

Harris Eirian (Rh-CTGC)

From: Davies Nia Haf (Rh-CTGC) on behalf of Polisi Cynllunio
Sent: 09 March 2017 17:24
To: Davies Nia Haf (Rh-CTGC); Jones Heledd Fflur (Rh-CTGC); Harris Eirian (Rh-CTGC)
Subject: YML/FW: JLDP MAC: Horizon Representations FINAL FOR SUBMISSION
Attachments: JLDP MAC Changes Horizon Representation Form 09.03.2017.pdf; Horizon - Matters Arising Changes - Appendix 1 FINAL 08.03.2017.pdf; Appendix 2 - JLDP MAC - Horizon proposed amendments to chapter 3 FINAL 0....pdf; Appendix 3 JLDP MAC Horizon chapter 7 with combined associated developme....pdf; Appendix 4 JLDP MAC Horizon chapter 7 and PS9 FINAL 08.03.2017.pdf; Appendix 4a JLDP MAC Horizon proposed amendments to sub policy PS9A FINA....pdf; Appendix 4b JLDP MAC Horizon proposed amendments to sub policy PS9B FINA....pdf; Appendix 4c JLDP MAC Horizon proposed amendments to sub policy PS9C FINA....pdf; Appendix 5 JLDP MAC Horizon Sedgemoor Core Strategy Ins Report extract.pdf; Appendix 6 JLDP MAC Horizon Sedgemoor Core Strategy Extract.pdf; Horizon - Matters Arising Changes - Summary Note FINAL 08.03.2017.pdf

From: Power Station Programme Admin [REDACTED]
Sent: 09 March 2017 17:22
To: Polisi Cynllunio
 [REDACTED]
Subject: JLDP MAC: Horizon Representations FINAL FOR SUBMISSION

Good Afternoon,

Please find attached our representations to the Anglesey and Gwynedd JLDP Matters Arising Changes.

To confirm, these comprise:

1. **Representation Form**
2. **Summary Note;**
3. **Appendix 1** that sets out a schedule of Horizon's representations
4. **Appendix 2:** Proposed amendments to Chapter 2;
5. **Appendix 3:** Proposed amendments to Chapter 7 with combined associated development Policy Ps9;
6. **Appendix 4**, broken down as follows:
 - **4:** Proposed Amendments to Chapter 7 and PS9;
 - **4a:** Proposed Amendments to sub Policy PS9A;
 - **4b:** Proposed Amendments to sub Policy PS9B;
 - **4c:** Proposed Amendments to sub Policy PS9C.
7. **Appendix 5:** relevant extracts from the Inspector's Report to Sedgemoor District Council Core Strategy;
8. **Appendix 6:** relevant extracts from the Sedgemoor Core Strategy.

Many thanks,

[REDACTED]
 Power Station Programme (PSP) Administrator

HORIZON NUCLEAR POWER
 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



Defnydd swyddfa yn unig/ Office use only

Rhif Cyn./Rep No.:

Derbyniwyd/Received:

Cydnabod/Acknowledged

**Cynllun Datblygu Lleol ar y Cyd Ynys Môn a Gwynedd 2011-2026
FFURFLEN SYLWADAU I NEWIDIADAU MATERION SY'N CODI/
Anglesey and Gwynedd Joint Local Development Plan 2011-2026
MATTERS ARISING CHANGES COMMENTS FORM
26/1/17.**

Mae'r Cynghorau yn ymgynghori ar nifer o Newidiadau Materion sy'n Codi o ganlyniad i Sesiynau Gwrandawriad o Archwiliad Cynllun Datblygu Lleol ar y Cyd Gwynedd a Môn. Mae'r newidiadau hyn wedi eu rhoi yn y ddogfen ymgynghori: 'Cofrestr Newidiadau Materion sy'n Codi' (Ionawr 2017).

Sylwer bod RHAID i sylwadau ymwneud â'r Newidiadau Materion sy'n Codi yn unig, ac nid am agweddau eraill o'r Cynllun Datblygu Lleol ar y Cyd. Mae'r sylwadau a wnaethpwyd yn ystod y cyfnod Adnau, ynghyd â'r Newidiadau â Ffocws, eisoes wedi cael eu cyflwyno i'r Arolygydd ac felly dim ond ar gyfer gwneud sylwadau am y Newidiadau Materion sy'n Codi dylid defnyddio'r ffurflen hon. Bydd pob sylw arall yn cael eu hanwybyddu.

Dylid defnyddio'r ffurflen hon ar gyfer yr holl sylwadau (h.y. sylwadau neu wrthwynebiadau). Mae fersiynau electronig ar gael ar www.gwynedd.llyw.cymru/cdll neu www.ynysmon.gov.uk/cdll. Os ydych yn cyflwyno copi papur, dylech atodi tudalennau ychwanegol lle bod angen, gan nodi rhif y dudalen yn glir. **Dylech lenwi ffurflenni ar wahân ar gyfer pob sylw** yr hoffech ei wneud.

Mae'n rhaid derbyn eich sylwadau ddim hwyrach na hanner nos ar y 9 Mawrth 2017. NI FYDD SYLWADAU A DDERBYNNIR AR ÔL Y DYDDIAD YMA YN CAEL EU HYSTYRIED

Dychwelwch y ffurflenni i: **Uned Polisi Cynllunio ar y Cyd, Llawr 1af Swyddfa Cyngor Dinas Bangor, Ffordd Gwynedd, Bangor, Gwynedd, LL57 1DT neu polisicynllunio@gwynedd.llyw.cymru**

Diogelu Data - Bydd yr holl sylwadau ar gael i'w harchwilio gan y cyhoedd ac ni ellir eu hystyried yn gyfrinachol. Serch hynny, i sicrhau diogelwch data bydd manylion personol yn cael eu tynnu allan o'r dogfennau fydd ar gael yn gyhoeddus.

Mae'n bosib derbyn ffurflenni sylwadau ychwanegol gan yr Uned Polisi Cynllunio ar y Cyd drwy ffonio 01286 685003/ 679668 neu gellir eu llawr lwytho o wefan y Cyngor yn: www.gwynedd.llyw.cymru/cdll neu www.ynysmon.gov.uk/cdll neu gallwch lungopio'r ffurflen hon.

The Councils are consulting on a number of Matters Arising Changes as a result of the Hearing Sessions from the Examination of the Anglesey and Gwynedd Joint Local Development Plan. These changes are set out in the consultation document: 'Schedule of Matters Arising Changes (January 2017).

Please note that representations MUST relate only to the Matters Arising Changes, and not to other aspects of the Joint Local Development Plan. All comments made at the Deposit stage, together with the Focus Changes, have already been submitted to the Inspector, therefore this form can only be used to comment on the Matters Arising Changes. All other representations will be disregarded.

This form should be used for all representations (i.e. comments or objections). Electronic versions are available at www.gwynedd.llyw.cymru/ldp or www.anglesey.gov.uk/ldp. If you are submitting a paper copy, attach additional sheets as necessary, clearly numbering each consecutive sheet. **Separate forms should be completed for each comment** that you wish to make.

Your representations must be received by no later than midnight on the 9 March 2017. REPRESENTATIONS RECEIVED AFTER THIS TIME WILL NOT BE CONSIDERED

Please return forms to: **Joint Planning Policy Unit, 1st Floor Bangor City Council Offices, Ffordd Gwynedd, Bangor, Gwynedd, LL57 1DT or planningpolicy@gwynedd.llyw.cymru**

Data Protection – All representations will be made available for public inspection and cannot be treated as confidential. However to ensure data protection personal details from publically accessible documents will be removed.

Additional representation forms can be obtained from the Joint Planning Policy Unit on 01286 685003/ 679668 or may be downloaded from the Council's web site at: www.gwynedd.llyw.cymru/ldp or www.anglesey.gov.uk/ldp or you may photocopy this form.

RHAN 1/PART 1: Manylion cyswllt : Contact details:		
	Eich manylion neu manylion eich cleient <i>Your details or your client's details</i>	Manylion yr Asiant (os yn berthnasol) <i>Agent's details (if relevant)</i>
Enw <i>Name</i>	[REDACTED]	
Sefydliad (os yn berthnasol) <i>Organisation (if relevant)</i>	Horizon Nuclear Power Wylfa Limited	
Cyfeiriad <i>Address</i>	[REDACTED]	
Côd Post <i>Postcode</i>	[REDACTED]	
Ffôn <i>Tel:</i>	[REDACTED]	
E-bost <i>Email:</i>	[REDACTED]	
Llofnodwyd <i>Signed</i>	[REDACTED]	
Dyddiad <i>Date</i>	09.03.2017	

Rhowch eich sylwadau yn Rhan 2 y ffurflen hon. Defnyddiwch dudalennau ychwanegol os oes angen, gan nodi rhif y dudalen yn glir.



Please set out your comments in Part 2 of this form. Use additional sheets of paper where necessary, clearly numbering each consecutive sheet.

Dylech lenwi ffurflenni ar wahân ar gyfer pob sylw yr hoffech ei wneud.

Separate forms should be completed for each comment that you wish to make.

Os yw grŵp yn rhannu barn gyffredin ynghylch Newid Materion sy'n Codi, bydd y Cynghorau'n derbyn deiseb wedi'i llofnodi. Wrth gyflwyno ffurflen sylwadau ar ran grŵp, dylai'r ffurflen sylwadau gynnwys manylion cyswllt unigolyn arweiniol yn Rhan 1 a dylid nodi'r sylwadau'n glir ar y ffurflen sylwadau. Dylai'r ddeiseb sydd wedi'i llofnodi nodi'n glir faint o bobl sy'n cael eu cynrychioli a sut mae'r sylwadau wedi'u hawdurdodi. Nid yw llofnodi deiseb yn atal neb rhag cyflwyno ffurflenni unigol.

Where a group shares a common view on Matters Arising Changes, the Councils will accept a signed petition. In submitting a representation form on behalf of a group, the representation form should include the contact details of a lead individual at Part 1 and the comments should be clearly set out on the representation form. The signed petition should state clearly how many people are being represented and how the representation has been authorised. Signing a petition does not prevent the submission of individual forms.

		Defnydd swyddfa yn unig/ Office use only Rhif Cyn./Rep No.: Derbyniwyd/Received: Cydnabod/Acknowledged
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Cynllun Datblygu Lleol ar y Cyd Ynys Môn a Gwynedd 2011-2026
FFURFLEN SYLWADAU NEWIDIADAU MATERION SY’N CODI /
Anglesey and Gwynedd Joint Local Development Plan 2011-2026
MATTERS ARISING CHANGES COMMENTS FORM
26/1/17.

