

SOUTH GLOUCESTERSHIRE COUNCIL'S RESPONSE TO THE REVISED DRAFT NATIONAL POLICY STATEMENTS ON ENERGY INFRASTRUCTURE

Question 1: Do you have any comments on the appraisal of policy alternatives within the Appraisals of Sustainability for EN-1 to 5?

1. Although this question excludes an invitation to comment on the Appraisal of Sustainability for EN-6 on nuclear energy, this Council has some concerns on this Appraisal of Sustainability and, therefore, comments are submitted on EN-6, as well as those relating to EN-1 to 5. Comments regarding the Assessments of Sustainability (AoS's) are as follows:

EN-3 Renewable Energy Generation:

2. EN-3 states that, given that Ofgem will require information on sustainability issues relating to biomass energy sources in order to gain Renewable Obligation Certificates, the IPC 'does not need to consider the source or sustainability of the proposed biomass fuel to be used within the proposed plant'.
3. The Council is concerned that biomass fuelled generating facilities, such as the recent proposal in Bristol, can be proposed to use fuel from non sustainable sources such as palm oil. This fuel can cause substantial environmental damage elsewhere in the world. It is not considered appropriate for infrastructure to be built and only then consider the sustainability of the energy source.
4. It is recommended that the NPS is revised to require that energy infrastructure proposals demonstrate that their fuel source is sustainable. Local energy sources should be promoted whenever possible. This should avoid risk of consenting facilities that are only viable using non sustainable fuels.

EN-5 Electricity Networks:

5. There are areas of environmental sensitivity where overground lines can cause substantial impacts, and where undergrounding of lines would substantially reduce this impact. Presently underground lines are used in urban areas, but there has also been some use in nationally designated landscapes. It is also the case that overhead, underground and undersea networks are currently all governed by separate consent regimes. It is considered that the NPS's should take the opportunity to deal with the current problem of different electricity distribution mechanisms being governed by separate consent regimes.

6. To achieve this, it is suggested that the NPS's should explicitly require the assessment of the alternatives of undergrounding and undersea electricity transmission lines, including the consideration of all associated infrastructure, and that these alternatives should be promoted where there would be significant environmental benefits. This should not just apply to nationally designated landscapes. Other landscapes have distinctive character and are of great importance to communities and also to economic health and wellbeing, and alternatives to overhead lines should therefore be considered where significant benefits would accrue.
7. The reliance on the 'Holford Rules' is questioned, as these represent a dated approach to landscape and visual assessment – giving primacy to landscape designations rather than a landscape characterisation approach. In line with Natural England advice, this Council has moved away from landscape designations in favour of a community base landscape character assessment as the foundation for relevant policy.
8. It is requested, therefore, that the NPS should be updated to cover all types of network whether overhead, underground or undersea, and to require electricity networks to be planned to respect landscape character and minimise impact on landscapes whatever their designations.

EN-6 Nuclear Power Generation

9. The AoS for nuclear power does not adequately acknowledge the potential for wide-ranging impacts associated with the development and operation of a new nuclear plant, its associated development and waste storage facility at Oldbury. These potential effects (both positive and negative) could include for example impact on the character of Oldbury and the surrounding area, the agricultural sector, the property market, the tourism industry and on inward investment and economic growth.
10. The AoS appraisal does not adequately acknowledge the range of potential impacts that are likely to arise from major transport infrastructure associated with new nuclear development, including the impacts on ecology, flood, landscapes and communities.
11. The West of England area has a strong economy of national importance, and already suffers serious traffic congestion. It is considered that the NPS's Assessment of Sustainability for Oldbury does not currently reflect the potential for transport impacts associated with the new development to impact on quality of life of communities and the health of the local economy.

