultation Report (document reference 5.2.3).
s42(1)(aa) the Marine Management Organisation ⁷ ?	The Proposed Development does not affect and it not likely to affect areas specified in subsection 42(1)(aa) of the Planning Act 2008. Therefore the MMO has not been consulted.
s42(1)(b) each local authority within s43 ⁸ ?	SP Manweb has consulted each local authority that falls within s43 of the Planning Act 2008 during stage three statutory consultation. The list of prescribed consultees, including s43 authorities is in Appendix 9 of the Consultation Report (document reference 5.2.3). Further, chapter 9 of the Consultation Report (reference 5.1) sets out which local authorities were consulted at stage three statutory consultation. With regards to stage one and stage two non-statutory consultation, SP Manweb consulted with a number of local authorities but not all those that fell within section 43 of the Planning Act 2008.
s42(1)(c) the Greater London Authority (if in Greater London area)?	The Proposed Development does not fall within Greater London and as such, the Greater London Authority was not consulted.

s42(1)(d) each person in one or more of s44 categories⁹?

SP Manweb consulted with each category and it is evidenced within the Book of Reference (reference 4.3) and Appendix 9.4 of the Consultation Report (reference 5.2.3).

Chapter 9 (paragraphs 9.7.21 – 9.7.31) of the Consultation Report (document reference 5.1) explains the due diligence enquiries carried out by SP Manweb to identify those individuals with an interest in the land.

Initial contact was made with persons in one or more of s44 categories through land registry searches and local enquiries involving face to face meetings with owners and occupiers.

Further more detailed land registry searches including a search of the Index Map and HMLR followed with Land interest questionnaires and request for information packs sent out.

Two letters were sent to persons in one or more s44 category regarding the statutory consultation. A formal letter inviting individuals to the statutory consultation events and giving details of the consultation was issued on 17 March 2014. This was followed up with a letter explaining that the consultation had been extended sent on 15 May 2014.

Appendix 9 of the Consultation Report (document reference 5.2.3) contains a copy of the March letter sent and Appendix 11 contains a copy of the May letter sent.

s45: Timetable for s42 Consultation

2.4 Did the applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so was the deadline notified by the applicant 28 days or more starting with the day after receipt of the consultation documents?

SP Manweb notified s42 consultees of the deadline for receipt of consultation responses during stage three statutory consultation. This information was contained within the letter sent to s42 consultees notifying them of the start of stage three statutory consultation dated 17 March 2014 and contained with Appendix 9 of the Consultation Report (document reference 5.2.3).

S42 consultation started on 20 March 2014 and closed on 18 May 2014. The consultation period was extended to 28 June 2014. All s42 consultees were notified of this extension in a letter dated 15 May 2014 and contained in Appendix 11 of the Consultation Report (document reference 5.2.3).

It should be noted that following the end of statutory consultation, 2 interests were identified as a result of continued diligent inquiry that were not notified at stage three. Whilst these persons were not identified at stage three, SP Manweb carried out extensive S.47 and S.48 consultation. Accordingly, these persons have not been prejudiced and further they have the opportunity to provide representations as part of the S.56 process.

Chapter 9 of the Consultation Report (reference 5.1) provides further information on the consultation including the deadline for receipt of responses.

The duration of each stage of consultation exceeded the minimum period of 28 days. Chapter 1 of the Consultation Report (reference 5.1) provides further information on the duration of each stage of consultation.

⁶ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

⁷ In any case where the proposed development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

⁸ Definition of “local authority” in s43(3): The “B” authority where the application land is in the authority’s area; the “A” authority where any part of the boundary of A’s area is also a part of the boundary of B’s area; the “C” authority (upper tier) where the application land is in that authority’s area; the “D” authority where such an authority shares a boundary with a “C” authority

s46: Duty to notify Secretary of State of proposed application

2.5 Did the applicant supply information to notify the Secretary of State of the proposed application; and if so was the information supplied to the Secretary of State on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?

SP Manweb notified the Secretary of State of the proposed application and provided the as supplied to s42 consultees. The notification was provided by letter dated 17 March 2014.

Chapter 9 (paragraph 9.6) of the Consultation Report (reference 5.1) provides further information on the s46 notification to the Secretary of State. Appendix 9.1 of the Consultation Report (document reference 5.2.3) includes a copy of the letter sent to the Planning Inspectorate.