RHAN 2: Eich Sylwadau a Newidiadau a Awgrymir PART 2: Your Comments and Suggested Changes	
Eich enw/Sefydliad: Your name/Organisation:	Horizon Nuclear Power Wylfa Limited

1. Ar ba un o’r Newidiadau Materion sy’n Codi yr ydych chi’n gwneud sylwadau? (Cofiwch ddefnyddio un ffurflen ar gyfer pob sylw)
1. Which of the Matters Arising Changes are you commenting on? (Remember to use one form for each representation)

Rhif y Newid Materion sy’n Codi (NMC) Matters Arising Change Number (NMC)	<input type="text" value="Please see Appendix 1"/>	Cefnogi/ Support	<input type="checkbox"/>	Gwrthwynebu/ Object	<input checked="" type="checkbox"/>
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2. Cyn i chi esbonio eich sylwadau’n fanwl, byddai’n dda gwybod os ydych yn credu fod y Cynllun yn gadarn ai pheidio, o ganlyniad i’r Newidiadau Materion sy’n Codi, neu a ydych o’r farn bod rhannau ohono neu bob rhan ohono ddim yn gadarn a bod angen ei newid.

I gael rhagor o wybodaeth am gadernid a gofynion gweithdrefnol, gweler y nodiadau cyfarwyddyd. Os ydych yn ansicr, gadewch y rhan yma yn wag.

2. Before you set out your comments in detail, it would be helpful to know whether you think that, as a result of the Matters Arising Changes, the Plan is sound or that all or parts of it are unsound. For more information on soundness and procedural requirements, see the guidance notes. If you are unsure, leave this section blank.

Cadarn/Sound	<input type="checkbox"/>	Dim yn gadarn a dylid ei newid /Unsound and should be changed	<input checked="" type="checkbox"/>
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3. Rhowch eich sylwadau isod gan ddefnyddio tudalennau ychwanegol fel bo angen. Dylech roi eich sylwadau chi’n llawn. Bydd hynny’n helpu’r Awdurdod a’r Arolygydd i ddeall y materion y byddwch yn eu codi. Ni fyddwch chi’n cael cyflwyno rhagor o wybodaeth gerbron yr Archwiliad oni fydd yr Arolygydd yn eich gwahodd chi i egluro unrhyw faterion y bydd yn godi. Rhowch wybod os ydych chi’n cyflwyno deunyddiau eraill i ategu eich sylwadau.

3. Please set out your comments below using additional sheets as necessary. Your comments should be set out in full. This will help the Authority and the Inspector to understand the issues you raise. You will only be able to submit further information to the Examination if the Inspector invites you to address matters that he may raise. Please indicate if you are submitting other material to support your comments.

Please refer to the schedule provided at Appendix 1 'Table of Representations on JLDP MAC changes issued 26 January 2017' and Appendix 2, 3, 4 ((a), (b) and (c)), 5 and 6 that sets out proposed detailed amendments.

Defnyddiwch dudalennau ychwanegol os bydd angen.
Nodwch faint o dudalennau ychwanegol rydych wedi'u defnyddio.....
Please use additional sheet if necessary.
Please state how many additional sheets have been used.....

4. Os yw eich sylw yn 3 yn fwy na 100 o eiriau, darparwch grynodeb os gwelwch yn dda (dim mwy na 100 o eiriau.

4. If your response to 3 above exceeds 100 words, please provide a summary (no more than 100 words).

Please refer to the schedule provided at Appendix 1 'Table of Representations on JLDP MAC change issued 26 January 2017' and Appendix 2, 3, 4 ((a), (b) and (c)) 5 and 6 that sets out proposed detailed amendments.

RHAN 3: Beth sy'n digwydd nesaf
PART 3: What happens next?

Bydd pob un o'r sylwadau a dderbyniwyd o fewn y cyfnod ymgynghori yn cael eu hanfon ymïaen yn syth i'r Arolygydd. Rhag ofn bydd yr Arolygydd yn penderfynu dylid cynnal sesiynau gwrandawriad pellach mae angen i chwi nodi isod os ydych yn dymuno ymddangos gerbron yr Arolygydd a siarad mewn 'sesiwn gwrandawriad'. Serch hynny, mae'n bwysig nodi y bydd yr Arolygydd yn rhoi'r un pwysau i'r sylwadau ysgrifenedig yr ydych chi wedi eu cyflwyno ar y ffurflen hon â'r rheiny a wneir ar lafar mewn sesiwn gwrandawriad.

All comments received by the closing date will be forwarded directly to the Inspector for consideration. Just in case the Inspector decides that further hearing sessions are necessary please indicate whether you would want to speak at a session. It is important to note that written comments will be given the same weight by the Inspector as those made verbally at a hearing session.

5. A ydych am i'ch sylwadau gael eu hystyried fel 'sylwadau ysgrifenedig' neu a hoffech siarad mewn sesiwn gwrandawriad yn yr Archwiliad Cyhoeddus? (Ticiwch un o'r isod)

5. Do you want your comments to be considered by 'written representations' or do you want to speak at a hearing session of the Public Examination? (Please tick one of the following)

Nid wyf am siarad mewn sesiwn gwrandawriad ac rwyf yn fodlon i'm sylwadau ysgrifenedig gael eu hystyried gan yr Arolygydd.

I do not want to speak at a hearing session and am happy for my written comments to be considered by the Inspector.

Hoffwn siarad mewn sesiwn gwrandawriad.

I want to speak at a hearing session.

6. Os hoffech siarad, cadarnhewch pam rydych yn ystyried ei bod hi'n angenrheidiol i chi siarad yn y Gwrandawriad.

6. If you wish to speak, please confirm which part of your representation you wish to speak to the Inspector about and why you consider it to be necessary to speak at the Hearing.

Please refer to the attached 'Summary Note' that sets out the principles of the objections. This should be read in conjunction with the schedule provided at Appendix 1 'Table of Representations on JLDP MAC changes issued 26 January 2017 and Appendix 2, 3, 4 ((a), (b) and (c)), 5 and 6 that sets out detailed reasoning.

7. Os ydych am siarad, byddai'n ddefnyddiol pe gallech nodi ym mha iaith hoffech chi gael eich clywed? (Ticiwch un o'r isod)

7. If you wish to speak, it would be helpful if you could indicate in which language you would like to be heard. (Please tick one of the following boxes)

Hoffwn i gael fy nghlywed yn Gymraeg

I wish to be heard in Welsh

Hoffwn i gael fy nghlywed yn Saesneg

I wish to be heard in English

DIOLCH AM EICH SYLWADAU / THANK YOU FOR YOUR COMMENTS

Nodiadau cyfarwyddyd	Guidance notes
<p>Mae Cynllun Datblygu Lleol ar y Cyd Gwynedd a Môn yn cael ei archwilio ar hyn o bryd gan Arolygwyr annibynnol a benodwyd gan Lywodraeth Cymru. Gwaith yr Arolygwyr yw ystyried a yw'r Cynllun yn bodloni gofynion gweithdrefnol ac a yw'n gadarn.</p> <p>Gellir ystyried 'Cadarn' yn y cyd-destun hwn o fewn ei ystyr arferol o 'dangos barnu da' a 'gellir ymddiried ynddo'. Y cwestiynau neu'r 'profion' y bydd yr Arolygydd yn eu hystyried wrth benderfynu a yw'r Cynllun yn gadarn yw:</p> <ol style="list-style-type: none"> 1. A yw'r cynllun yn ffitio? (h.y. a yw'n gyson â chynlluniau eraill?) 2. A yw'r cynllun yn briodol? (h.y. a yw'n briodol ar gyfer yr ardal yng ngoleuni'r dystiolaeth?) 3. A fydd y cynllun yn cyflawni? (h.y. a yw'n debygol o fod yn effeithiol?) <p>Darperir rhagor o wybodaeth am y profion cadernid a'r gofynion gweithdrefnol yn Arweiniad Gweithdrefnol ar Archwiliadau Cynllun Datblygu Lleol yr Arolygiaeth Gynllunio.</p> <p>Os ydych yn gwrthwynebu Newid Materion sy'n Codi, dylech ddweud pam nad yw'n gwneud y Cynllun yn gadarn a nodi pa newid y dylid ei wneud er mwyn sicrhau fod y Cynllun yn gadarn.</p> <p>Lle rydych yn cynnig diwygiad i'r Newidiadau Materion sy'n Codi byddai'n ddefnyddiol egluro pa brawf (profion) cadernid rydych yn credu ei fod yn methu. Fydd methu adnabod prawf ddim yn golygu na chaiff eich sylw ystyriaeth, cyn belled â'i fod yn ymwneud a'r Newid Materion sy'n Codi. Dylech gynnwys eich holl sylwadau ar y ffurflen, gan ddefnyddio dogfennau ychwanegol a thystiolaeth ategol lle bod angen.</p>	<p><i>The Joint Anglesey and Gwynedd Local Development Plan (LDP) is being examined by an independent Inspector appointed by the Welsh Government. It is the Inspector's job to consider whether the Plan meets procedural requirements and whether it is sound.</i></p> <p><i>'Sound' may be considered in this context within its ordinary meaning of 'showing good judgement' and 'able to be trusted'. The questions or 'tests' which the Inspector will consider in deciding whether the Plan is sound are:</i></p> <ol style="list-style-type: none"> 1. <i>Does the plan fit? (i.e. is it consistent with other plans?)</i> 2. <i>Is the plan appropriate? (i.e. is it appropriate for the area in the light of the evidence?)</i> 3. <i>Will the plan deliver? (i.e. is it likely to be effective?)</i> <p><i>More information on the soundness tests and procedural requirements is provided in the Planning Inspectorate's Local Development Plan Examinations Procedural Guidance.</i></p> <p><i>If you are objecting to a Matters Arising Changes, you should say why you think it makes the Plan unsound, and which change should be made to make the Plan sound.</i></p> <p><i>Where you propose an amendment to a Matters Arising Changes it would be helpful to make clear which test(s) of soundness you believe it fails. Failing to identify a test will not mean that your comment will not be considered, providing it relates to the Matters Arising Changes. You should include all your comments on the form, using accompanying documents and supporting evidence where necessary.</i></p>
<p>Dychwelwch y ffurflen i: Uned Polisi Cynllunio ar y Cyd, Llawr 1af Swyddfa Cyngor Dinas Bangor, Ffordd Gwynedd, Bangor, Gwynedd, LL57 1DT neu polisycynllunio@gwynedd.llyw.cymru erbyn hanner nos ar 9/3/17</p>	<p>Please return the form to: Joint Planning Policy Unit, 1st Floor Bangor City Council Offices, Ffordd Gwynedd, Bangor, Gwynedd, LL57 1DT or planningpolicy@gwynedd.llyw.cymru by midnight on 9/3/17</p>