12. It is suggested that the NPS should include specific policy tests so that the IPC can determine whether such impacts will arise. Without such tests, it is not known whether the impacts of a new nuclear power station on its own, or in combination with other proposed developments in the region, could be sufficiently serious to question whether or not a proposal is acceptable in principle.
13. No assessment appears to have been made of the availability of materials and/or the required workforce required for a new build power station at Oldbury, or in combination with a new build at Hinkley and other proposed facilities such as a gas fired power station at Severnside, or in combination with the proposed decommissioning of the existing Oldbury power station.
14. The NPS states that '*detailed assessments of transport impacts were not made as part of the SSA.*' and that '*The developer would also be expected to come forward with detailed plans that would clarify the main access route for the potential power station and the likely level of usage. The Appraisal of Sustainability finds that it is possible that effective transport plans could help to mitigate the effects of increased levels of traffic (Annex C6, Annexes to the national Policy Statement for Nuclear Power Generation (EN-6), paragraph C.6.136).*' This Council considers that it will only be possible to establish whether or not the site meets the SSA criteria once a transport assessment has been undertaken.
15. This Council would question the statement in paragraph 7.2.41 of the AoS that 'overall the revised AoS found that there may be neutral or minor negative effects on landscape except for the sites at Sizewell and Sellafield, where the effects may be of national significance'. While nationally designated landscapes may be relatively more distant than at other sites, the Severn Estuary has a very distinct character and strong sense of place. It is a very well known landmark, containing national features such as the grade 1 listed original Severn Bridge.
16. The introduction of a development of the scale of the proposed new build nuclear power station into the wide, flat open landscape of the Severn Estuary will be likely to have a significant visual impact and on landscape.
17. It is suggested therefore that the AoS should be reviewed to give due and appropriate regard to the character and quality of non designated landscapes, and issues relating to the potential for mitigating impacts in such areas. The NPS should be revised to reflect this.
18. The AoS paragraph 7.2.33 states similarly that 'there are likely to be minor significant negative effects on cultural resources except for ... Bradwell...'. Although the AoS acknowledges that the significance and effectiveness of mitigation possibilities needs to be evaluated at project level, the AoS does not adequately acknowledge the potential for nationally important finds at other

sites. For example, Oldbury is set within a landscape of high archaeological potential where significant archaeology was recorded during construction of the existing power station. Archaeological sites are likely to be directly affected by the station and the extensive associated infrastructure.

19. It is therefore suggested that the AoS and NPS should reflect this by requiring early site investigations in areas of high archaeological potential. This would ensure that information about important archaeological discoveries is used to inform detailed site planning and ensures that appropriate mitigation measures are built into project plans and development proposals.
20. The question remains as to why impacts on international designations at Dungeness has led to this site being ruled out, when Oldbury which could also have potential significant impacts on international designations on the Severn Estuary remains on the list of potential development sites?

Question 2: Do you have any comments on the revised need case in the Overarching National Policy Statement?

21. It is noted that the Government has revised the energy need statement, so that it extends beyond the previous 2025 date to 2050.
22. This Council does not have the knowledge or technical expertise to be able to validate, or otherwise, the Government's assessment of the need for new energy infrastructure.
23. The principle of decarbonising the economy is however supported, and it seems sensible that the security and resilience of energy supply is secured through an appropriate mix of low carbon and renewable energy sources.
24. Whilst acknowledging that demand is likely to increase significantly as a result of decarbonising the economy, it is considered that an essential part of the need case should be reduction in demand. The NPS's and other policy documents should therefore include policies to promote and require improvements in energy efficiency and demand reduction.

Question 3: Do you have any other comments on the revised National Policy Statements and accompanying documents?

General Comments:

25. In the view of the Council, there remain unresolved uncertainties about the potential for substantial impacts arising from a new build power station and associated development at Oldbury, and the potential for substantial burdens on local communities hosting such a facility. In the absence of greater clarity on these issues, this Council is unable to support the inclusion of Oldbury on the list of sites for new build nuclear facilities in the NPS.

26. This is particularly the case because, despite references (e.g. EN-6 Paragraph 2.4.4) to the possibility that the IPC may refuse an application for a new nuclear power station, it appears that in reality the NPS's are framed in a way that the national need for electricity will always override local and cumulative impacts. There is a concern that, once a site is on the NPS list, it will be developed whatever the scale of impact revealed through subsequent and more detailed assessments.
27. It is suggested that it should be clearly stated that where subsequent assessments of individual and or cumulative impacts reveal a serious and significant impact on the environment and wellbeing of a locality and its communities and/or economy, the IPC should have a genuine choice about whether these local impacts outweigh the national need for electricity and, if so, should have the ability to refuse that application.
28. For Oldbury, it is suggested that this should specifically include consideration of any impacts on the wider economy and transport infrastructure of the West of England as a whole.

**EN-1 Overarching National Policy Statement for Energy &
EN- 6 National Policy Statement for Nuclear Power Generation**

29. **Burden on local communities** – EN-6 proposes a small number of major developments to meet national energy needs. These developments will have significant impacts, both positive and negative on local communities and the wider area that hosts them, whatever level of mitigation is put in place.
30. It is important therefore that the NPS fully recognise this, and that they acknowledge the need for appropriate community benefits to be provided to compensate for the burden and disturbance that would be borne by the community in hosting a major development in the national interest. It is suggested that the IPC should be required to assess the adequacy of response to this burden and disturbance, including whether appropriate packages of community benefits are offered by the developer to offset and compensate the community for the burden imposed by hosting the project. To align with the principles of localism, EN-1 should recognise that such community benefit packages may need to be outside the current requirements regime of S 106 Agreements and Community Infrastructure Levy etc.
31. **The role of the LDF** – In line with the principle of localism, there is a need for greater clarity on the weight that should be afforded to local planning policy in the IPC's decision making process. It is suggested that the NPS is amended to give considerable weight to the LDF, including documents such as the Core Strategy and Parish Plans (or equivalent). This should ensure that proposals for national infrastructure projects and their associated development align as far as possible with local communities' aspirations for the social, economic,

transport and environmental future of their area, as set out in spatial planning and other relevant policy for their area.

