



# Infrastructure (Wales) Act 2024

2024 asc 3

## PART 2

### REQUIREMENT FOR INFRASTRUCTURE CONSENT

#### *The requirement*

#### **19 Requirement for infrastructure consent**

The consent of the Welsh Ministers (“infrastructure consent”) is required for development to the extent that the development is or forms part of a significant infrastructure project.

#### **20 Effect of requirement for infrastructure consent**

- (1) To the extent that infrastructure consent is required for development, none of the following is required for the development—
  - (a) planning permission;
  - (b) consent under section 36 or 37 of the Electricity Act 1989 (c. 29) (construction etc. of generating stations and installation of overhead lines);
  - (c) authorisation under the following Parts of the [Historic Environment \(Wales\) Act 2023 \(asc 3\)](#)—
    - (i) Part 2 (works affecting scheduled monuments: class authorisations and authorisation by scheduled monument consent);
    - (ii) Part 3 (works affecting listed buildings: authorisation by listed building consent);
    - (iii) Part 4 (demolition of buildings in conservation areas: authorisation by conservation area consent).
- (2) To the extent that infrastructure consent is required for development, the development may not be authorised by any of the following—
  - (a) an order under section 14 or 16 of the Harbours Act 1964 (c. 40) (orders in relation to harbours, docks and wharves);

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (b) an order under section 1 or 3 of the Transport and Works Act 1992 (c. 42) (orders as to railways, tramways, inland waterways etc.).
- (3) If infrastructure consent is required for the construction, improvement or alteration of a highway, none of the following may be made or confirmed in relation to the highway or in connection with the construction, improvement or alteration of the highway—
- (a) an order under section 10 of the Highways Act 1980 (c. 66) (general provisions as to trunk roads) directing that the highway should become a trunk road;
  - (b) an order under section 14 of that Act (supplementary orders relating to trunk roads and classified roads);
  - (c) a scheme under section 16 of that Act (schemes authorising the provision of special roads);
  - (d) an order under section 18 of that Act (supplementary orders relating to special roads);
  - (e) an order or scheme under section 106 of that Act (orders and schemes providing for construction of bridges over or tunnels under navigable waters);
  - (f) an order under section 108 of that Act (orders authorising the diversion of navigable watercourses);
  - (g) an order under section 6 of the New Roads and Street Works Act 1991 (c. 22) (toll orders).
- (4) If infrastructure consent is required for the construction, improvement or alteration of a highway, section 110 of the Highways Act 1980 (c. 66) (power to authorise diversion of non-navigable waters) does not apply in relation to the highway or in connection with the construction, improvement or alteration of the highway.