

## Meeting of the Planning Committee on 17th July 2024

### Non-Statutory Stage 1 Consultation from National Grid for the Chesterfield to Willington Project.

#### Appendix One National Significant Infrastructure Projects Background Information

##### Development Consent Order

Under The Planning Act 2008 nationally significant infrastructure projects (NSIPs) are large scale projects falling into five general categories Energy; Transport; Water; Waste Water and Waste.

Instead of applying to the local authority for planning permission under the Act, the NSIP developer must apply to the Planning Inspectorate (PINS) for a different permission called a Development Consent Order (DCO). PINS will make recommendations on the DCO with the final decision being made by the relevant Secretary of State.

National Policy Statements (NPS) set out the government's policy on particular types of national significant infrastructure projects and provide the primary basis for making decisions on DCOs. The National Planning Policy Framework (NPPF) does not contain specific policies for nationally significant infrastructure projects, which are determined under the NSIP regime.

There are statutory duties in relation to the environment and heritage set out in the Electricity Act 1989 and the Infrastructure Planning (Decision) Regulations 2010, Regulation 3.

Guidelines on overhead line routing were first formulated in 1959 by Sir William later Lord, Holford, who was a part-time member of the CEGB. National Grid, subject to consideration of environmental assessments which addresses wider topics than the visual amenity issue on which the Rules concentrate, concluded that the [Holford Rules](#) have stood the test of time. Therefore, they continue to be applied by National Grid in relation to overhead lines.

##### Process

The Tables below set out the process to be undertaken in relation to the proposed overhead transmission line.

##### Requirement for the transmission line.

<b>The National Grid Electricity System Operator (ESO)</b>	<ul style="list-style-type: none"><li>• The ESO is a legally separate part of the National Grid Group.</li><li>• The ESO identifies the transmission network requirements for the next decade.</li><li>• ESO anticipates that the network between the North and the Midlands needs to transfer as much as 31 GW of power by 2035.</li></ul>
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<b>National Grid Electricity Transmission</b>	<ul style="list-style-type: none"> <li>• Identifies the infrastructure required to meet the future requirements set out by the ESO.</li> <li>• Identifies the potential options.</li> <li>• Undertakes a Non Statutory Consultation based on evidence: <ul style="list-style-type: none"> <li>➢ Chesterfield to Willington Strategic Options Report</li> <li>➢ Chesterfield to Willington Corridor Preliminary Routeing and Siting Study .</li> </ul> </li> <li>• Applies for a DCO under the Planning Act 2008.</li> </ul>
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Summary of the process for applying for a DCO for the transmission line.

<b>Process</b>	<b>Activities</b>	<b>Role of the Council</b>
<b>Statutory Consultation</b>	<ul style="list-style-type: none"> <li>• Before submitting an application, the potential applicant has a statutory duty to carry out consultation on their proposals.</li> </ul>	<ul style="list-style-type: none"> <li>• The Council has 28 days to provide comments of the applicant's draft Statement of Community Consultation.</li> <li>• Respond to the consultation.</li> <li>• Look to agree terms of any Planning Performance Agreement with the applicant.</li> </ul>
<b>Application</b>	<ul style="list-style-type: none"> <li>• Application is made to the Planning Inspectorate (PINS).</li> </ul>	
<b>Acceptance</b>	<ul style="list-style-type: none"> <li>• PINS has a period of up to 28 days to decide whether or not the application meets the standard required to be examined.</li> </ul>	<ul style="list-style-type: none"> <li>• Council submits adequacy of consultation representation to PINS.</li> </ul>
<b>Pre-examination</b>	<ul style="list-style-type: none"> <li>• Inspector(s) appointed.</li> <li>• The public will be able to register with PINS and make 'Relevant Representation' in order to become an Interested Party.</li> </ul>	<ul style="list-style-type: none"> <li>• Potentially comments on Examination draft timetable.</li> <li>• Potentially attends Preliminary Meeting.</li> </ul>
<b>Examination</b>	<ul style="list-style-type: none"> <li>• The Inspector(s) has a maximum of 6 months to carry out the examination.</li> <li>• Based on National Policy Statements.</li> <li>• Inspector(s) report sent to Secretary of State within 3 months of the close of the examination.</li> </ul>	<ul style="list-style-type: none"> <li>• Submits Local Impact Report.</li> <li>• Statement of Common Grounds.</li> <li>• Written Representations.</li> <li>• Attends and participates in the hearings.</li> <li>• Response to Examiner's written questions and requests for further information.</li> <li>• Comment on other representations.</li> </ul>
<b>Decision</b>	<ul style="list-style-type: none"> <li>• The Secretary of State has 3 months to make the decision to grant or refuse development consent.</li> <li>• The Secretary of State must decide applications in line with policies set out in National Policy Statements.</li> <li>• If approved it will be subject to requirements (conditions attached to DCP).</li> </ul>	<ul style="list-style-type: none"> <li>• Discharge of Requirements and monitoring.</li> <li>• Enforcement if required.</li> <li>• Responds to notifications – non material and material change applications.</li> </ul>
<b>Post Decision</b>	There is the opportunity for legal challenge.	

In the context of the Table:

- A statutory requirement is for the Planning Inspectorate to invite the Council to submit an adequacy of consultation representation. It provides the opportunity for the Council to comment on any shortcomings of the consultations.
- A Local Impact Report (LIR) is a report giving details of the likely impact of the proposed development on the authority's area (or any part of that area). The content of the LIR is a matter for the local authority (Planning Act 2008, Section 60 (3)).
- A Statement of Common Ground is agreed between the Applicant and the Council which:
  - Sets out any matters on which the applicant and another party agree.
  - Identifies those areas where agreement has not been reached.