Appendix 1

Table of Representations on JLDP MAC changes issued 26 January 2017

NMC	Summary of NMC and Horizon Commentary	Proposed Changes
	<p>Commentary: Sets a that the planning application for the A5025 Highways Improvements is submitted by May 2017. Unduly prescriptive targets which do not recognise the need for project flexibility should be avoided.</p>	<p>that offline highway works will now form part of a Development Consent Order.</p> <p>Given the scale, nature and complexity of the Wylfa Newydd Project it is inappropriate and unnecessary to include timeframes for such development.</p> <p>If timeframes were included they must be more flexible and clearly stated to be indicative and subject to change.</p>
NMC326	<p>Summary: Object - Policy targets in relation to TCPA applications.</p> <p>Commentary: Sets targets for the following applications:</p> <ul style="list-style-type: none"> • Parc Cybi - April 2017 • Dalar Hir - May 2017 • TWA - May 2017 • Application for DCO by May 2017 	<p>The policy target indicates that planning applications will be submitted for the following with associated submission dates:</p> <ul style="list-style-type: none"> • Parc Cybi - April 2017 • Dalar Hir - May 2017 • TWA - May 2017 • Application for DCO by May 2017 <p>This no longer reflects the consenting strategy for large components of the Wylfa Newydd Project or the timeframes for submission.</p> <p>Given the scale, nature and complexity of the Wylfa Newydd Project it is inappropriate and unnecessary to include timeframes for such development.</p> <p>If timeframes were included they must be more flexible and clearly stated to be indicative and subject to change.</p>
NMC 397 (see also MAC 68)	<p>Summary: Support - TRA1: Proposals Map</p> <p>Commentary: Road improvements to the A5025 on the Proposals Map re-instated at Appendix 2 (in accordance with MAC 68).</p>	<p>Horizon welcomes the reintroduction and updated to the proposals map that refers to offline highway works. Horizon notes that the full extent of works will be defined as part of detailed design.</p>

NOT PROTECTIVELY MARKED

Appendix [2]

PROPOSED AMENDMENTS TO CHAPTER 3

National Policy Statements

- 3.7 In July 2011, six National Policy Statements were approved for Energy. These National Policy Statement provides the national policy that is used to assess proposals for major energy projects and decisions on them are made by the Secretary of State. National Policy Statements EN1 (Overarching National Policy Statement for Energy), EN-3 (National Policy Statement for Renewable Energy), EN-5 (National Policy Statement for Electricity Networks Infrastructure) and EN-6 (National Policy Statement for Nuclear Power Generation) are those which are likely to be related to the Plan area because of the likely development of major infrastructure projects with land use implications, e.g. construction of a new nuclear power station at Wylfa; improvements to the National Grid electricity transmission network.
- 3.8 The Planning Act 2008 and National Policy Statements create a framework within which the Secretary of State must assess and determine nationally significant infrastructure projects. Local development plans are expected to be prepared in accordance with the national policy statements and, as such the process of preparing the Plan must address these National Policy Statements fully and interpret them when preparing any relevant policies.
- ~~3.7 A site near the Wylfa nuclear power station in the north of the island of Anglesey has been identified by the UK Government in the National Policy Statement as a potentially suitable site for a new nuclear power station by 2025. Because of its importance to the UK constructing the new nuclear power station is a Nationally Significant Infrastructure Project under the Planning Act 2008. As a Nationally Significant Infrastructure Project the development of a nuclear power station on this site will be the subject of a different approval process to the one that a local planning authority usually goes through. Under the new Nationally Significant Infrastructure Project consenting procedure in the Planning Act 2008, an application for a Development Consent Order will be submitted to the the Planning Inspectorate. The Planning Inspectorate will consider the application and make a recommendation to the Secretary of State for Energy as to whether the application should be approved or not. The Secretary of State will then decide to grant the Development Consent Order or not.~~
- 3.9 A site near the existing Wylfa nuclear power station in the north of the island of Anglesey has been identified by the UK Government in Volume II of the National Policy Statement for nuclear power generation as a potentially suitable site for a new nuclear power station. Because of its importance to the UK constructing the new nuclear power station is a Nationally Significant Infrastructure Project under the Planning Act 2008. As a Nationally Significant Infrastructure Project the development of a nuclear power station on this site will be the subject of a different approval process to the one that a local planning authority usually goes through. Under the new Nationally Significant Infrastructure Project consenting procedure in the Planning Act 2008, an application for a Development Consent Order will be submitted to the Planning Inspectorate. The Planning Inspectorate will consider the application and make a recommendation to the Secretary of State for Business, Energy and Industrial Strategy as to whether the application should be approved or not. The Secretary of State will then decide to grant the Development Consent Order or not.

NOT PROTECTIVELY MARKED

3.10 The Wales Act 2017 obtained Royal Assent on 31 January 2017 and has made changes to the application of the Planning Act 2008 regime in Wales. Prior to this date, Development Consent Orders for Nationally Significant Infrastructure Project in Wales could not, except in very limited circumstances, also consent development associated with but not part of the Nationally Significant Infrastructure Project – commonly referred to as “associated development”. Instead, in Wales, associated development was consented under the Town and Country Planning Act 1990 by the local planning authority. The Wales Act 2017 altered this position to permit the inclusion of associated development in Welsh DCOs.

~~3.7a~~ In Wales the Development Consent Order cannot except in very limited circumstances also consent development that is classed as “associated development”. Instead in Wales such associated development is consented under the Town and Country Planning Act 1990 by the local planning authority. Although not strictly associated development in terms of how it is defined under the Planning Act this Plan uses the term for such development which supports the Nationally Significant Infrastructure Project. Associated developments for the Wylfa Newydd Project may include:

- ~~• Route improvements along the A5025~~
- ~~• Transport and freight logistics~~
- ~~• Temporary construction worker accommodation for construction workers~~

3.11 Because NSIPs and their associated development are subject to a separate planning process within the national planning regime, the Plan does not set any policies, tests or requirements for the Secretary of State to apply in deciding whether any element of the development comprised in an application for development consent is acceptable, nor the basis on which any such application should be approved. Accordingly, the Plan does not have the same status for decision making by the Secretary of State as it does for decisions under the Town and Country Planning Act 1990, where the Council is the determining authority. However, the Planning Act 2008 at Section 104(2)(b) and (d) states that the Secretary of State must have regard to any Local Impact Report (LIR) together with any other matters he/she thinks are both important and relevant to the decision. Chapter 7 of the Plan which will inform the LIR to be submitted by the Council to the Secretary of State in connection with the determination of any application for development consent.

~~3.8~~ In July 2011, six National Policy Statements were approved for Energy. These National Policy Statement provides the national policy that is used to assess proposals for major energy projects and decisions on them are made by the Secretary of State. National Policy Statements EN1 (Overarching National Policy Statement for Energy), EN-3 (National Policy Statement for Renewable Energy), EN-5 (National Policy Statement for Electricity Networks Infrastructure) and EN-6 (National Policy Statement for Nuclear Power Generation) are those which are likely to be related to the Plan area because of the likely development of major infrastructure projects with land use implications, e.g. construction of a new nuclear power station at Wylfa; improvements to the National Grid electricity transmission network. Volume II of National Policy Statement EN-6 identifies the indicative boundary of the site for the new nuclear power station on Anglesey; EN-6 does however recognise that such boundaries shown in the NPS may vary from the site boundary which is ultimately is proposed for development consent to account for changes required by detailed layout, additional construction land, etc.

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~~3.9 — The Planning Act 2008 and National Policy Statements create a framework within which the Secretary of State must assess and determine nationally significant infrastructure projects. Local development plans are expected to be prepared in accordance with the national policy statements and, as such the process of preparing the Plan must address these National Policy Statements fully and interpret them when preparing any relevant policies. [NMC 22]~~

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APPENDIX 3 AMENDMENTS TO PARAGRAPH 7.3.4 TO 7.3.19 and PS9

WYLFA NEWYDD AND ASSOCIATED DEVELOPMENT

INTRODUCTION

- 7.3.4 ~~The Planning Inspectorate will examine~~ **The** applications for new Nationally Significant Infrastructure Projects development **will be examined** using the criteria on national need, benefits and impacts as set out in relevant Policy. For energy infrastructure (EN-1-6). The energy NPSs set out national policy against which proposals for major energy projects will be assessed and examined by ~~the Planning Inspectorate~~. In accordance with the National Policy Statements, ~~the Planning Inspectorate may also consider~~ **Other** matters that are important and relevant to ~~its~~ decisions **may also be considered have regard to**, including the existing land use development plan, ~~this Plan when it carries sufficient weight as a material planning considerations or the Plan is adopted~~, the Anglesey Energy Island Programme, Destination Management Plans, Single Integrated Plan, **revised** New Nuclear Build Supplementary Planning Guidance and other relevant documents. In terms of a Development Consent Order application, a local authority's role is set out in the Planning Act 2008; they will be invited to assess the adequacy of consultation and local impacts and report on these to the Planning Inspectorate in a Local Impact Report. Similarly, applications may be made to other statutory bodies. ~~In Wales the local planning authorities are the determining authorities for any development associated with the Development Consent Order application, for expel, construction worker accommodation.~~ **[NMC124]**
- 7.3.12 Through the Anglesey Energy Island Programme, the Councils' Strategic/ Corporate Plans and the Anglesey and Gwynedd Single Integrated Plan, the Councils and their partners acknowledge the likely significant economic opportunities deriving from the Wylfa Newydd Project. ~~Chapter 3 of the Plan provides a link to the New Nuclear Build at Wylfa Supplementary Planning Guidance, which sets out the~~ **describes the overarching consenting regime for the Project and the role of the Isle of Anglesey County Council's supplementary advice on important local direct or indirect matters in relation to this Project and its response to national and local policy and strategies in consenting** ~~the context of the vision in relation to this Project~~. This section of the Plan ~~deals with~~ **describes** the proposed Wylfa Newydd Project including developments that are associated with it **and indicates** where either the Isle of Anglesey County Council or Gwynedd Council is the determining planning authority on **associated** planning applications. **[NMC 131]**
- 7.3.12a ~~Following enactment of the Wales Act 2017, the Wylfa Newydd Development Consent Order is likely to include most of the Project's associated development, including temporary worker accommodation, road improvements not within the boundary of the current roads and other transport facilities (such as a park and ride and logistics centre). There may still be elements of the Project for which a planning permission is sought from the Isle of Anglesey County Council, such as road upgrades to the existing highway the development of a visitor centre, early or preparatory works for the Wylfa Newydd Development Area and development of permanent housing.~~
- 7.3.13 Although the Councils are not the consenting authorities for the Wylfa Newydd Project Development Consent Order, it is considered important to explain their approach as a planning authority when consulted upon with a Development Consent Order application,

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subject to paragraph 3.7(b). They will also ensure that any associated development sought to be permitted by planning permission conforms with the relevant policies and strategies included in this Plan. The Isle of Anglesey County Council's vision (as the host authority) for the Wylfa Newydd Project is set out in Chapter 5 of this Plan, and has informed the Plan's Vision and Objectives. In the period before the Plan is adopted or before weight can be given to the policies as material planning consideration the Isle of Anglesey County Council will ensure that development associated with Wylfa Newydd reflects policies included in the current Development Plan, the Stopped Unitary Development Plan, national planning policies and the New Nuclear Build at Wylfa Supplementary Planning Guidance. [NMC 132]

7.3.14 The Revised New Nuclear Build at Wylfa Supplementary Planning Guidance (SPG), sets out the Isle of Anglesey County Council's supplementary advice on important local direct or indirect matters in relation to the Wylfa Newydd this Project and its response to national and local policy and strategies in the context of the Project and is an important material consideration in assessing planning applications for associated development proposed in connection with the Wylfa Newydd linked to the Project. In combination with the Plan's policies, the revised New Nuclear Build ~~at~~ Wylfa SPG ~~document~~ will help the County Council to:

- make robust decisions on all enabling works and associated development planning applications
- ensure that the potential impacts of the New Nuclear Build and its associated developments are identified and mitigated where possible
- ensure that the socio-economic benefits linked with the construction and operation of the power station are fully maximised. ~~realised~~. [NMC 133]