32. **The role of local communities** – The Council is not convinced that the role and ability of local communities to influence the design and location of sites and associated development is adequately reflected in the NPS. In line with the principles of localism, it is recommended that the NPS should state that early consultation is vital. It should set criteria to require that developers demonstrate how they have responded to community input, and how they comply with community aspirations as set out in the LDF. This should include a requirement to demonstrate that the design of energy projects, the identification of environmental mitigation and community benefit have been informed by and responded to the outputs of the consultation process.
33. **Phases of development** - Due to their differing operational requirements, different phases of the development (construction, operation, decommissioning), and whether works are temporary or permanent, will require differing strategies and approaches. There may be considerable uncertainty over later phases and this should be acknowledged and taken into account. This applies to many aspects of the scheme, including transport, flooding, ecology and landscape, social and community issues (including accommodation), as well as economic issues (including supply chains) to ensure benefits to local communities. For example if a large scale marine offloading facility is only required for a single part of the construction phase, should a smaller permanent facility be built with a temporary extension/facility just for the delivery of the large items and then removed? Impacts can be substantially reduced and benefits gained by ensuring that the development strategy is appropriate to the needs of each phase, and by ensuring that facilities are either put to appropriate legacy use, or removed.
34. The NPS should make it clear that the IPC should be required to consider the particular needs of each of the distinct phases of development, and to assess whether the particular effects of each phase have been fully and properly assessed in terms of their impact, and that developers demonstrate how mitigation and sustainability has been achieved.
35. **Integration with decommissioning works at the existing Oldbury Station** - In order to minimise impact and maximise sustainability, the NPS should, wherever possible, require the integration of the needs of decommissioning and new build, and resources and facilities reused and or shared. This includes consideration of shared storage of waste facilities.
36. **Impact mitigation, compensation, legacy and community benefit** – It is suggested that the NPS is amended to include information on how mitigation and community benefits are to be secured, including how the S 106 and Community Infrastructure Levy processes relate to the IPC application process.

37. The NPS should be explicit that adequate levels of impact mitigation, compensation and community benefit are required for a development proposal to be acceptable. The objective should be to identify measures, projects and services to offset the long term burden on and disturbance to the locality, and to compensate the community by enhancing the long term well-being and sustainability of the communities and area affected.
38. It is suggested that, consistent with practice elsewhere in this country and overseas, the NPS is amended to require developers to consult with local communities to identify appropriate legacy uses, including transport infrastructure, environmental improvements, and social, economic and community infrastructure that would benefit the community in the long term. It should also clarify that any redundant or temporary infrastructure which is not required as part of the longer term legacy for the community, should be removed from the site and, if appropriate, suitable site mitigation measures implemented.
39. It is suggested that the wording of the NPS should be amended to specifically recognise that nationally significant infrastructure projects can raise a range and combination of particular and local issues and concerns that are not necessarily addressed by existing consent regimes. This is particularly relevant to the establishment of community benefit packages that may be necessary to compensate communities for the burden of hosting a nationally significant infrastructure project.
40. Mechanisms should include up front packages to offset the particular impacts of the construction phase, as well as long term arrangements. With respect to the latter we suggest that, in line with a suggestion by the Minister for Decentralisation, communities should benefit from an element of the business rates generated by new nuclear power stations. This should be included in the NPS. This would give a mechanism whereby long term benefits can be secured for local communities that host Nationally Significant Infrastructure Projects.
41. **Flood mitigation** The Oldbury assessment should make explicit reference to the need to ensure that risk from sea level rise, increased storminess, pluvial flooding (i.e. arising from rainfall), flood from the rivers and the rhynes as well as the impact of the proposed new build station, including all associated infrastructure, is satisfactorily mitigated. This must address not only flood mitigation to protect the power station and associated infrastructure, but also the protection of local communities, residents and businesses from changed flood risk arising from the development.
42. Given the particular flood risk applying to the nominated site at Oldbury (which is located in zone 3), it is suggested that the NPS to have regard to the Shoreline Management Plan document for the Severn Estuary (SMP2) and the Severn Estuary Flood Risk Management Strategy (SEFRMS), produced by the

Environment Agency. This is an engineering focused study that considers the SMP2 policy decisions in more detail and develops these into practical management options that will help implement the policies.