The information was provided to the Secretary of State on commencement of stage three statutory consultation. The letter was dated 17 March 2014. Stage three statutory consultation started on 20 March 2014.

The letter sent to s42 consultees was sent on the same day as the notification to Secretary of State (17 March 2014).

s47: Duty to consult local community

2.6 Did the applicant prepare a statement of community consultation (SOCC) on how it intended to consult people living in the vicinity of the land?

SP Manweb consulted on and produced a SoCC prior to stage three statutory consultation.

Chapter 10 of the Consultation Report (reference 5.1) provides further information on the consultation and production of the SoCC.

Copies of the draft SoCC (Welsh and English versions) are provided in Appendix 6 of the Consultation Report (document reference 5.2.1).

The published SoCC (Welsh and English versions) are in Appendix 7 of the Consultation Report (document reference 5.2.1).

The SoCC notices (in Welsh and English) were placed in three local and regional newspapers and can be found in the Copies Newspaper Notices document (document reference 1.4).

⁹ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: person entitled to make a relevant claim. There is no requirement to check the accuracy of the list(s) or whether the applicant has made diligent inquiry

<p>2.7 Were "B" and (where relevant) "C" authorities consulted about the content of the SOCC; and if so was the deadline for receipt of responses 28 days beginning with the day after the day that "B" and (where applicable) "C" authorities received the consultation documents?</p>	<p>SP Manweb consulted on the draft SoCC with Conwy County Borough Council and Denbighshire County Council, both 'B' authorities. The Proposed Development is in Wales where there are only unitary authorities, there is no two tier system.</p> <p>Chapter 10 of the Consultation Report (reference 5.1) provides further information on the consultation and production of the SoCC.</p> <p>A draft SoCC was submitted to both Councils on 19 December 2013. It was requested that the Councils return responses by 7 February 2014. The duration for consultation was 50 days which exceeded the statutory 28 day requirement.</p> <p>Conwy County Borough Council raised no issues with the draft SoCC in their formal response of 14 February 2014. Denbighshire County Council responded in detail on 6 February 2014. Table 10.4.2 in Chapter 10 of the Consultation Report sets out the comments raised by Denbighshire County Council and SP Manweb's responses.</p>
<p>2.8 Has the applicant had regard to any responses received when preparing the SOCC?</p>	<p>At each of the three stages of consultation SP Manweb has had regard to feedback and where appropriate revised the draft SoCC accordingly.</p> <p>Chapter 10 of the Consultation Report (reference 5.1) provides further information on the consultation and production of the SoCC.</p> <p>A meeting was held with officers from Denbighshire and Conwy Councils prior to production of the draft SoCC. A number of specific suggestions were made for the draft SoCC. Further information is contained within Chapter 10 (paragraphs 10.3.7-10.3.8) of the Consultation Report (reference 5.1).</p> <p>Table 10.4.2 in Chapter 10 of the Consultation Report sets out the comments raised by Denbighshire County Council and SP Manweb's responses on how SP Manweb had regard to those responses. Conwy County Borough Council raised no issues with the draft SoCC in their formal response of 14 February 2014.</p>

2.9 Has the SOCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SOCC can be inspected?

The SoCC has been made available as part of the s47 stage three statutory consultation. The SoCC was published on the Project website on 4 March 2014 and was made available for inspection at five local venues. Advertisements were placed in three local and regional newspapers. Chapter 10 of the Consultation Report (reference 5.1) provides further information on the publishing and availability of the SoCC.

The SoCC notices (in Welsh and English) were placed in three local and regional newspapers and can be found in the Copies Newspaper Notices document (document reference 1.4).