7.3.15 The Project will be expected to contribute to achieving the Plan's Vision by:

- contributing to the delivery of the Anglesey Energy Island Programme and the Anglesey Enterprise Zone;
- driving the transformation of the economy, maximising opportunities for the employment and up-skilling of local people;
- maintaining and enhancing the quality of life of local communities and visitors
- conserves and strengthens the unique identity of the Plan area;
- conserve, or where appropriate, enhance the Plan area's distinctive environment and resources, taking into account climate change. [NMC 134]

7.3.16 On the basis of the information currently available it is clear that this Project will be a significant development with numerous significant impacts, some potentially positive and others potentially negative. It is currently anticipated that the Wylfa Newydd construction period will be around ~~12~~ 10 years, with around ~~8,500~~ 8,000 to 10,000 construction workers during the peak construction periods (although it is recognised that the Project is still undergoing detailed design). There will be significant HGV movement during the construction period, especially along the A55 and A5025. After construction it is foreseen that Wylfa Newydd will employ a workforce of ~~around~~ approximately 850 ~~1,000~~. The requirement for construction workers' accommodation is a matter that the Isle of Anglesey County Council has given detailed consideration. An sudden influx of workers is expected during the construction period. It is considered important that accommodation is consistent with the general objectives of the Plan and that it won't prejudice the spatial strategy. It is

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anticipated that the workforce will be accommodated via various means, including private housing units to buy or rent, holiday accommodation and purpose built holiday accommodation provided by Horizon or through a third party. Further information regarding this is given in <http://www.anglesey.gov.uk/business/energy-island/energy-island-news/wylfa-nuclear-newbuild-construction-workers-accomodation-position-statement/114494.article?redirect=false> and in the New Nuclear Build at Wylfa Supplementary Planning Guidance <http://www.anglesey.gov.uk/Journals/2014/08/11/g/k/h/Wylfa-NNB-SPG-Adopted-July-2014.pdf> [NMC 135]

7.3.17 It is anticipated that accommodation will be required for a substantial number of construction workers employed during the construction period of Wylfa Newydd. It is also anticipated that land will be required in relation to the Wylfa Newydd project, e.g. site(s) for offices, short stay accommodation and other purposes related to logistics, storage and off-site fabrication. **It is the Council's preference that M**itigation of the impacts of the Project would be optimised if such development is located in accordance with the Plan's Spatial Strategy as set out in Chapter 6, **where this is possible having regard to national policy and the specific functional requirements of the project. Policy PS 9, the specific policies set out in PS 9A – 9C, and other relevant policies included in the Plan (including Policy TAI 3, Policy TAI 8 and Policy PS 1), depending on the type of use and its scale, in order to be consistent with the principle of sustainable development.** [NMC 136]

7.3.17a **Whilst recognising the functional needs of the promoter, the Council considers that a construction worker accommodation strategy should be developed having regard to the plan's spatial strategy which should demonstrate:**

- The accommodation requirements of construction workers should minimise the impact on the local housing market (including the ability of those on low incomes to access the private rented sector, affordable housing and other housing services), and the tourism sector.
- The construction workforce should be accommodated via various means, including (but not limited to) the existing housing stock (to buy or rent), holiday accommodation, and new purpose built permanent or modular accommodation provided by Horizon or through a third party.
- **Project promoters have considered the re-use of existing buildings and/or the provision of permanent buildings capable of being adapted for permanent use following use by construction workers.**
- Where appropriate, the Councils require the Project to deliver **That** legacy benefits to local communities during the Plan period or beyond the construction period **have been delivered where appropriate.**
- A draft construction worker accommodation strategy has been developed and will be finalised having regard to the Plan's Spatial Strategy **and any relevant policies in the Plan, including a suite of policies that provides further guidance on the management of Associated Development and subject to the influence of the Wales Act 2017, national policy, any overriding national imperative or specific operational requirement).** [NMC 137]

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7.3.18 Whilst recognising the functional needs of the promoter, in terms of location, the Councils' ~~position preference~~ is that accommodation for the temporary construction workers (outside of purpose built modular temporary worker accommodation) should as far as possible be provided within, ~~or adjacent to,~~ or close to the development boundaries of the Centres and Service Villages identified in the Plan's Settlement Hierarchy (depending on the scale of the development), ~~or within or adjacent to established or new holiday accommodation,~~ and in locations that relate well to the main transport routes and transport modes, especially the railway. They should also contribute towards sustainable regeneration programmes and support the vitality and viability of town centres.

7.3.18a Paragraph 7.3.17a refers to the various types of accommodation. Given the scale of the anticipated number of construction workers required during the construction phase, it is considered that purpose built modular development will be an important part of the supply of accommodation. In terms of the location of purpose built temporary modular development, the Councils' recognise the benefits of locating new purpose built temporary modular worker accommodation on or adjacent to the Wylfa Newydd site or on sites in the open countryside that are in close proximity to the Wylfa Newydd site where they can be self-contained, can help minimise adverse impact or harm to local places and communities, can offer sufficient on-site amenity to minimise trips to and/or put pressures on facilities in existing communities/settlements, and are well connected, or capable of being well connected through a package of measures to minimise then mitigate adverse impacts on the transport network arising from the movement of people and any other associated transport movements, including multi-modal transport solutions. The Promoter should demonstrate how the construction workforce will be accommodated across the various types of accommodation set out in paragraph 7.3.17a. ~~but will not be first option except for necessary provision for essential workers on the main site.~~ Project promoters should consider re-using ~~demonstrate that they have fully considered the re-use of existing buildings and/ or the provision of permanent buildings capable of being adapted for permanent use following use by construction workers and proportionate use of the private rented sector before proposing modular accommodation in temporary buildings which will be removed at the end of the temporary use.~~ [NMC 138]

7.3.18b Policy PS9 below sets out the principles that the Council will take into account in responding (either as a statutory consultee or decision maker) to the proposals for associated or ancillary or related development related to the Wylfa Newydd Project:

Policy PS9

Wylfa Newydd Associated and Ancillary Development

In responding to proposals for development associated with or ancillary to the Wylfa Newydd Project where the Council is the decision maker, the Council will take into account through the planning application process the degree to which the proposals achieve the outcomes set out at (a) to (f) below.

In responding to proposals for development associated with, or ancillary or related to the Wylfa Newydd Project which are subject to an application to the Planning Inspectorate/Secretary of State for development consent as an NSIP, and the Council is not the determining authority, the Council

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will, subject to the influence of any overriding national imperative, or specific operational requirement, take into account the same considerations in the preparation of a Local Impact Report.

1. The consistency of the proposals with any relevant policies in the plan and any relevant supplementary planning guidance;
2. That opportunities have been taken where feasible to integrate the requirements of the Wylfa Newydd Project with the proposed decommissioning of the existing power station;
3. A comprehensive package of measures which avoid, minimise and then mitigate adverse impacts on the transport network arising from the movement of people, goods and services to an acceptable level, including those arising during the construction, operation and decommissioning stages, and any restoration stages. Proposals should where feasible make a positive contribution to transportation policy objectives in the locality, and should include multi-modal solutions and investment that encourages travel by public transport, walking, cycling and other sustainable means of transport;
4. Early or preparatory works (excluding highway improvements) for the development of the nuclear power station shall demonstrate that they are necessary to ensure the timely delivery of the Wylfa Newydd Project or are designed to provide mitigation for the effects of the construction or operation of the Wylfa Newydd Project. Any early or preparatory works must be accompanied by a strategy to enable the sites to be restored to an acceptable standard should the Project not be consented or constructed and how the costs of undertaking such restoration will be secured, including through bonding;
5. The accommodation requirements of construction workers should be met in a way that minimises impact on the local housing market, including the ability of those on low incomes to access the private rented sector, affordable housing and other housing services, or not result in unacceptable adverse economic, social, linguistic or environmental impacts.
6. Temporary workers accommodation should form part of a robust construction workers accommodation strategy and preferably be located on, adjacent, or in close proximity to the Wylfa Newydd Development Area or wherever possible in accordance with the Plan's Spatial Strategy;
7. The ability of the proposals to deliver legacy uses and long lasting benefits, including through infrastructure, buildings, ecological and landscape works;
8. The scheme layout and design and the scale of open spaces, landscaping, planting (including hedging and tree belts), waterways and similar features proposed should avoid, minimise, mitigate or compensate for visual, landscape and ecological impacts on the local and wider area, as well as on cultural and historic aspects of the landscape, both in the short and longer term. Proposals will be expected to be commensurate with the scale of the development, and the extent of its impact;
9. The delivery of procurement, employment, education, training and recruitment strategies, with an objective to maximise employment, business and training opportunities for the local communities both in the short and longer term.

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10. Appropriate community infrastructure is to be provided for construction workers, for example park and ride facilities, shops, healthcare and sports and leisure facilities, where it is necessary to meet the additional demand generated by the project. Where there would be additional impacts or demands on existing community facilities the Council will seek either appropriate contributions for off-site facilities or upgrading existing facilities. Legacy use of any additional facilities provided should be considered where that is appropriate;
11. Proposals should include appropriate measures for promoting social cohesion, community safety and protection and enhancement of the Welsh Language and Culture;
12. Subject to any overriding national imperative, or specific operational requirement, the Council will seek to ensure, wherever possible, that the Wylfa Newydd proposals avoid, minimise and mitigate (including, where appropriate, compensate for) impacts during the construction, operation and decommissioning, and restoration phases of the Wylfa Newydd Project, consistent with national policy advice.
13. Any proposal on the Wylfa Newydd site (outside a DCO) to treat, store or dispose of Very Low level, Low Level or Intermediate Level Waste or to treat or to store spent fuel arising from the existing nuclear power station or any future nuclear development within or outside the Plan area, in an existing or proposed facility on or off the nuclear site would need to demonstrate that the environmental, social and economic benefits outweigh any negative impacts.
14. If a future or legacy use for any temporary development is not feasible the Council shall require that temporary buildings are removed; and the serviced land is left in a suitable condition following the removal of the structures or all waste disposal facilities, roads, parking areas and drainage facilities are permanently removed from the site and the land is reverted to its original state.

In order to mitigate the effects of the Project on the housing market and to help co-ordinate the best use of accommodation, construction workers will be required to use the services provided by the Construction Worker Accommodation Management Portal. This Portal will comprise of a register of rooms or property that will be available for rent, and the applicant will be required to propose and secure methods by which construction workers required or encouraged to arrange their accommodation through this Portal.

7.3.19a For clarity, policies TAI 3, TAI 5, TAI 8, TAI 9, TAI 14, TAI 15, TAI 16 and TAI 17; PS 12 and PS 15; ISA 2 and ISA 5; and TWR 2 within the Plan apply to permanent development proposals only and not for temporary associated development delivered in connection with the Wylfa Newydd Project.

