

**From:** Vyrnwy to Frankton <[vyrnwytofrankton@planninginspectorate.gov.uk](mailto:vyrnwytofrankton@planninginspectorate.gov.uk)>

**Sent:** Tuesday, May 21, 2024 2:03 PM

**To:** Jacquie Critchley <[REDACTED]>

**Cc:** Vyrnwy to Frankton <[vyrnwytofrankton@planninginspectorate.gov.uk](mailto:vyrnwytofrankton@planninginspectorate.gov.uk)>; Jacquie Critchley <[REDACTED]>

**Subject:** The Infrastructure Planning (Miscellaneous Provisions (MP)) Regulations 2024 – Section 42 consultation

Dear Jacquie,

The Infrastructure Planning (Miscellaneous Provisions (MP)) Regulations 2024 came into force on 30 April 2024 and amend the Infrastructure Planning (Applications: Prescribed Forms and Procedure (APFP)) Regulations 2009. The transitional provisions at Regulation 4 of the MP Regulations 2024 confirm that the recently amended APFP Regulations do not apply to any proposed application for an order granting development consent where the applicant has started to consult under Section 42 of the Planning Act 2008 before 30 April 2024. The Inspectorate is contacting you as it understands that consultation under Section 42 for the Green Gen Vyrnwy Frankton project had not commenced prior to 30 April 2024.

The Inspectorate would like to inform you that as the scoping opinion request for Green Gen Vyrnwy Frankton project was received prior to 30 April 2024, the list of consultation bodies notified and consulted by the Planning Inspectorate before adopting the scoping opinion (as set out in the 'Regulation 11 list' provided to the Applicant as per Regulation 11(1)b of the Infrastructure Planning (Environmental Impact Assessment (EIA)) Regulations 2017), will not reflect the recent amendments to the APFP Regulations. The Applicant is therefore advised to review the transitional provisions in Regulation 4 of the MP Regulations 2024, together with the amendments to the APFP Regulations, and consider whether any new or different consultation bodies should be included in the consultations for the project. Please be aware that it is the responsibility of the Applicant to ensure their consultation fully accords with the requirements of the Planning Act 2008 and associated regulations and guidance. The Regulation 11 list has been compiled by the Planning Inspectorate on behalf of the Secretary of State in its duty to notify the consultation bodies in accordance with Regulation 11(1)(a) of the EIA Regulations and, whilst it can inform the Applicant's own consultation, it should not be relied upon for that purpose.

If you have any questions, please do not hesitate to get in touch.

Kind regards,

Jake



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

**Jake Stephens | Rheolwr Achos / Case Manager**

**Seilwaith Cenedlaethol (Ynni) /**

**National Infrastructure (Energy)**

Yr Arolygiaeth Gynllunio / The Planning Inspectorate

**Llinell Uniongyrchol / Direct Line: 0303 444 5678**

**Llinell Symudol / Mobile: [REDACTED]**

**E-Bost / Email:**

**[jake.stephens@planninginspectorate.gov.uk](mailto:jake.stephens@planninginspectorate.gov.uk)**

**Llinell Gymorth / Helpline: 0303 444 5000**