43. It is suggested that the NPS should specify that in assessing the adequacy of proposed flood prevention works, proposals should demonstrate that an appropriate sequencing of works is proposed. This should ensure that appropriate measures are in place at the right time to mitigate the cumulative impact of the proposed main works and all associated development, as well as in combination with other proposed projects in the locality.
44. **Consideration of Alternatives** The revised draft NPS seems ambiguous with regard to the issue of alternatives. Paragraph 4.4.1 states that *'this NPS does not contain any general policy requirement to consider alternatives or to establish whether the proposed project represents the best option'*. However, the subsequent paragraphs (4.4.2 – 4.4.3) indicate that the information on alternatives and the selection of options contained within the ES are matters that the IPC should consider. It is suggested that the consideration of alternatives is a relevant consideration for the IPC and guidance should be included in the NPS. This should include the consideration of economic drivers and factors.
45. It is suggested that the NPS should be amended to clarify that alternative sites would not necessarily relate to brand new locations not considered during the Strategic Site Assessment (SSA) – but consideration could include alternative loci within the environs or general vicinity of the sites selected. For example there may be alternative locations for large infrastructure, such as a Marine Offloading Facility.
46. **Ecology - Chapter 5** of the NPS recognises the *'need to protect the most important biodiversity and geological interests'* and directs that *'appropriate weight is attached to designated sites of international, national and local importance'*. It also states that *'the benefits of nationally significant low carbon energy infrastructure development may include benefits for biodiversity and geological conservation interests and these benefits may outweigh harm to these interests'*. It is suggested however that the NPS should recognise that the long term benefits in countering the effects of climate change on, say, a particular species of European wildfowl could be negated if development would result in a long-term loss of nesting or feeding habitat for the species locally.
47. Given the above, and it is suggested that the principles of the EIA and Habitat Directives should be explicit in the NPS, and that criteria should be set so that the IPC is required to consider alternatives, such as re-orientating development or associated infrastructure. Consideration could also be given to relocating development elsewhere in the locality, where this might avoid a more substantial impact on an internationally or nationally designated site. For example there could be the potential to move a Marine Offloading Facility away

from features of a SPA that are of particular importance and sensitivity to breeding waterfowl, while still meeting the operational needs of the development. It is suggested the NPS should also include a requirement to demonstrate the application of the EIA principle of impact avoidance, followed by impact mitigation, and where this cannot be achieved compensation should be provided.

48. **Landscape and visual impact of Cooling Towers and other infrastructure** - EN-1 paragraph 5.9.3 states '*When considering visual impacts, the IPC should expect the applicant to justify the use of a cooling system that involves visible steam plumes or has a high visible structure, such as a very large natural draught cooling tower. It should be satisfied that the application of modern hybrid cooling technology or other technologies are not reasonably practicable before giving consent to a development with natural draught cooling towers*'.
49. This presumption against the use of natural draught cooling towers seems appropriate to the particular character of flat open landscapes such as Oldbury. However, it may be that there are circumstances in other locations where such towers could be appropriate.
50. The NPS should also state that, even with shorter cooling towers, the scale and mass of nationally significant infrastructure projects, and particularly nuclear developments, in combination with their associated infrastructure, may result in substantial impact on the character and quality of landscapes. The IPC should have the ability to consider the extent to which these impacts may be acceptable in principle.
51. In line with national policy, it should be acknowledged that landscapes outside national designations may be highly valued locally, regionally and nationally. This is certainly the case at Oldbury, where the Severn Estuary and Vale is a high quality and distinctive low lying landscape that is a national 'landmark' landscape and provides the setting for nationally important heritage features including the original Severn Bridge. It is recommended that, consistent with Natural England guidance, the NPS should take a character based approach that requires assessment and mitigation of impact for all landscapes and to ensure that residual impact is at an acceptable level.
52. **Traffic and Transport** - The NPS's need to ensure that any developer is required to provide, and the IPC is required to assess how minimisation of use of the private car and maximisation of alternative modes of transport has been achieved. A strategy and timetable in relation to the cumulative transport impacts of each of the distinct stages of construction, operation and decommissioning should be required. For Oldbury, this will need to be in combination with the decommissioning of the existing station and also in combination with other proposed projects in the sub region. A strategy and timetable would be needed to identify peaks and troughs in relation to traffic generation and the mitigation that is required based upon an agreed Transport

Assessment. This should identify the expected duration of all mitigation and infrastructure works, together with proposals for legacy use and or timetables for removal and land reinstatement if no longer required.