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Appendix [4]

WYLFA NEWYDD AND ASSOCIATED DEVELOPMENT - AMENDMENTS TO PARAGRAPHS 7.3.4 TO 7.3.19 AND PS9

INTRODUCTION

- 7.3.4 ~~The Planning Inspectorate will examine~~ The applications for new Nationally Significant Infrastructure Projects development will be examined using the criteria on national need, benefits and impacts as set out in relevant Policy. For energy infrastructure (EN-1-6). The energy NPSs set out national policy against which proposals for major energy projects will be assessed and examined by ~~the Planning Inspectorate~~. In accordance with the National Policy Statements, ~~the Planning Inspectorate may also consider~~ ~~Other matters that are important and relevant to its decisions~~ may also be considered had regard to, including the existing land use development plan, ~~this Plan when it carries sufficient weight as a material planning considerations or the Plan is adopted~~, the Anglesey Energy Island Programme, Destination Management Plans, Single Integrated Plan, revised New Nuclear Build Supplementary Planning Guidance and other relevant documents. In terms of a Development Consent Order application, a local authority's role is set out in the Planning Act 2008; they will be invited to assess the adequacy of consultation and local impacts and report on these to the Planning Inspectorate in a Local Impact Report. Similarly, applications may be made to other statutory bodies. ~~In Wales the local planning authorities are the determining authorities for any development associated with the Development Consent Order application, for expel, construction worker accommodation.~~ [NMC124]
- 7.3.12 Through the Anglesey Energy Island Programme, the Councils' Strategic/ Corporate Plans and the Anglesey and Gwynedd Single Integrated Plan, the Councils and their partners acknowledge the likely significant economic opportunities deriving from the Wylfa Newydd Project. ~~Chapter 3 of the Plan provides a link to the New Nuclear Build at Wylfa Supplementary Planning Guidance, which sets out the~~ describes the overarching consenting regime for the Project and the role of the Isle of Anglesey County Council's supplementary advice on important local direct or indirect matters in relation to this Project and its response to national and local policy and strategies in consenting ~~the context of the vision in relation to this Project~~. This section of the Plan ~~deals with~~ describes the proposed Wylfa Newydd Project including developments that are associated with it and indicates where either the Isle of Anglesey County Council or Gwynedd Council is the determining planning authority on associated planning applications. [NMC 131]
- 7.3.12a ~~Following enactment of the Wales Act 2017, the Wylfa Newydd Development Consent Order is likely to include most of the Project's associated development, including temporary worker accommodation, road improvements not within the boundary of the current roads and other transport facilities (such as a park and ride and logistics centre). There may still be elements of the Project for which a planning permission is sought from the Isle of Anglesey County Council, such as road upgrades to the existing highway the development of a visitor centre, early or preparatory works for the Wylfa Newydd Development Area and development of permanent housing.~~
- 7.3.13 Although the Councils are not the consenting authorities for the Wylfa Newydd Project Development Consent Order, it is considered important to explain their approach as a planning authority when consulted upon with a Development Consent Order application, subject to paragraph 3.7(b). They will also ensure that any associated development sought

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~~to be permitted by planning permission~~ conforms with the relevant policies and strategies included in this Plan. The Isle of Anglesey County Council's vision (as the host authority) for the Wylfa Newydd Project is set out in Chapter 5 of this Plan, and has informed the Plan's Vision and Objectives. ~~In the period before the Plan is adopted or before weight can be given to the policies as material planning consideration the Isle of Anglesey County Council will ensure that development associated with Wylfa Newydd reflects policies included in the current Development Plan, the Stopped Unitary Development Plan, national planning policies and the New Nuclear Build at Wylfa Supplementary Planning Guidance.~~ **[NMC 132]**

7.3.14 The ~~Revised~~ New Nuclear Build at Wylfa Supplementary Planning Guidance (SPG), sets out the Isle of Anglesey County Council's supplementary advice on important local direct or indirect matters in relation to the Wylfa Newydd ~~this~~ Project and its response to national and local policy and strategies in the context of the Project and is an important material consideration in assessing planning applications for associated development proposed in connection with the Wylfa Newydd linked to the Project. In combination with the Plan's policies, the revised New Nuclear Build at Wylfa SPG ~~document~~ will help the County Council to:

- make robust decisions on all enabling works and associated development planning applications
- ensure that the potential impacts of the New Nuclear Build and its associated developments are identified and mitigated where possible
- ensure that the socio-economic benefits linked with the construction and operation of the power station are fully maximised. ~~realised.~~ **[NMC 133]**

7.3.15 The Project will be expected to contribute to achieving the Plan's Vision by:

- contributing to the delivery of the Anglesey Energy Island Programme and the Anglesey Enterprise Zone;
- driving the transformation of the economy, maximising opportunities for the employment and up-skilling of local people;
- maintaining and enhancing the quality of life of local communities and visitors
- conserves and strengthens the unique identity of the Plan area;
- conserve, or where appropriate, enhance the Plan area's distinctive environment and resources, taking into account climate change. **[NMC 134]**

7.3.16 On the basis of the information currently available it is clear that this Project will be a significant development with numerous significant impacts, some potentially positive and others potentially negative. It is currently anticipated that the Wylfa Newydd construction period will be around ~~12~~ 10 years, with around ~~8,500~~ 8,000 to 10,000 construction workers during the peak construction periods (although it is recognised that the Project is still undergoing detailed design). There will be significant HGV movement during the construction period, especially along the A55 and A5025. After construction it is foreseen that Wylfa Newydd will employ a workforce of around 850 ~~1,000~~. ~~The requirement for construction workers' accommodation is a matter that the Isle of Anglesey County Council has given detailed consideration. An sudden influx of workers is expected during the construction period. It is considered important that accommodation is consistent with the general objectives of the Plan and that it won't prejudice the spatial strategy. It is anticipated that the workforce will be accommodated via various means, including private housing units to buy or rent, holiday accommodation and purpose built holiday~~

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accommodation provided by Horizon or through a third party. Further information regarding this is given in <http://www.anglesey.gov.uk/business/energy-island/energy-island-news/wylfa-nuclear-newbuild-construction-workers-accommodation-position-statement/114494.article?redirect=false> and in the New Nuclear Build at Wylfa Supplementary Planning Guidance <http://www.anglesey.gov.uk/Journals/2014/08/11/g/k/h/Wylfa-NNB-SPG-Adopted-July-2014.pdf> [NMC 135]

- 7.3.17 It is anticipated that accommodation will be required for a substantial number of construction workers employed during the construction period of Wylfa Newydd. It is also anticipated that land will be required in relation to the Wylfa Newydd project, e.g. site(s) for offices, short stay accommodation and other purposes related to logistics, storage and off-site fabrication. Mitigation of the impacts of the Project would be optimised if such development is located in accordance with the Plan's Spatial Strategy as set out in Chapter 6, Policy PS 9, the specific policies set out in PS 9A – 9C, and other relevant policies included in the Plan (including Policy TAI 3, Policy TAI 8 and Policy PS 1), depending on the type of use and its scale, in order to be consistent with the principle of sustainable development. [NMC 136]
- 7.3.17a The accommodation requirements of construction workers should minimise the impact on the local housing market (including the ability of those on low incomes to access the private rented sector, affordable housing and other housing services), and the tourism sector. The construction workforce should be accommodated via various means, including (but not limited to) the existing housing stock (to buy or rent), holiday accommodation, and new purpose built permanent or modular accommodation provided by Horizon or through a third party. Project promoters should also demonstrate that they have considered the re-use of existing buildings and/or the provision of permanent buildings capable of being adapted for permanent use following use by construction workers. Where appropriate, the Councils require the Project to deliver legacy benefits to local communities during the Plan period or beyond the construction period. A draft construction worker accommodation strategy has been developed and will be finalised having regard to the Plan's Spatial Strategy and any relevant policies in the Plan, including a suite of policies that provides further guidance on the management of Associated Development and subject to the influence of the Wales Act 2017, national policy, any overriding national imperative or specific operational requirement). [NMC 137]
- 7.3.18 In terms of location, the Councils' position preference is that accommodation for the temporary construction workers (outside of purpose built modular temporary worker accommodation) should as far as possible be provided within, or adjacent to, or close to the development boundaries of the Centres and Service Villages identified in the Plan's Settlement Hierarchy (depending on the scale of the development), or within or adjacent to established or new holiday accommodation and in locations that relate well to the main transport routes and transport modes, especially the railway. They should also contribute towards sustainable regeneration programmes and support the vitality and viability of town centres.
- 7.3.18a Paragraph 7.3.17a refers to the various types of accommodation. Given the scale of the anticipated number of construction workers required during the construction phase, it is considered that purpose built modular development will be an important part of the supply of accommodation. In terms of the location of purpose built temporary modular development, the Councils' recognise the benefits of locating new purpose built temporary

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modular worker accommodation on or adjacent to the Wylfa Newydd site or on sites in the open countryside where they can be self-contained, can help minimise adverse impact or harm to local places and communities, can offer sufficient on-site amenity to minimise trips to and/or put pressures on facilities in existing communities/settlements, and are well connected, or capable of being well connected through a package of measures to minimise then mitigate adverse impacts on the transport network arising from the movement of people and any other associated transport movements, including multi-modal transport solutions. The Promoter should demonstrate how the construction workforce will be accommodated across the various types of accommodation set out in paragraph 7.3.17a. but will not be first option except for necessary provision for essential workers on the main site. Project promoters should consider re-using demonstrate that they have fully considered the re-use of existing buildings and/or the provision of permanent buildings capable of being adapted for permanent use following use by construction workers and proportionate use of the private rented sector before proposing modular accommodation in temporary buildings which will be removed at the end of the temporary use. [NMC 138]

7.3.18a**b**The Councils also consider that the potential for after use of sites used initially for construction workers accommodation or any other temporary use of land should be considered at the planning and design stage, e.g. laying out of sites at the outset so that they are capable of beneficial after use (where appropriate), construction of permanent buildings capable of being adapted for future community or commercial use. Appropriate Proposed legacy uses should contribute positively to must comply with the relevant policies in this Plan. Potential legacy uses include serviced plots for affordable housing, elderly or special needs accommodation, student accommodation, offices or hotels, or serviced plots for similar uses or employment related uses, or reinstatement to open space or buildings that can be refurbished for similar uses. Any permanent residential legacy should be informed by the published Local Housing Market Assessment in order to ensure that the type of housing units required to address local need can be incorporated into the proposal at the design stage. If the project promoter and the Council agree that an after use is demonstrated to the Council's satisfaction not to be feasible, structures or buildings should be removed and the land reinstated to the satisfaction of the Local Planning Authority within a specific period of time which would be controlled by planning condition. Policy PS 9A sets out the criteria for large scale temporary construction workers' accommodation over 500 bedspaces that the Councils' will take into account as consultees for a DCO application for Wylfa Newydd and associated development or will form the basis of decision making where the Councils' are the decision makers. Policy TAI 3 sets out the policy context for temporary workers accommodation of up to 500 bedspaces (although accommodation of this scale is unlikely to be relevant to the Wylfa Newydd Project), and Policy TAI 8 sets out the policy context in relation to the residential use of holiday accommodation as temporary workers accommodation. In order to mitigate the effects of the Project on the housing market and to help co-ordinate the best use of accommodation, construction workers will be required to use the services provided by the Construction Worker Accommodation Management Portal. This Portal will comprise of a register of rooms or property that will be available for rent, and the applicant will be required to propose and secure methods by which construction workers required or encouraged to arrange their accommodation through this Portal. [NMC 139]

