

APPENDIX 1 : Consenting Regime

Works	Consent	Detail	Restrictions & Conditions	Comments	Determining Authority
GARTH – Western side of the Dwyryd Estuary					
Operational Land - permitted development rights for electricity statutory undertakers					
Section of underground buried cables to connect SEC & THH	Town and Country Planning (General Permitted Development) 1995 Part 17, Class G	(a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching station or chambers reasonably necessary in connection with an electric line	Not permitted if development G.1(a) (i) consist of or include installation would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 applies.	This condition applies as the cable is under land and s37 does not apply as this applies to above ground cables.	Gwynedd Council
			Not permitted if development G.1. (a) (i) would consist of or include the installation or replacement at or above ground level or under a highway used by vehicular traffic, of a chamber for housing apparatus and the chamber would exceed 29 cubic metres in capacity.	This condition applies as the cable is under ground so not at ground level. There are no chambers along the route.	Gwynedd Council
			Conditions apply (G2) (a) development consisting of or including the replacement of an existing electric line, compliance with any conditions contained in a planning permission relating to the height, design or position of the existing electric line which are capable of being applied to the replacement line	Not applicable as not replacing exiting electric line.	Gwynedd Council
Shaft and tunnel construction		a) the installation or replacement in, on, over or under land of an electric line and the construction of shafts and tunnels and the installation or replacement of feeder or service pillars or transforming or switching station or chambers reasonably necessary in connection with an electric line	Not permitted if development G.1(a) (i) consist of or include installation would consist of or include the installation or replacement of an electric line to which section 37(1) of the Electricity Act 1989 applies	This condition applies as the tunnel and shafts are on and under land. s37 does not apply as this applies to above ground cables.	Gwynedd Council
			Not permitted if development G.1. (a) (i) would consist of or include the installation or replacement at or above ground level or under a highway used by vehicular traffic, of a chamber for housing apparatus and the	This condition applies as the cable is underground so not at ground level. A tunnel is not classed as a chamber.	Gwynedd Council

			chamber would exceed 29 cubic metres in capacity.		
			Conditions apply (G2) (a) development consisting of or including the replacement of an existing electric line, compliance with any conditions contained in a planning permission relating to the height, design or position of the existing electric line which are capable of being applied to the replacement line;	Not applicable as there is no current electric line in the location that is being replaced.	Gwynedd Council
Reconfiguration and extension at Garth Sealing End Compound (SEC)		(f) any other development carried out in, on, over or under the operational land of the undertaking.	Development would include G.1. (3) (i) the erection of a building, or the reconstruction or alteration of a building where its design or external appearance would be materially affected, or	The currently site is to be extended within our current Operational Land. There will be no building erected just the site extended and configured differently.	Gwynedd Council
			Development would include G.1. (e) (ii) the installation or erection by way of addition or replacement of any plant or machinery exceeding 15 metres in height or the height of any plant or machinery replaced, whichever is the greater.	No plant shall exceed 15metres in height. The current gantry at Garth SEC will be removed and there will be no equipment greater than 10 metres in height.	Gwynedd Council
Non-operational land – planning permission required					
Permanent new Tunnel Head House (THH), permanent access road near Garth SEC & section of underground buried cables to connect SEC & THH.	Town and Country Planning Act (1990)	This is not operational land and seen as development - “....carrying out of <u>building, engineering, mining or other operations</u> in, on, over or under land, of the making of any material change in the use of any buildings or other land.” (TCPA 1990)		The tunnel headhouses will be sized to accommodate only the required equipment for the operation of the tunnel. Designed in a way to fit in with the environment and surroundings. The west side will be approximately 25m x 15m x 6m.	Gwynedd Council
Temporary access track and construction site (near Garth SEC)					Gwynedd Council