53. The NPS does not presently provide the IPC with specific tests in relation to the suitability of Oldbury as a site for a new power station from a transportation perspective. Instead, it relies on any future developer to come forward with an assessment. It is suggested that it would be more appropriate for strategic transport assessments to be made and evaluated prior to confirming Oldbury on the list of sites within the NPS.
54. The decision making process makes it a requirement for any applicant to mitigate the impact (including during the construction phase), but this should be part of the initial assessment phase and not when the in principle decision has already been made. This could leave local authorities at a disadvantage when agreeing mitigation measures with prospective developers as there is potentially little recourse for the local authority if suitable mitigation measures cannot be agreed once an in principle decision has been made. It is suggested that the NPS should include specific transport criteria against which the IPC can test development proposals, both alone and in combination with other predicted impacts. In addition there should be a requirement to minimise the impacts that would result from the implementation of transport infrastructure.
55. Should a new nuclear power station be developed at Oldbury, the number of vehicle movements for both workers and materials will be very substantial, as will the distances travelled to get them to the site. Whilst the NPS suggests that *'Waterborne or rail transport is preferred over road transport at all stages of the project (Revised Draft Overarching National Policy Statement for Energy (EN-1) paragraph 5.13.10, this is caveated by the phrase 'where cost effective'. This should be replaced by the phrase "wherever practical". The NPS should require that all options are investigated, and it needs to be accepted that additional costs may be incurred by developers to offset otherwise unacceptable social, economic or environmental impact and to secure the use of alternative transport modes other than the car and road freight, and promoting sustainable modes of transport.*
56. The Council notes that EN-1 has been amended to clarify that applicants should provide an appropriate traffic management plan, and that, where possible, water-borne or rail transport should be used.
57. The NPS should require a robust assessment to be made of all potential transport options for each distinct phase of development, and for the developer to demonstrate that the impact is appropriate to the needs of each phase of the development. There should be a presumption against facilities that cause substantial impact that would be sustained beyond the construction phase, when that facility is not required in the subsequent operation phase. Other alternative and temporary facilities should be required to be used.

58. Whilst, in general terms, the Council supports this, it is important that EN-1 should also state that there may be instances where the environmental impacts of waterborne transport options may be so substantial as to render these options unviable. There may be circumstances where, for instance, a Marine Offloading Facility (MOF) is the least damaging transport option, but where the environmental or other impacts caused, in combination with the main power station proposal, result in a level of cumulative impact that is unacceptable.
59. For example, at Oldbury, information about the possible scale and extent of a Marine Offloading Facility is only just emerging. While there may be substantial benefits to be gained from not using road transport, there may be very substantial impacts arising from a Marine Offloading Facility and its associated haul roads, hardstandings and other facilities that are proposed to be in place for up to 110 years. These impacts may potentially extend outside the nominated site area. Impact on the estuary and its protected habitats as well as adjacent landscapes may be very substantial and further extend the impact of the proposed station and its other associated infrastructure.
60. **Associated development - Given** the potential for some associated development, such as accommodation for possibly thousands of temporary workers, to have a substantial impact on the social, economic and environmental fabric of the locality, the NPS should ensure that specific criteria are set out in order for the IPC to determine whether such proposals are adequate in terms of acceptable levels of impact on, and compensatory benefits for, local communities. This would include, all aspects of accommodation, including appropriate provision of social, recreational, community safety, medical, educational and other facilities should be reviewed as an integral part of the overall development proposal. This includes consideration of appropriate legacy uses and provision of community benefit packages.
61. Other associated development, such as a marine offloading facility proposed for the construction, operation and decommissioning phases, has the potential to have significant impacts on nationally and internationally designated sites. Equally transport infrastructure and flood defences may also cause very serious impact. The IPC should be required to test the acceptability of these elements.
62. It is suggested, therefore, that the NPS should be revised to provide specific guidance on the assessment process for associated development and how this should inform the development of the preferred proposals, or how this should be considered as part of the assessment of cumulative impact.
63. In addition current experience at Hinkley indicates that there is potential for the constituent parts of a new nuclear development to be fragmented across a number of different consent regimes and at different times. At Hinkley a very substantial advance works application has been submitted to the Local

Planning Authority, a Marine Offloading Facility to the Marine Management Organisation, some accommodation facilities likely to be submitted to the local planning authority at a later date, the main application to the IPC and the associated electricity transmission network proposals to the IPC possibly a year later. This means that the main application to the IPC will not represent the totality of the works proposed. It is likely that this will cause difficulties for local communities in assessing the totality of effects on them, and runs the risk that cumulative impacts may not be properly understood or may be underestimated.

