

Infrastructure 31, EDF

Senedd Cymru | Welsh Parliament

**Pwyllgor Newid Hinsawdd, yr Amgylchedd a Seilwaith | Climate Change,
Environment, and Infrastructure Committee**

Bil Seilwaith (Cymru) | Infrastructure (Wales) Bill

Ymateb gan EDF | Evidence from EDF

Climate Change, Environment, and Infrastructure Committee
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EDF's response to Infrastructure (Wales) Bill

EDF is the UK's largest producer of low carbon electricity. EDF operates low carbon nuclear power stations and is building the first of a new generation of nuclear plants. With around six million electricity and gas customer accounts, including residential and business users, EDF aims to help Britain achieve net zero by building a smarter energy future that will support delivery of net zero carbon emissions, including through digital innovations and new customer offerings that encourage the transition to low carbon electric transport and heating.

As a key part of EDF, EDF Renewables is one of the UK's leading renewable energy companies, specialising in wind power, solar and battery storage technology. Working closely with our R&D division, we're developing future innovations, including hydrogen technology. We're also investing in decarbonising the UK's transport sector and developing vital power infrastructure for charging electric vehicles.

EDF welcomes the opportunity to provide our views on the Infrastructure (Wales) Bill. We support the Renewable UK Cymru response to this consultation and welcome the inclusion of all consents and permits under one Infrastructure Consent, including the deeming of marine licences.

We would also welcome:

- Further clarifications from Welsh Government on the transitional arrangements (from DNS to this process).
- The direction developers can receive from Welsh Government on whether 10-50MW projects fall under the Town and Country Planning Act or fall within the new legislation.
- Confirmation that Planning and Environment Decisions Wales (PEDW) and other stakeholders will be properly resourced to make sure the process is effective in reality.
- Clarity for Celtic Sea projects in Project Development Area (PDA) 3 that straddle both English and Welsh jurisdictions. Whilst it is recognised that a project over 350MW in Welsh waters is dealt with under the Planning Act 2008 and consented by UK Government, under the current licensing system, the part within Welsh waters will need a standalone marine licence as Welsh marine licences cannot be deemed under a DCO (which is the case in England) unless the project wholly sits within Welsh waters.

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Under the new proposed consenting regime for Wales, no provision to deem under the Planning Act is given, therefore, the part of a project in Welsh waters is likely to need an Infrastructure Consent with a deemed marine licence, in addition to a DCO with a deemed marine licence. This could introduce complexities into the consenting process for projects within this PDA through the need for multiple consents from different bodies as well as increased pressure on statutory consultees who will need to feed into both the DCO (and deemed marine licence) and the Welsh IC (and deemed marine licence) due to the proximity/overlap to the jurisdiction boundary. We would welcome clarification on this point and further discussion with Natural Resources Wales (NRW), Welsh Government and the Planning Inspectorate (PINS) to understand how this could work effectively and efficiently to prevent a slowing down of the consenting process for such projects.

We recognise that it is difficult to retain experienced employees, to continuously train new staff and to have enough personnel to process these applications across organisations. To address this issue and avoid delays in delivering the Infrastructure Consent regime, we propose that a Welsh Government central resource, essentially a 'pool of experts', could be established to support the delivery of projects that would be available to Welsh Government, Local Planning Authorities, PEDW, NRW and developers to tap into. It is not realistic to expect all 22 LPAs to have in-house expertise on all topics of relevance to the planning system and, where they do, they may not be fully utilised. A pool of experts operating on a full cost recovery basis providing advice to all stakeholders would potentially be a more cost-effective option.

Head of Renewables Policy & Regulation