7.3.19 The Councils will take into account the degree to which any DCO application for Wylfa Newydd (including development associated with or ancillary or related to Wylfa Newydd) or as determining authorities for associated development achieve the outcomes set out in

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~~Strategic Policy PS 9 applies to the proposed Wylfa Newydd Project including development associated with it.~~ Strategic Policy PS 9 does not apply to any other NSIP application, or any development associated with or ancillary to such NSIP applications. The project level HRA should be informed by the findings and conclusions of the HRA: Site Report for Wylfa1 as well as the HRA process for the Joint LDP. [NMC 140]

STRATEGIC POLICY PS 9: WYLFA NEWYDD AND RELATED PROJECT ASSOCIATED DEVELOPMENT

In their role either as ~~consultees for a DCO application for Wylfa Newydd (including development associated with, or ancillary or related to Wylfa Newydd), or as~~ determining authorities for associated development, ~~or as consultees for a DCO application for Wylfa Newydd~~ and applications to other bodies, ~~and within the provisions of national policy,~~ the Councils will take into account the degree to which the proposals achieve the outcomes set out in (1) to (X) below (where appropriate or relevant) and Policies PS9A; PS9B and PS9C in the preparation of a Local Impact Report (LIR) or through the planning process where the Councils are the decision makers ~~when assessing and responding to emerging proposals for Wylfa Newydd and its associated or ancillary developments~~ ~~development, the Councils will seek to ensure compliance where appropriate or relevant, with the following criteria~~ (subject to the influence of the Wales Act 2017, any overriding national imperative, or specific operational requirement):

1. Any relevant policies included in the Plan, and any relevant supplementary planning guidance should shape the approach to the development of the nuclear power station and proposals for ~~and any~~ associated development; ~~and~~
2. In order to minimise impact and maximise re-use of existing facilities and materials, opportunities have been taken where feasible to integrate the requirements of the Wylfa Newydd Project with the proposed decommissioning of the existing power station; ~~and~~
3. Highways and transport proposals for the Wylfa Newydd Project form part of the integrated traffic and transport strategy that has regard to Strategic Policy PS4 and any relevant detailed Policies in the Plan and minimises adverse transport impacts to an acceptable level, including those arising during the construction, ~~and~~ operation and decommissioning stages, and any restoration stages. Proposals should where feasible make a positive contribution to transportation policy objectives in the locality, and should include multi-modal solutions and investment that encourages travel by public transport, walking, ~~and~~ cycling and other sustainable means of transport; ~~and~~
4. Early or preparatory works for the development of the nuclear power station shall demonstrate that they are necessary to ensure the timely delivery of the Wylfa Newydd Project or are designed to provide mitigation for the effects of the construction or operation of the Wylfa Newydd Project. Any early or preparatory works must be accompanied by a strategy to enable the sites to be restored to an acceptable standard should the Project not be consented or constructed and how the costs of undertaking such restoration will be secured, including through bonding;
5. The accommodation requirements of construction workers should be met in a way that minimises impact on the local housing market, including the ability of those on low incomes to access the private rented sector, affordable housing and other housing services, or not result in unacceptable adverse economic, social, linguistic or environmental impacts. Proposals should form part of a robust construction workers accommodation strategy that

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has regard to the Plan's Spatial Strategy and any relevant policies in the Plan, including Policy PS 9A, Policy TAI 3;

6. Where proposals are for a temporary period both the site selection and the proposal detail shall the siting and design of associated development should be informed by a consideration of legacy uses, so that investment in elements such as infrastructure, buildings, ecological and landscape works brings long term benefits. Where appropriate, delivery plans ~~should be agreed~~ for legacy uses will be required with during the pre-application process planning applications where the Councils are the decision makers to demonstrate how legacy use has ~~that will~~ informed the approach to the design and layout of the associated development sites, as well to contribute to as the framing of a S106 and/or other agreements and CIL payments (if applicable);
7. Proposals for associated development for large scale (500 or more workers) campus style temporary workers accommodation, logistics centres and park and ride facilities will also take into account the extent to which they achieve the outcomes be assessed against the criteria set out in policies PS 9A – 9C;
8. The scheme layout and design and the scale of open spaces, landscaping, planting (including hedging and tree belts), waterways and similar features ~~green infrastructure~~ proposed should avoid, minimize, mitigate or compensate for visual, landscape and ecological impacts on the local and wider area, as well as on cultural and historic aspects of the landscape, both in the short and longer term. Proposals will be expected to be commensurate with the scale of the development, and the extent of its impact;
9. ~~Any proposal for development, including all associated ancillary and induced development, must be screened in accordance with accompanied by a project level Habitats Regulations Assessment, which meets the requirements of the Conservation of Habitats and Species Regulations 2010 (as amended) and where required be accompanied by an appropriate assessment; and~~
10. Early engagement by the promoter with the Council in respect of the promoter's procurement, employment, education, training and recruitment strategies, with an objective to maximise employment, business and training opportunities for the local communities both in the short and longer term is required. The promoter's procurement, employment, education, training and recruitment strategies and delivery plans should be agreed with by will require to be approved by the Council as part of any planning application at an early stage of project development, with an objective to maximize employment, business and training opportunities for the local communities both in the short and longer term;
11. ~~Where Community infrastructure is will be~~ provided for construction workers, for example park and ride facilities, shops, healthcare and sports and leisure facilities. ~~Where feasible this should be sited and designed so that it can be made available for community use during the construction phase and ultimately, where appropriate, serve a community legacy use.~~ Where there would be additional impacts or demands on existing community facilities the Council will seek either appropriate contributions for off-site facilities or upgrading existing facilities. Legacy use of any additional facilities provided should be considered where that is appropriate;
12. Proposals should include appropriate measures for promoting social cohesion and community safety;

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13. All proposals shall be appropriately serviced by transport infrastructure including public transport and shall not have adverse impacts on local communities and tourism and this shall be demonstrated in a transport assessment. Where there is insufficient transport linkage, the road network does not have sufficient capacity to accommodate the level of traffic which will result from any development or an adverse impact is predicted appropriate improvements to the transport network and the provision of sustainable transport options shall be provided to mitigate; and
14. The burden and disturbance borne by the community in hosting a major national or regional nuclear related infrastructure project should be recognised; and appropriate packages of ~~voluntary~~ community benefits provided by the developer will be sought to offset and compensate the community for the burden and disturbance imposed by hosting the project;
15. Any proposal on the Wylfa Newydd site (outside a DCO) to treat, store or dispose of Very Low level, Low Level or Intermediate Level Waste or to treat or to store spent fuel arising from the existing nuclear power station or any future nuclear development within or outside the Plan area, in an existing or proposed facility on or off the nuclear site would need to:
 - a. ~~Be strongly justified;~~
 - b. ~~Demonstrate that the planning impacts are acceptable; and~~demonstrate that the environmental, social and economic benefits outweigh any negative impacts.
16. If a future or legacy use for any temporary development is not feasible the Council shall require that temporary buildings are removed; and
 - i. the serviced land is left in a suitable condition following the removal of the structures in accordance with a scheme of work submitted and approved by the Local Planning Authority; or
 - ii. all waste disposal facilities, roads, parking areas and drainage facilities are permanently removed from the site and the land is reverted to its original state in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

It is possible that as the project develops, due to unforeseen consequences resulting from the construction and operation of the Wylfa Newydd Project, the Councils may require additional information from, or works to be carried out by the developer. ~~and may as a result, seek to re-negotiate any mitigation or compensation package~~ In order to off-set any additional impacts or burdens borne by the community affected, ~~the~~ developer should build in review mechanisms in order to monitor the full range of impacts, and to review the adequacy of mitigation or compensation measures and to make adjustments as necessary. [NMC 141]

7.3.19a ~~Associated development covered by policies PS 9A, PS 9B, or PS 9C will not be required to comply with policies~~ For clarity, policies TAI 3, TAI 5, TAI 8, TAI 9, TAI 14, TAI 15, TAI 16 and TAI 17; PS 12 and PS 15; ISA 2 and ISA 5; and TWR 2 within the Plan ~~apply to permanent development proposals only.~~ [NMC 142]

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APPENDIX 4(a) – AMENDMENTS TO PS9A

NEW SUB POLICY PS 9A - WYLFA NEWYDD – LARGE SCALE CAMPUS STYLE TEMPORARY ACCOMMODATION FOR CONSTRUCTION WORKERS

The Councils' will take into account the degree to which ~~Proposals for large scale campus style temporary accommodation for construction workers with more than 500 bed spaces have been~~ informed by and achieve the outcomes set out in (1) to (5) (and in addition to those set out in Policy PS9) below in the preparation of a Local Impact Report (LIR) or form the policy basis in assessing planning applications where the Councils' are the decision makers: will only be granted, in addition to the proposal complying with Policy PS 9, where:

1. the site is located on or adjacent to the Wylfa Newydd site; or
- ~~1. the site is located adjacent or in close proximity to the development boundary of a Centre identified within the Plan's Settlement Hierarchy, and is close to the main highway network where adequate access can be provided without significantly harming landscape characteristics and features; or~~
2. where the site is not located on, adjacent, or in close proximity to the Wylfa Newydd site, it shall be demonstrated that:
 - (a) Locating large scale campus style temporary accommodation for construction workers on such sites form part of a wider strategy to accommodate the construction workforce associated with Wylfa Newydd across various types of accommodation;
 - (b) It can be demonstrated that locating large scale campus style temporary accommodation in such locations can help minimise the impact or harm to local places and communities;
 - (c) The site is well connected, or capable of being well connected to the main highway network through a package of measures to minimise then mitigate adverse impacts on the transport network arising from the movement of people and any other associated transport movements, including multi-modal transport solutions without significantly harming landscape characteristics and features;
 - (d) The proposals include sufficient on-site amenity to minimise trips to and/or pressures on facilities in existing communities/settlements.
- ~~2. in exceptional circumstances, the site is located in the open countryside, provided that the applicant can demonstrate that there is no available site which meets the criteria set out in criterion 1 for the proposed use and that there is an essential and proven need for the amount and type of accommodation for temporary workers; and~~
3. In all other cases, accommodation for the temporary construction workers may be provided adjacent to, or close to the development boundaries of the Centres and Service Villages identified in the Plan's Settlement Hierarchy (depending on the scale of the development), or within or adjacent to established or new holiday accommodation (that may be approved in accordance with Policy TAI8) and in locations that relate well to the main transport routes and transport modes;
- ~~34. The proposal must include appropriate mechanisms to mitigate any adverse impacts of the proposed development on the Welsh language and culture or a contribution is made towards mitigating those impacts in accordance with Policy PS 1 and Policy ISA 1; and~~

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45. Where there is insufficient capacity within existing off-site leisure, recreational, retail and healthcare facilities to meet the needs of occupiers of the site or such facilities are not available within an acceptable distance which facilitates pedestrian or cycle access to them, the proposal must include appropriate mechanisms to mitigate negative impacts which are likely to include onsite provision of ancillary facilities for the use of the occupiers; and

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APPENDIX 4(b) – AMENDMENTS TO PS9B

NEW SUB POLICY PS 9B - WYLFA NEWYDD – LOGISTICS CENTRES

The Councils will take into account the degree to which ~~pp~~ proposals for logistics centres associated with the Wylfa Newydd Project and its supply chain ~~will be permitted where, in addition to the proposal complying with Policy PS9, it can be demonstrated that:~~ achieve the outcomes set out in (1) and (2) (and in addition to those set out in Policy PS9) below in the preparation of a Local Impact Report (LIR) or form the policy basis in assessing planning applications where the Councils' are the decision makers:

1. The site is located:
 - i. on a safeguarded or allocated employment site; or
 - ii. within development boundaries of Centres identified within the Plan's Settlement Hierarchy; or
 - iii. In other locations adjacent to development boundaries of Centres along or close to the A5/A55 corridor where the applicant has demonstrated that sites identified in criteria 1 i and ii have been first considered and discounted based on planning and environmental criteria and that the impacts of development in the countryside can be acceptably minimised and mitigated
2. Proposals include sustainable transport proposals for staff including links to public transport as appropriate.