64. It is suggested therefore that the NPS should be modified to require that all the main parts of a nationally significant infrastructure project should be considered by the IPC when the main application is processed and examined. In certain circumstances it could be beneficial for applications for associated development that would be determined by the Local Authority to be considered by the authority in advance of the IPC application. This would ensure that the IPC has the benefit of knowing the local community view, and could take this into account in their decision making. As a general point, it would be helpful if the NPS could make a clear statement about the various responsibilities of the IPC, the local authority and other consenting and licensing authorities in dealing with new nuclear development. There is a concern that no one body will have an overview and that there is a risk that there will not be a fully integrated approach to decision-making on what are inherently very complex projects.
65. **Social and economic impacts-** The Council suggests that the NPS should give greater weight and more specific guidance in respect of socio economic impacts and their mitigation.
66. Given the range of impacts that are likely to arise from larger nationally significant infrastructure projects, and nuclear developments in particular, it is suggested that the NPS should include specific references to the full range of potential social and economic impacts. This should include additional and, perhaps, temporary burdens on schools and community facilities, including medical facilities, libraries, and leisure and sports facilities. Such impacts may be most likely to occur and require specific responses during the construction phase, although criteria should also be set down regarding legacy and compensation for communities hosting the burden of facilities such as new build nuclear power stations and their associated waste storage.
67. It is suggested that more detailed requirements should be set out to ensure appropriate benefits to the local economy, including procurement and recruitment strategies. These should demonstrate how the local economy, supply chains, local businesses and local communities will benefit from the project, and how potential negative impacts arising from a sudden influx of temporary workers will be avoided. This will require consideration of legacy and long term community and business benefits. The pressure that may be placed on local services and resources should be addressed, and local house price

inflation may arise during the construction phase. This could impact on local people and businesses. Such issues need to be adequately addressed.

68. The NPS should also recognise the burden and disturbance that will be borne by local communities hosting large scale nationally significant infrastructure projects such as nuclear facilities, and in recognition of this should require applicants to demonstrate what packages of community benefit are to be put in place to offset and compensate the community for the burden imposed by hosting the project. This should include reference to mechanisms outside the current planning regime and to the harnessing of business rates to ensure appropriate long term legacy benefits.
69. The NPS should also place specific requirements on applicants to demonstrate how social cohesion and community safety will be achieved, especially during the construction phase of the project.
70. In addition the NPS needs to ensure that due regard is given, and appropriate responses incorporated into development proposals, to mitigate and/or offset impacts on recreational facilities, including public rights of way. Assessments should also consider the capacity of local recreational facilities to cater both for the wellbeing of local communities and also to provide necessary facilities for construction workers. Where long term disruption may arise, the necessary level of mitigation and or compensation should be required to be put in place.
71. **Skills and Training** - It is suggested that the NPS should be strengthened to ensure that local communities derive appropriate local economic and social benefits from hosting a nationally significant infrastructure project. The importance of training initiatives needs to be recognised and the role of local authorities, schools, FE colleges and Universities in realising local labour market opportunities needs to be specified.
72. The NPS should require developers to submit strategies for procurement, employment, training and recruitment to be agreed with relevant Local Enterprise Partnerships, local authorities and educational establishments and training providers. Such strategies will need to be in place early on in order to ensure that skills and capacity are in place in time to meet the requirements of the development.
73. **Cumulative impacts** - Although there is a general requirement in EIA regulations, it is considered important that the NPS set down specific requirements for the consideration of cumulative impacts. This should include all parts of a proposed new development (as proposed at paragraphs 61 and 63 above), including associated development, as well as in combination with other proposed projects in the local and wider area. For Oldbury for example, the cumulative impact assessment should include consideration of projects such as the proposed new nuclear power station at Hinkley, a proposed gas fired power station at Severnside, a new container terminal at Avonmouth and an

expanding Bristol Port as well as in combination with other associated works, such as electricity connections.

When development consent applications are submitted, the IPC should have specific criteria relating to cumulative impacts against which to test development proposals, and also to ensure the appropriate sequencing of works and of impact mitigation measures to ensure minimisation of impact and the delivery of appropriate benefits at the times they are needed.