Non-operational land – use of existing consents, new consents and/or deemed planning permission					
Removal of Pylons 4ZC037 to 33	Electricity Act 1947/57.	Consent given to install, operate and remove overhead line so gave deemed planning permission under the Town and Country Planning Act 1962.		Use of existing consent	Gwynedd Council
Removal of Pylon 4ZC032 (access through the estuary and adjacent to SSSI/SAC)		Consent given to install, operate and remove overhead line so gave deemed planning permission under the Town and Country Planning Act 1962.		Use of existing consent	Gwynedd Council & Natural Resource Wales
All works adjacent and close to Ysbyty Bron Y Garth SSSI (designated for bats).	EU Habitats Directive	Habitat Regulations Assessment screening will be discussed with NRW			Natural Resource Wales
ESTUARY/MARINE					
Non-operational land – new consent, use of existing consents and/or deemed planning permission					
Tunnel construction	Marine and Coastal Access Act (MCAA) 2009	A marine licence for the construction of the tunnel if drill and blast technology is utilised (to be confirmed as tunnel boring machine maybe utilised).		Program for tunnel construction is 2021.	Natural Resource Wales
Technology within tunnel	Marine and Coastal Access Act (MCAA) 2009	A marine licence for the installation of the cable within the tunnel will be submitted near the time.		Program for tunnel completion is 2022/3.	Natural Resource Wales
Removal of Pylons 4ZC031, 30 (replacement) and 30.	Electricity Act 1947/57.	Consent given to install, operate and remove overhead line so gave deemed planning permission under the Town and Country Planning Act 1962.		Use of existing consent	Natural Resource Wales
	Marine and Coastal Access Act (MCAA) 2009	A marine licence for the removal of the pylons will be submitted near the time and will include a Habitats Regulations Assessment.		Program for removal is 2024/25.	Natural Resource Wales

OTHER					
Helicopter landing site	Town and Country Planning Act (1990) or Town and Country Planning (General Permitted Development) 1995. Part 4, Class A	Location to be confirmed. If adjacent to construction work can utilise Permitted Development (tbc)	Use of "Temporary Buildings and Uses" (Part A) The provision on land of buildings, moveable structures, works, plant or machinery required temporarily in connection for duration of operations for duration of operations being, or to be carried out on, in, under or over that land adjoining that land.	The use of the helicopter for removal of the pylons is still in the investigational stage. We will provide more detail when the helicopter use and location site has been confirmed.	Snowdonia National Park & Gwynedd Council
CLIFOR – Eastern side of the Dwyryd Estuary					
Non-operational land – planning permission required					
New Tunnel Head House (THH) and permanent access road. New SEC. Construction site	Town and Country Planning Act (1990)	This is not operational land and work seen as development.		The tunnel headhouses will be sized to accommodate only the required equipment for the operation of the tunnel. Designed in a way to fit in with the environment and surroundings. The east side headhouse will be sized in a way to remove additional electrical structures and will be approximately 40m x 15m x 12m high.	Snowdonia National Park & Gwynedd Council (Lead)
Non-operational land – use of existing consents and/or deemed planning permission					
Removal of Pylons 4ZC029, 28 and 27	Electricity Act 1947/57.	Consent given to install, operate and remove overhead line so gave deemed planning permission under the Town and Country Planning Act 1962.		Use of existing consent	Snowdonia National Park & Gwynedd Council (Lead)

Screening under the Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017, Section 37 Consent under the Electricity Act 1989 and The Overhead Lines (Exemption) (England & Wales) Regulations 2009 **does not** form part of this letter.

BEIS will be contacted separately and the statutory authorities consulted as part of the process. For information, the consenting regime is set out below:

<p>The works Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2017, Schedule 2 (development requiring screening if no EIA report is provided), applies as paragraph 2 notes –</p> <ul style="list-style-type: none"> a. Electric line installed above ground with voltage greater than 132KV b. Electric line installed above ground in a sensitive area <p>The overhead line is 400kv and is within the Snowdonia National Park.</p>					
Replacement of Pylon 4ZC027 and the overhead line	Exempt under The Overhead Lines (Exemption) (England & Wales) Regulations 2009	Works to overhead lines require s37 consents unless undertaken within available exemption. Regulation 3 notes, s37 shall not apply to (e) the installation or keeping installed an electric line which replaces an existing line whether or not is it installed in the same position as the existing line.	Regulation 5 - The exemptions in regulation 3 (1)(c),(e) and (f) shall not apply where (1) (c) subject to sub-paragraph (3), the installation will be in a National Park or an area of outstanding natural beauty and it is determined for the purposes of this regulation that there is likely to be a significant adverse effect on the environment.	The replacement is within exemption as – - it is the same voltage - the height of the replacement tower is lower (height 50.5m) than the original tower (height 53.9m). - the new line is within 60m of the existing line. - there are no significant adverse effects on the environment.	Snowdonia National Park & Secretary of State Business, Energy, Industrial Strategy (BEIS)
Temporary diversion of section of existing overhead line Pylons 4ZC027-28	Electricity Act 1989 - Section 37 Consent	Consent required when installing a new overhead line less than 2km in length.	Exemptions granted if – 1. Duration not to exceed 6 months 2. Straight line distance no more than 850m 3. Significant impact on National Park	Exceeds tolerances as temporary diversion envisaged to be for 3 years. Distance approx 400m and there is deemed to be no significant adverse environmental effects. Therefore Section 37 consent is required.	