<p>2.10 Does the SOCC set out whether the development is EIA development¹⁰; and does it set out how the applicant intends to publicise and consult on the preliminary environmental information?</p>	<p>The published SoCC (Welsh and English versions) are in Appendix 7 of the Consultation Report (document reference 5.2.1).</p> <p>Section 4.7 of the SoCC explains that the Proposed Development is EIA Development.</p> <p>Section 6 of the SoCC explains how SP Manweb intends to publicise and consult on the preliminary environmental information.</p>
<p>2.11 Has the applicant carried out the consultation in accordance with the SOCC?</p>	<p>SP Manweb has carried out the consultation in accordance with the SoCC.</p> <p>Section 10.6, Chapter 10 of the Consultation Report (reference 5.1) provides further information on the adherence of the stage three statutory consultation to the SoCC including information. Section 10.7 of chapter 10 explains the variations to the SOCC – being a change in exhibition venue as a result of a death in the original location and a need to use the venue for the wake and a extension to the consultation deadline;</p>
<p>s48: Duty to publicise the proposed application</p>	
<p>2.12 Did the applicant publish a notice, as required by Regulation 4(2) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations):</p>	
<p>(a) for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the proposed development would be situated;</p>	<p>SP Manweb published its notice for two successive weeks in three local newspapers.</p> <p>Chapter 11 of the Consultation Report (document reference 5.1) provides further information on the publicising of the s48 notice. A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>

<p>(b) once in a national newspaper;</p>	<p>SP Manweb published its notice once in one national newspaper, the Times.</p> <p>Chapter 11 Consultation Report (reference 5.1) provides further information on the publicising of the s48 notice. A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
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¹⁰ Regulation 10 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

<p>(c) once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and</p>	<p>SP Manweb published its notice once in the London Gazette. No Scottish land is affected by the Proposed Development. Chapter 11 Consultation Report (reference 5.1) provides further information on the publicising of the s48 notice. A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
<p>(d) where the proposed application relates to offshore development –</p> <p>(i) once in Lloyds List; and</p> <p>(ii) once in an appropriate fishing trade journal?</p>	<p>The Proposed Development does not include ‘offshore development’ for the purposes of Regulation 4(2)(d) of the APFP Regulations. As such, no additional advertisements were placed.</p>
<p>2.13 Did the notice include, as required by Regulation 4(3) of APFP Regulations:</p>	
<p>(a) the name and address of the applicant;</p>	<p>The name and address of SP Manweb is given in the s48 notice. The details are the same as that of the applicant name and address for the DCO application. A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
<p>(b) a statement that the applicant intends to make an application for development consent to the Secretary of State;</p>	<p>SP Manweb in the s48 notice states the intention to make an application for development consent to the Secretary of State. A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
<p>(c) a statement as to whether the application is EIA development;</p>	<p>SP Manweb in the s48 notice states that the Proposed Development is EIA development. A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>

<p>(d) a summary of the main proposals, specifying the location or route of the proposed development;</p>	<p>SP Manweb in the s48 notice describes the principal elements of the Proposed Development and the location of the route of the Proposed Development.</p> <p>A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
<p>(e) a statement that the documents, plans and maps showing the nature and location of the proposed development are available for inspection free of charge at the places (including at least one address in the vicinity of the proposed development) and times set out in the notice;</p>	<p>SP Manweb sets out in the s48 notice a number of locations where the documents, plans and maps showing the nature and location of the Proposed Development, including information so far compiled about environmental impacts (the preliminary environmental information), may be inspected free of charge.</p> <p>A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
<p>(f) the latest date on which those documents, plans and maps will be available for inspection (being a date not earlier than the deadline in sub-paragraph (i));</p>	<p>SP Manweb sets out in the s48 notice the date on which those documents, plans and maps will be available for inspection, being 18 May 2014.</p> <p>A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
<p>(g) whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge;</p>	<p>SP Manweb sets out in the s48 notice the potential charges for paper copies of the documents, plans or maps and gives a fee.</p> <p>A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
<p>(h) details of how to respond to the publicity; and</p>	<p>SP Manweb sets out in the s48 notice how to respond to the consultation.</p> <p>A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>