74. **Electricity transmission lines** - Given that electricity lines form an essential part of an energy generation proposal, it is suggested that, as for other types of associated development, EN5 and 6 should require the joint consideration of transmission lines along with the facilities that they are serving, including consideration of cumulative impact and alternatives.
75. **Nuclear waste** - The Council notes that a key plank of the Government's proposals for the disposal of spent nuclear fuel is the provision of a central Geological Disposal Facility. To expedite and oversee this, the Government has established a Geological Disposal Implementation Board chaired by the Minister of State for Energy. The remit of the group is to help establish a robust delivery programme for a disposal site that would take waste from both legacy and new build nuclear sites. The inaugural meeting of this group was held on 30 November 2010.
76. The approach being taken to the identification of a disposal facility is based on 'volunteerism'. Although it is recognised that the West Cumbria Partnership is engaged with the process, the Council considers that there can be no presumption that a community will continue to wish to volunteer and, therefore, no guarantee that the Government's expectation that such a facility will come on stream in 2040 will be met.
77. The underpinning approach to high level waste disposal is that legacy (i.e. existing and decommissioning stations) and new build sites will host 'interim' storage. In reality this is storage for many generations – up to 160 years - and although the government says that this could be significantly reduced, there is no certainty of this.
78. EN-6 is predicated on a Geological Disposal Facility for high level waste being identified and implemented, and on interim on site storage of waste on site for up to 160 years (although DECC's more recent view is that it may be closer to 110 years). Paragraph 2.11.4 states that *the IPC should not consider (these matters) further*.
79. Given the uncertainties mentioned above, and the safety issues and concerns of local communities regarding nuclear waste, it is considered that the NPS should make clear that the IPC should take into account in its decision making whether the provision of suitable storage of high level waste has been

resolved, including ensuring certainty and acceptability of both onsite and offsite storage.

80. Given the concerns of local communities regarding the potential very long term storage of nuclear waste on site, the NPS should include a specific requirement for developers to engage in effective discussions with local communities and authorities regarding the proposals for waste storage on the site of new build nuclear power stations. Local communities will need to be reassured regarding issues such as safety and health, and appropriate benefit packages will be required in recognition of the burdens those communities will bear from hosting such facilities for many generations.
81. Guidance on Local Impact Reports should include a specific requirement for local authorities to consider the suitability and acceptability of on site waste storage, as well as an assessment of the adequacy of any benefit packages.
82. There are concerns that Annex B of EN-6 makes reference to the possibility of regional waste storage facilities for the interim storage of radioactive waste. There is concern that in the case of Oldbury, evidence has not been provided that this particular site is a suitable location for the management, treatment and storage of waste from other locations.
83. For locations such as Oldbury, where any new nuclear facility would be in close proximity to a decommissioned facility, it is suggested that the NPS should require investigation of joint planning and joint provision of any necessary waste facilities.
84. The Council would also ask why the nuclear industry is not being required to invest in re-processing of nuclear materials for energy generation purposes (as we understand happens in other countries), so that further energy from these resources can be harnessed.
85. **Combined Heat and Power** - The Council recommends that in order to ensure the sustainability of new developments in the vicinity of a new nuclear power station, the NPS should be stronger in its requirement for CHP capability.
86. The Oldbury site is probably unique in being set in an area of intense development pressure, and it is therefore important that the NPS should require that CHP capability is included in its construction, to build in the flexibility to respond to future developments in the locality. This could give the opportunity to utilise 'waste' heat to reduce the carbon footprint of any new development in the locality.
87. In addition, for all new nuclear sites there is the potential for 'waste' heat to boost the rural economy, for example by facilitating agricultural use in market gardening or other local initiatives.

88. It is therefore suggested that the NPS should require CHP capability for all proposed new nuclear sites
89. **EN-5 Electricity Networks** – Currently, underground, overhead and sub-sea transmission lines are all governed by separate consent regimes. This is inconsistent with the move to streamline and rationalise consents. It is considered that the NPS's should take the opportunity to deal with the current problem of different electricity distribution mechanisms being governed by separate consent regimes.
90. Experience elsewhere indicates that undergrounding can be a less environmentally damaging, and is potentially a cost effective and feasible option. It is suggested therefore that the NPS's should explicitly require the assessment of the alternatives of undergrounding and undersea electricity transmission lines, and that these alternatives should be promoted where there would be significant environmental benefits. Since the sealing end compounds for underground/under water options can in themselves result in significant impacts, the guidance should make it clear that the assessment should include all associated infrastructure associated with underground or under sea options.
91. The assessment of options should not just apply to nationally designated landscapes. Other landscapes have distinctive character and are of great importance to communities and also to economic health and wellbeing, and alternatives to overhead lines should therefore be considered where significant benefits would accrue.
92. The current reliance on the 'Holford Rules' is questioned, as these represent a dated approach to landscape and visual assessment – giving primacy to landscape designations rather than a landscape characterisation approach. In line with Natural England advice, this Council for example has moved away from landscape designations in favour of a community base landscape character assessment as the foundation for relevant policy. It is suggested therefore that the NPS should be revised to require electricity networks to be planned to respect landscape character and to minimise impact on landscapes whatever their designations.
93. Some areas are already affected by complex and intrusive electricity networks, and further lines and facilities can compound the impact of these. For such areas, a criterion should be included that requires the assessment of the existing network (including infrastructure that is outside the applicant's ownership), and for the applicants to demonstrate that the network will be rationalised where possible and ensure redundant equipment is removed.