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APPENDIX 4(c) – AMENDMENTS TO PS9C

NEW SUB POLICY PS 9C - WYLFA NEWYDD ASSOCIATED DEVELOPMENT - PARK AND RIDE FACILITY

The Councils' will take into account the degree to which ~~proposals for park and ride facilities associated with the Wylfa Newydd Project and its supply chain will be permitted where, in addition to the proposal complying with Policy PS9, it can be demonstrated that~~ have been informed by and achieve the outcomes set out in (1) to (3) below (and in addition to those set out in Policy PS9) in the preparation of a Local Impact Report (LIR) or form the policy basis in assessing planning applications where the Councils' are the decision makers:

1. In order to minimise the need for construction workers ~~and workers that service the facility~~ to travel by private car, the site is located:
 - i. within or adjacent to development boundaries of Centres located along or close to the A5/ A55 corridor; or
 - ii. In other locations along the A5/A55 corridor ~~where the site is part of a comprehensive approach to the mitigating the transport effects of the Project and taking into account the Councils' preference to consider and the applicant has demonstrated that~~ sites closer to Centres ~~have been first considered and discounted based on planning and environmental criteria~~ and where provision for travel to the site by sustainable means, including ~~the potential for~~ public transport and cycling, can be provided.
2. Proposals should make provision for new and enhancement of existing pedestrian and cycle paths and improvement to public transport services;
3. The siting of buildings and activities, means of access and egress and appropriate mechanisms are used to mitigate negative impacts of the proposed development on the amenity of local communities [NMC 144]

APPENDIX 5



The Planning
Inspectorate

Report to Sedgemoor District Council

by Brian J Sims BSc CEng MICE MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 27th September 2011

PLANNING AND COMPULSORY PURCHASE ACT 2004

SECTION 20

REPORT ON THE EXAMINATION OF THE SEDGEMOOR CORE STRATEGY DEVELOPMENT PLAN DOCUMENT

Document submitted for examination on 3 March 2011

Examination hearings held between 24 and 26 May 2011

File Ref: PINS/V3310/429/4

Abbreviations Used in this Report

[***]	<i>document references ie:</i>
C*	<i>SDC Correspondence with EDF and the Inspector</i>
CJ*	<i>Cala Judgment</i>
EB*	<i>Evidence Base Documents</i>
NP*	<i>National Policy Documents</i>
NPPF*	<i>Responses to Draft National Planning Policy Framework</i>
PFG*	<i>Planning for Growth Consultation</i>
PS*	<i>Position Statement</i>
R*	<i>Regional Policy Document</i>
SD*	<i>Submission Document</i>
AA	Appropriate Assessment
CIL	Community Infrastructure Levy
CS	Core Strategy
DCO	Development Consent Order
DPD	Development Plan Document
dNPPF	draft National Planning Policy Framework
ELR	Employment Land Review
ha	hectare
HPC	Hinkley Point C proposed nuclear power station
IC*	Inspector Change reference
IPC	Infrastructure Planning Commission
KRS	Key Rural Settlement
LDS	Local Development Scheme
LIR	Local Impact Report
MIP	Major Infrastructure Project
MIU	Major Infrastructure Unit
NPS	National Policy Statement
NSIP	Nationally Significant Infrastructure Project
OSS	Other Sustainable Settlement
para	paragraph number
PFG	Planning for Growth
PO	planning obligation
PPS	Planning Policy Statement
RS	Regional Strategy
SA	Sustainability Appraisal
SC*	Soundness Change reference
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SDC	Sedgemoor District Council
SHLAA	Strategic Housing Land Availability Assessment
SPD	Supplementary Planning Document
SoS	Secretary of State
TC*	Technical Change reference
TCPA90	Town and Country Planning Act 1990

Non-Technical Summary

This report concludes that the Sedgemoor Core Strategy Development Plan Document (CS) provides an appropriate basis for the planning of the District for the period to 2027. Sedgemoor District Council (SDC) has sufficient evidence to support the strategy and can show that it has a reasonable chance of being delivered.

Certain changes are needed to meet legal and statutory requirements. These are summarised as follows:

- The end date of the CS is extended from 2026 to 2027
- Reference to the draft Regional Strategy (RS) for the South West is changed to take account the current legal status of RSs
- Provisions for dealing with flood risk are changed to accord with the sequential test of Planning Policy Statement 25 (PPS25) on Flood Risk
- Provisions for ensuring a continuous Five Year housing land supply are changed to accord with Planning Policy Statement 3 on Housing
- Chapter 4 on Major Infrastructure Projects (MIPs), including Hinkley Point C (HPC) proposed nuclear power station in neighbouring West Somerset is replaced by a new version rewritten in accordance with national law and policy on Nationally Significant Infrastructure Projects (NSIPs).

All except one of the changes recommended in this report are based on proposals put forward by SDC in response to points raised and suggestions discussed during the public examination. The changes do not alter the thrust of the Core Strategy overall.

Issue 6 - whether the CS makes appropriate provision for Retail and Leisure Development

63. Representations are made that Policy P2 for Bridgwater Town centre should provide expressly for a major leisure facility, together with additional car parking space, to redress a perceived lack of family entertainment and consequent loss of comparison retail trade and vitality. Added to this is a current local fear that the centre could become dominated by food retail.
64. Policies S1, D13 and P2 together provide for an identified need for 16,000sqm of new comparison floorspace in a comprehensive development in the Northgate area of central Bridgwater and Policy P2 lists leisure uses among those supported. Within the scope and context of the CS, such development will be market-led. At the same time, any proposal will be subject to development management provisions, such as Policies D10 and D13 requiring transport and retail impact assessments, to help ensure that development will further the overall objective of Policy P2 to re-establish the centre as a key destination. In this respect the CS is sound as submitted and no change is necessary.

Issue 7 - whether the CS makes appropriate provision with respect to the proposed Hinkley Point C (HPC) nuclear power station as a Nationally Significant Infrastructure Project (NSIP) and other Major Infrastructure Projects (MIPs)

65. As a result of discussion at the hearings, SDC entered into correspondence with the promoters of the proposed Hinkley Point C nuclear power station (HPC) in neighbouring West Somerset with respect to the terms of Chapter 4 of the CS regarding Major Infrastructure Projects [C1-18]. This led to a proposed revision of Chapter 4. The revised Chapter is set down in Appendix A.2 as SC48, excluding para 9.

The Planning Act 2008 and National Policy Statements

66. The Act of 2008 created the Infrastructure Planning Commission (IPC), soon to be merged with the Planning Inspectorate as its Major Infrastructure Unit (MIU), to decide applications for Development Consent Orders (DCOs) for NSIPs and associated works, or to make recommendations to the SoS upon them.
67. The Act also provides for National Policy Statements (NPSs) to be issued, including the recently designated, overarching NPS EN-1 for Energy and NPS EN-6 for Nuclear Power Generation [NP1, NP7]. These are defined as the primary basis for DCO applications to be decided directly by the IPC/MIU/SoS for a number of projected nuclear power stations.
68. The 2008 Act has thus created a process within the national planning regime for NSIP proposals to be decided at national level. This process is separate from the application and appeal procedures of the Town and Country Planning Act 1990 (TCPA90) operated by local planning authorities. In the case of NSIPs and any associated works included in a DCO application, the IPC/MIU/SoS is required only to invite the local planning authority to submit a Local Impact Report (LIR) on the proposed NSIP. Planning applications for

works associated with the NSIP but not included within the DCO application remain for determination by the local planning authority under the 1990 Act.

Chapter 4 as submitted

69. The CS in Chapter 4 refers to a range of potential MIPs in Sedgemoor, or having planning implications for the District. Among these, the sole NSIP is the proposed Hinkley Point C (HPC) nuclear power station in neighbouring West Somerset.
70. Chapter 4, as submitted, makes reference to the distinction between the national process relating to HPC as an NSIP and the local planning procedures applying to other MIPs, including any non-DCO works for HPC. However, Policies MIP1-3 and their supporting text seek to apply the same criteria of assessment to both HPC and other MIPs. This is with the intention of establishing a common basis, not only for the direct control of MIP development, but also for making representations on HPC and any effects it might have on the District, including mitigation of, or compensation for, adverse impacts.
71. Chapter 4 as a whole is challenged in legal submissions for the promoters of HPC [PS44], essentially on grounds that, in its detailed terms, it sets tests of compliance for the HPC, thereby duplicating or anticipating the proper function of the IPC/MIU/SoS in this connection. In response, SDC [PS45, SDC/PS/1-2] points to the legitimate roles of the CS, both in informing a LIR on the basis of policy adopted following public consultation, and also as a material consideration that the IPC/MIU/SoS may take into account.
72. Section 104 of the 2008 Act includes provisions that the IPC/MIU/SoS, in deciding a DCO application, must have regard to a relevant NPS, as well as to the LIR and any other matters which the IPC/MIU/SoS thinks are both important and relevant to the decision. Thus, notwithstanding any function of the CS to inform an LIR, Section 104 does not go so far as to name a CS as a consideration material to a decision to issue a DCO. In practice the CS might be regarded as material to any decision on HPC. However, for the CS itself to imply that, or to set tests of compliance for HPC as an NSIP, could be seen as going beyond the Act and anticipating the judgement of the IPC/MIU/SoS.
73. Chapter 4, in setting criteria for the consideration of HPC as an NSIP as well other MIPs, assumes a status above that accorded by the 2008 Act and the relevant NPSs. In this respect therefore, the CS does not accord with national policy. Policies MIP1-3 are not fully justified or effective in connection with HPC. The CS with Chapter 4 as submitted is therefore not sound.

Chapter 4 as proposed to be changed

74. Chapter 4 is of limited significance to the overall spatial strategy, especially with the removal of specific housing provision for HPC by SC29 to para 5.59. The CS could be made sound simply by the deletion of Chapter 4, possibly to be replaced by a separate DPD or SPD if required. However, SDC is justified in seeking to establish a set of principles, of adopted policy status, to inform any LIR, as well as any decision on a MIP. Rather than defer the matter to a later DPD, or to create separate chapters for NSIPs and MIPs, SDC chose to attempt to negotiate a new version of Chapter 4 which would clarify the

distinction between the two planning processes for NSIPs and MIPs and avoid setting tests of compliance for NSIPs [C1-18]. Much progress was made but full agreement was not achieved.