<p>(i) a deadline for receipt of those responses by the applicant, being not less than 28 days following the date when the notice is last published?</p>	<p>SP Manweb in the s48 notice give a deadline for sending responses which was not less than 28 days following the date when the notice was last published. The notice was last published on 27 March 2014, and responses were required to be returned by 18 May 2014 (the original deadline).</p> <p>A copy of the notice is provided in the document Copies of Newspaper Notices (document reference 1.4).</p>
<p>2.14 Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the applicant in accordance with Regulation 9(1)(c) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regulations)¹¹?</p>	<p>A copy of the s48 notice was sent to the consultation bodies (as defined by Infrastructure Planning (Environmental Impact Assessment) Regulations 2009) being those prescribed persons specified in Schedule 1 of the APFP Regulations and all relevant authorities within s43 of the Planning Act 2008.</p> <p>SP Manweb was not notified of any persons pursuant to Regulation 9(1)(c) of the EIA Regulations.</p> <p>The list of prescribed consultees, including s43 authorities is in appendix 9 of the Consultation Report (reference 5.2.3).</p>
<p>s49: Duty to take account of responses to consultation and publicity</p>	
<p>2.15 Has the applicant had regard to any relevant responses to the s42, s47 and s48 consultation?</p>	<p>SP Manweb has had regard to all feedback to consultation under s42, s47 and s48 consultation.</p> <p>Chapters 12, 13 and 14 of the Consultation Report (reference 5.1) provide an overview of the feedback received and SP Manweb's response.</p>

¹¹ Regulation 11 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009

Guidance about pre-application procedure

2.16 To what extent has the applicant had regard to DCLG guidance 'The Planning Act 2008: Guidance on the pre-application process'¹²?

Through undertaking pre-application consultation, SP Manweb has had regard to DCLG Guidance on the pre-application process (January 2013).

Chapter 5 of the Consultation Report (document reference 5.1) sets out the Guidance and how SP Manweb has met the requirements.

In response to a request from local MPs and community members, the stage three statutory consultation deadline was extended from 18 May 2014 to 28 June 2014. This extension was communicated to all parties in line with the SoCC and the DCLG Guidance.

3. s55(3)(f) and s55(5A) The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)

<p>3.1 Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include:</p> <ul style="list-style-type: none"> • a brief statement which explains why it falls within the remit of the Secretary of State; and • a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>The application has been made in the prescribed form and the application form includes a brief statement as to why it falls within the remit of the Secretary of State and which identifies the route of the Proposed Development.</p> <p>The Application Form (document reference 1.2) states:</p> <p>“The application is for the installation of a 132 kV electric line above ground located wholly in Wales. Accordingly, the electric line is classed a Nationally Significant Infrastructure Project pursuant to sections 14(1)(b) and 16 of the Planning Act 2008. Development consent is therefore required for the 132 kV electric line above ground and all works that form part of that line under section 31 of the Planning Act 2008”</p> <p>The Application Form (document reference 1.2) states:</p> <p><i>“The proposed development is in North Wales and crosses the administrative boundaries of the counties of Denbighshire and Conwy.</i></p> <p><i>The proposed 132kV connection will start in Clocaenog Forest, Denbighshire and will be routed to a terminal point located to the south of the unnamed Groesffordd Marli to Glascoed Road and the B5381 (Glascoed Road) near to St Asaph, also in Denbighshire. It crosses into the county of Conwy near to Henllan and back into Denbighshire at the Afon Elwy.”</i></p>
<p>3.2 Is it accompanied by a consultation report?</p>	<p>Document 5.1 of the DCO application is the Consultation Report. Document 5.2 is the Consultation Report Appendices.</p>

¹² The Secretary of State must have regard to the extent to which the applicant has had regard to guidance issued under s50

3.3 Is it accompanied by the documents and information set out in APFP Regulation 5(2) and listed below:	
(a) where applicable, the environmental statement required under the EIA Regulations and any scoping or screening opinions or directions;	<p>Documents 6.1 – 6.15 of the DCO application are the Environmental Statement.</p> <p>Document 6.16 is the ES Figures Document</p> <p>Documents 6.17 – 6.26 are the ES Technical Appendices</p> <p>Document 6.27 is the ES Glossary</p> <p>Document 6.28 Is the ES Non-Technical Summary (with 6.28.1 being the Welsh translation)</p> <p>Document 6.29 is the Scoping Opinion</p> <p>Document 6.30 is the Scoping Report</p>
(b) the draft proposed order;	Document 3.1 of the DCO application is the draft proposed order.
(c) an explanatory memorandum explaining the purpose and effect of provisions in the draft order;	Document 3.2 of the DCO application is the Explanatory Memorandum
(d) where applicable, a book of reference (where the application involves any compulsory acquisition);	Document 4.3 of the DCO application is the Book of Reference.
(e) a copy of any flood risk assessment;	Documents 5.3 of the DCO application is the Flood Consequence Assessment
(f) a statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the applicant proposes to mitigate or limit them;	Documents 5.5 of the DCO application is the Statement of Statutory Nuisance. Document 5.6 is the Statement of Statutory Nuisance Appendix 1