Other issues

Additional burdens on Local Authorities

94. The Council notes that the NPS does not appear to accept that the new planning regime for major infrastructure projects place additional costs on local authorities, and states that ‘...*shorter hearings and quicker decisions should mean that local authorities do not incur the level of costs experienced previously (such as the costs of legal representation)*’.
95. The experience of this Council to date, on the early pre-application stages for proposed new build nuclear in this and other local authority areas, is that the reality is that very substantial additional burdens are placed on local authorities during the protracted pre-application phase that spans several years, and will also occur due to additional duties during the implementation phase. This relates to the need for additional staff resources and for skills and knowledge that are outside local authorities’ normal functions.
96. If Councils are to be able to respond effectively and successfully on behalf of their communities, it is suggested that EN-1 should recognise that significant resources are required that are beyond the capacity of the relatively few local authorities that may host these major developments in the national interest. It is proposed that amendments are made to clarify that developers will be expected to work with the local authority to agree in advance the scheduling of and funding for work required by a local authority that is necessary to ensure a full and proper local assessment of any proposal for a nationally significant infrastructure project.
97. It is suggested that this be formalised in NPS policy for nationally significant infrastructure projects so that developers are clear from the outset that formal arrangements and mechanisms, such as Planning Performance Agreements (PPA), are required. These are required to give some certainty that robust nationally significant infrastructure project applications are submitted that can deliver on the needs case that has been set out by the Government.
98. Within a PPA, the scheduling of work also needs to be agreed so that Councils can ensure that they can deal effectively with development issues affecting all their residents and businesses, while at the same time meeting the needs of one or more nationally significant infrastructure projects in their area.

Need for further clarity in respect of the Local Authority’s role

99. The Council considers that further information is needed on the expectations on local authorities in the IPC application process. The NPS should set out high level policy as to what the IPC will require in a Local Impact Report, including specific guidance on socio economic impact assessment, health impact

assessment and the assessment of waste proposals, as well as an assessment of cumulative impact. The NPS should set out criteria for the IPC to assess what is and is not an adequate assessment.

100. **Unforeseen effects** - The Council suggests that the NPS should recognise that, for projects of the scale and complexity of nationally significant infrastructure projects, there may be unforeseen consequences arising from their construction, operation or decommissioning, particularly for nuclear new build.
101. As a part of the implementation plan the developer should be required to submit proposals for monitoring of impact and for review mechanisms. These must demonstrate how the full range of impacts will be monitored. The NPS should also make clear that additional information or works may be required from the developer, and that flexibility should be built in to the implementation plan to enable local councils to renegotiate mitigation or compensation packages in order to offset any unforeseen or additional impacts or burdens that are found to be borne by the community.

Clarity and consistency of the NPS's

102. The layout and clarity of the NPS's has been improved because the repetition of the content of EN-1 within each of the other NPS's has been removed, thereby simplifying them. This is because EN-1 includes generic policy that applies to all the other technology areas. The Council welcomes the removal of duplication and inconsistency.

Tidal and wave technologies

103. The Council notes that an NPS may/will be published when tidal and wave technologies become viable at greater than 50MW onshore and greater than 100MW offshore. This could include future proposals for the Severn Estuary. The Council considers this to be an appropriate approach.

Conclusions

104. South Gloucestershire Council considers that the revised draft NPS's require revision to ensure the sustainability of nationally significant infrastructure projects. Detailed comments are as set out above.
105. In respect of the proposal for a new nuclear power station at Oldbury, at present South Gloucestershire Council is unable to support the decision to include the location on the list of sites for new nuclear power stations. The Council considers that there a number of significant issues relating specifically to Oldbury that are currently unresolved and, until these issues have been clarified, the Council is not in a position to judge whether or not the proposal would be acceptable in principle.

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106. The revised NPS, while acknowledging that the IPC may refuse a proposal, still effectively confers a presumption in favour of development due to national need. The NPS should be revised to specifically acknowledge that the IPC should have a genuine choice over whether or not to grant consent to a proposal for a new nuclear power station if local impacts are so significant that it would not be possible to introduce mitigation measures to reduce them to an acceptable level.

107. Should the Oldbury proposal go ahead, the impacts of hosting a national facility in the area will have a substantial impact on local communities over a number of generations, and the NPS should recognise the need for a substantial package of community benefits to compensate for this.

End of Council Response