<p>(g) any report identifying any European site(s) to which regulation 48 of the Conservation (Natural Habitats, &c.) Regulations 1994¹³ applies; or any Ramsar site(s), which may be affected by the proposed development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by regulation 48(1);</p>	<p>Document 5.7 of the DCO application is the Habitats Regulations Assessment No Significant Effects Report. Document 5.8 is Habitats Regulations Assessment No Significant Effects Report Appendix 1</p>
<p>(h) a statement of reasons and a funding statement (where the application involves any compulsory acquisition);</p>	<p>Document 4.1 of the DCO application is the Statement of Reasons. Document 4.2 of the DCO application is the Funding Statement.</p>
<p>(i) a land plan identifying: -</p> <ul style="list-style-type: none"> (i) the land required for, or affected by, the proposed development; (ii) where applicable, any land over which it is proposed to exercise powers of compulsory acquisition or any rights to use land; (iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land; 	<p>Documents 2.2.0 – 2.2.13 of the DCO application are the Land Plans. These plans show:</p> <ul style="list-style-type: none"> (i) the land required for, or affected by the proposed development; (ii) land over which it is proposed to exercise powers of compulsory acquisition or any rights to use the land; (iii) land in relation to which it is proposed to extinguish easements, servitudes and other private rights; <p>No special category land has been identified as being affected by the Proposed Development.</p>
<p>(j) a works plan showing, in relation to existing features: -</p> <ul style="list-style-type: none"> (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may be carried out and any limits of deviation provided for in the draft order; 	<p>Document 2.3.0 – 2.3.13 of the DCO application are the Works Plans. These show:</p> <ul style="list-style-type: none"> (i) the proposed route and alignment of the development and works; (ii) the limits within which the development and works may be carried out and limits of deviation provided for in the draft order.

(k) Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation;

Document 2.4.0 – 2.4.13 of the DCO application are the Access and Rights of Way Plans. These show new and altered means of access and the temporary restriction/management of streets and public rights of way proposed as part of the Proposed Development.

(l) where applicable, a plan with accompanying information identifying: -

- (i) any statutory/non-statutory sites or features of nature conservation e.g. sites of geological/landscape importance;
- (ii) habitats of protected species, important habitats or other diversity features; and
- (iii) water bodies in a river basin management plan, together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the proposed development;

Document 2.8.1 - 2.8.4 of the DCO application are the plans showing Habitats and Nature Conservation Sites. The plans show:

Designated sites:

- Special Areas of Conservation
- Sites of Special Scientific Interest
- National Nature Reserves
- Sites of Importance for Nature Conservation
- Regional Important Geological Sites
- Local/Regional Wildlife Sites
- Wildlife Trust Sites

Habitats:

- Ancient Woodlands
- Wales National Forest Inventory
- Public Forests
- Peatland Habitats

Figure 3.1 in the Flood Consequence Assessment (document reference 5.3) shows water features crossed by the Proposed Development.

Chapter 6 of the ES (document reference 6.6) sets out the accompanying information for the sites and provides an assessment of any effects on such sites, features and habitats likely to be caused by the Proposed Development.

The Flood Consequence Assessment (document reference 5.3) carries out an assessment of flood risk on the Proposed Development.

¹³ Now Regulation 61 of the Conservation of Habitats and Species Regulations 2010 SI2010/490.

<p>(m) where applicable, a plan with accompanying information identifying any statutory/non-statutory sites or features of the historic environment, (e.g. scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the proposed development;</p>	<p>Document 2.9.1 – 2.9.4 of the DCO application are the plans showing Historic Sites. The plans show:</p> <p>Designated sites:</p> <ul style="list-style-type: none"> • Listed Buildings • Scheduled Monuments • World Heritage Sites • World Heritage Essential Setting • Historic Landscapes • Undesignated Sites • Ancient Semi-Natural Woodland • Conservation Areas • Registered Parks and Gardens • Parks and Gardens Essential Setting <p>Chapter 8 of the ES (document 6.8) sets out the accompanying information for the sites and provides an assessment of any effects on such sites and features likely to be caused by the Proposed Development.</p>
<p>(n) where applicable, a plan with any accompanying information identifying any Crown land;</p>	<p>Document 2.5.1-2.5.2 of the DCO application is the Crown Land Plans. The Statement of Reasons (reference 4.1) states that the interest held by the Crown is in relation to mines and minerals and that SP Manweb is in contact with the Crown to agree the necessary land documents and to obtain the Crown's consent under section 135 of the Planning Act 2008</p>

<p>(o) any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping;</p>	<p>Documents 2.6.1 – 2.6.13 are the Landscaping Plans for the Proposed Development. The plans show the areas proposed for landscaping and describe the type of landscaping proposed. Document 2.7.0 to 2.7.4 of the DCO application are the Design drawings for the Proposed Development. The drawings show the section drawings for the Proposed Development and a detailed drawing of the proposed construction compound.</p>
<p>(p) any of the documents prescribed by Regulation 6 of the APFP Regulations¹⁴;</p> <p><i><<INSERT REG 6 EXTRACT FOR RELEVANT TYPE OF DEVELOPMENT>></i></p>	<p>N/A</p>
<p>(q) any other documents considered necessary to support the application; and</p>	<p>Document 5.9 of the DCO application is the Other Consents and Licences Report.</p> <p>Document 7.1 of the DCO application is the Design and Construction Report.</p> <p>Document 7.3 of the DCO application is the Strategic Options Report.</p> <p>Document 7.4 of the DCO application is the Planning Statement.</p>

¹⁴ These are documents which are relevant to specific types of project (generating stations, highway related development, railways, harbour facilities, pipelines, hazardous waste facilities, dam or reservoirs). Confirm in each case the type of project and the relevant documents which **must** be included with the application in each case

<p>(r) if requested by the Secretary of State, three paper copies of the application form and other supporting documents and plans.</p>	<p>Three paper copies and 6 electronic copies of the DCO application documents have been supplied.</p>
<p>3.4 Are the plans, drawings or sections submitted A0 size or smaller, drawn to an identified scale and, in the case of plans, show the direction of north¹⁵?</p>	<p>The plans, drawings and sections, submitted are at A1 size, are drawn to an identified scale and, where applicable, show the direction of north.</p> <p>The design drawings (document references 2.7.0 – 2.7.3) submitted are at A0 size.</p>
<p>3.5 Where a plan comprises three or more separate sheets has a key plan been provided showing the relationship between the different sheets¹⁶?</p>	<p>SP Manweb has supplied key plans for those plans which comprise three or more separate sheets.</p>
<p>3.6 Has the applicant had regard to DCLG guidance 'Planning Act 2008: Application form guidance', and has this regard lead to the application being prepared to a standard that the Secretary of State considers satisfactory?</p>	<p>SP Manweb has had regard to DCLG guidance when completing the application.</p> <p>All the boxes in the Application Form have been completed in accordance with Section 1 and 2 – Application Form: information requirements of the DCLG guidance 'Planning Act 2008: Application form guidance'.</p> <p>In addition SP Manweb has submitted two weeks in advance of the application a GIS shapefile of the Order Limits and a cheque for £4,500 for the application fee.</p> <p>SP Manweb has also submitted an electronic index of the application documents.</p> <p>The documents have been bound in folders where relevant and grouped accordingly. The documents are formatted as Arial 12 font with all paragraphs numbered as suggested in advice Note 6.</p>

The Infrastructure Planning (Fees) Regulations 2010 (SI 106)

Fees to accompany an application

Was the fee paid at the same time that the application was made¹⁷?

SP Manweb submitted a cheque in advance of the DCO application for the application fee of £4,500. Email confirmation from the Planning Inspectorate of receipt of the cheque was received on 9 March 2015.

¹⁵ Regulation 5(3) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

¹⁶ Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

¹⁷ The Secretary of State must charge the applicant a fee in respect of the decision by the Secretary of State under section 55. If the applicant fails to pay the fee, the Secretary of State need not consider the application until payment is received by the Secretary of State. The fee payable is presently £4,500 and must be paid at the same time that the application is made.