75. Central to this negotiation was the wording of the overarching para 9 of the new Chapter 4 where the crucial distinction between the separate roles of SDC as local planning authority for MIPs and statutory consultee for NSIPs is set out. SDC would have preferred to refer to the CS as setting no "primary" policies for NSIPs, reflecting the definition of the NPSs themselves as the "primary" basis for deciding DCO applications. However, the term "primary" is not apparently used in the 2008 Act, even though it occurs repeatedly in the NPSs. This does not seem to go so far as to imply that there is a policy hierarchy whereby a development plan might be designated a non-primary or secondary basis for decision. Outside the immediate context of the NPS therefore, the use of the term "primary" in para 9 would be superfluous and potentially confusing.
76. However, SDC also maintains that para 9 should expressly state: "This chapter of the Core Strategy will inform the LIR to be submitted by the Council to the IPC/MIU/SoS in connection with the determination of any application for development consent, and subject to their consideration, may potentially be thought of as important and relevant to a determination by the IPC/MIU/SoS, but only if considered to be so by them." SDC considers that a statement such as that underlined would be entirely factual and would not in any way suggest to, or attempt to tell, the IPC/MIU/SoS what it should or should not take into account. Despite the sentence being heavily qualified, the latter assertion is strictly a contradiction.
77. Taking into account the status of the CS with respect to NSIPs, the most that can be recommended is a repetition of the terms of the Act to inform the reader. Accordingly, the version of para 9 recommended in **IC1** omits the underlined passage. Otherwise it is recommended that Chapter 4 be changed as set out in **SC48**, as this achieves the appropriate distinction between NSIPs and MIPs whilst also going further than the submitted version in acknowledging potential benefits of the HPC project to Sedgemoor as well as its potential impacts.

Conclusion on Issue 7

78. With the exception of para 9, the revised Chapter 4 set out in SC48 complies with national policy and justifiably provides an effective basis for the control of MIPs and would also properly inform any LIR for NSIPs. Therefore, with SC48 and IC1 for para 9 in place, the CS would make appropriate provision with respect to the proposed Hinkley Point C nuclear power station as a Nationally Significant Infrastructure Project and for other Major Infrastructure Projects and, accordingly, would be sound in this respect.

APPENDIX 6



Local Development Framework **CORE STRATEGY** Published Version



**Shaping the Future of
Sedgemoor 2006-27**

May 2013

(Adopted September 2011)

4 Major Infrastructure Projects

Major Infrastructure Projects

Context

4.1 For the purposes of the Core Strategy, Major Infrastructure Projects (MIP's) are those infrastructure projects that would require Environmental Impact Assessment (EIA) as set out in Schedules 1 and 2 of the EIA Regulations 1999 (except predominantly residential schemes), and include those defined as Nationally Significant Infrastructure Projects (NSIP's) in the Planning Act 2008. Where associated or ancillary development is related to the construction or operation of a MIP, these proposals will also fall under the same definition.

4.2 Legislation in the Planning Act 2008 provides that NSIP are of such potential importance to the UK that a different consenting process to the "normal" grant of planning permission by the local planning authority is established. The primary planning policy relating to the consent of NSIP's is to be found in the generic and specific National Policy Statements (NPS).

4.3 Potential MIPs (with some likely to be NSIP's) which are either located within Sedgemoor or are likely to affect Sedgemoor within the Core Strategy plan period, include:

- New Nuclear Power Station at Hinkley Point C.
- New 400kV Electricity Transmission Circuit between Hinkley Point and Seabank (near Bristol).
- Steart Coastal Management Project.
- Cheddar Reservoir extension.
- Energy generation at Puriton Energy Park.
- Severn Tidal Power – Although there are no currently active plans, this project is subject to review and new proposals for Severn Tidal Power may emerge during the timeframe of the Core Strategy.

4.4 Relevant NPSs will set out the national case in principle for NSIPs and provide a national policy framework for the consideration of proposals by the Major Infrastructure Planning Unit of the Planning Inspectorate (the successor body to the Infrastructure Planning Commission), with the final decision to grant permission being made by Government Ministers.

4.5 NPSs set out in the context of the particular type of NSIP explain how the proposals will be assessed. For example, the Revised Overarching National Policy Statement for Energy (EN-1), published in June 2011, explains how applications for development consent for large scale energy projects will be examined and determined. In accordance with legislation, the IPC, its successor or the Secretary of State must determine applications in accordance with any relevant NPS, except in specified circumstances, The Assessment Principles note that the IPC should take into account national, regional and local benefits, and adverse impacts including local impacts, and that it should have regard to any local impact report submitted by a relevant local authority. In reaching a decision it is stated that; "if the IPC is satisfied that the adverse impacts identified (including any cumulative impacts) outweigh the benefits of the proposed development (taking into account measures to avoid, reduce or compensate for those adverse impacts), consent should be refused".

4.6 Although NPSs are not part of the statutory development plan, local planning authorities will clearly need to have regard to these when preparing their plans at a local level.

4.7 Sedgemoor District Council will continue to play an important role as a statutory consultee in relation to NSIP applications, including producing a Local Impact Report when affected by the NSIP application.

Major Infrastructure Projects 4

4.8 In this Chapter of the Core Strategy, where "impacts" are referred to, these can be positive and negative impacts and where "mitigation" is referred to this can, where appropriate, include "compensation" where this is consistent extant government policy advice (currently Circular 05/05 that contains the relevant policy approach to planning obligations relating to NSIPs). The completion of a Habitats Regulations Assessment will be required where a project is likely to give rise to significant effects upon a Natura 2000 site; this may give rise to mitigation or compensation requirements under the provisions of the Habitats Directive.

Approach

4.9 This chapter of the Core Strategy deals both with those MIPs where Sedgemoor District Council is the local planning authority, and NSIPs, where the Council is a statutory consultee. Because NSIPs are subject to a separate planning process within the national planning regime, the Core Strategy does not set any policies, tests or requirements for the IPC/MIU/ Secretary of State to apply in deciding whether any element of the development comprised in an application for development consent is acceptable, nor the basis on which any such application should be approved. Accordingly, the Core Strategy does not have the same status for decision making by the IPC/MIU as it does for decisions under the Town and Country Planning Act 1990, where the Council is the determining authority. However, the Planning Act 2008 at Section 104(2)(b)and(d) states that the IPC/MIU/Secretary of State must have regard to any Local Impact Report [LIR] together with any other matters they think are both important and relevant to their decision. This chapter of the Core Strategy will inform the LIR to be submitted by the Council to the IPC/MIU/Secretary of State in connection with the determination of any application for development consent.

4.10 In relation to NSIP's, applications for NSIP's will be examined by the Major Infrastructure Planning Unit (MIU) and a decision made by the Secretary of State. Local authorities will only be the decision maker for any elements of associated or ancillary or related development for which applications are made to the local planning authority. National Policy Statements will provide the national policy framework for decision making for NSIP's, but the MIU will also take account of other matters that it thinks are both important and relevant to its decision. In this respect, the Council considers it appropriate to explain the approach that it will take in undertaking its role as planning authority when consulted upon such an application. The chapter deals with both roles of the Council in relation to MIP and with development that is associated with, ancillary to, or related to a MIP, so that the terms of this chapter therefore will help inform:

1. The promoter's understanding of how the local authority considers a NSIP should be brought forward in the local context, including in relation to any associated, ancillary or related development proposals of an NSIP project. This is to help assist a NSIP promoter when preparing a development consent order application to be made to the MIU.
2. The preparation of a Local Impact Report by the Council in relation to the NSIP to be submitted to the MIU by the Council. This Local Impact Report will assist the MIU in the examination of the NSIP. The Local Impact Report will help identify potential local impacts and possible mitigation and compensation sought by the Council to address impacts of the NSIP and any associated or ancillary or related development which is part of the development consent order application. The determination of any associated or ancillary or related development proposals which are not part of a development consent order application for a NSIP but are related to the NSIP and are applied for to the Council as local planning authority.
3. The formulation of the Council's response on matters on which it is consulted by other authorities who would be host authorities for NSIP projects.

4 Major Infrastructure Projects

Policy MIP1: Major Infrastructure Proposals

4.11 Policy MIP1: Major Infrastructure Proposals, sets out the approach that the Council will take in responding to major infrastructure applications either as determining authority or as a statutory consultee:

Policy MIP 1

Major Infrastructure Proposals

In responding to major infrastructure proposals as a consultee or decision maker the Council will consider applications against the relevant national planning policy and the strategy and relevant policies of the development plan. The objective from the Council's perspective is that such proposals should, where possible, contribute positively to the implementation of the spatial strategy and meet the underlying objectives of the plan. However, the Council will seek to adopt an approach which is consistent with relevant NPS and take into account operational requirements of the MIP.

For a NSIP the Council will take into account through the preparation of a Local Impact report, how proposals through their formulation and implementation, avoid or minimise adverse impacts or harm to local places, communities and businesses and maximise local benefits wherever possible. Where the Council is the decision maker, these matters will be taken into account through the planning application process.

In all cases the Council will also assess where appropriate how the consideration of alternatives has informed the proposals.

The Council will consider the benefits and impacts of a proposal having regard to direct, indirect, secondary and cumulative benefits and impacts, and benefits and impact interactions. This assessment will include the construction, operation and decommissioning (including restoration) stages of the project. It will also have regard to reasonably foreseeable development proposals in the local area, including other infrastructure projects and employment and residential development.

Depending upon the scale and nature of the proposals, in order to present sufficient information for the the Council to undertake the assessment it may request the preparation of delivery plans identifying measures to be taken to maximise benefits, to avoid and minimise impacts, and to mitigate and compensate for impacts, with respect to matters such as the economy, climate change, the environment, transport and movement, housing, local communities (including safety, health, leisure and general well-being) council services, and education where this is justified by reference to national policy.. The management or delivery plans should identify the systems and resources that will be used to implement the proposed measures.

Delivery

4.12 The additional cost burden of MIPs on the Council will be assessed and the Council may request promoters to enter into Planning Performance Agreements and Service Level Agreements as appropriate.

4.13 Pre-application consultation by promoters with local communities in Sedgemoor, statutory consultees and the local authority will be encouraged.

Major Infrastructure Projects 4

Monitoring

Table 4.1

Reference	Monitoring Indicator	Target
M10	Impact Assessment (Local)	All major infrastructure proposals should be accompanied by impact assessments

4.14 Where a planning obligation or development consent obligation is secured, the Council will set in place a process to demonstrate that funding has been spent on the mitigation and compensation measures agreed with the MIP promoter.

Hinkley Point C

Context

4.15 Hinkley Point is listed as a 'potentially suitable site' for a new nuclear power station before the end of 2025 in the Revised Draft National Policy Statement for Nuclear Power Generation (EN-6) published by the Department of Energy and Climate Change (DECC) in October 2010. On 19th March 2013 the Secretary of State for DECC granted the Development Consent Order for Hinkley Point C.

4.16 The current proposals are for the construction of two European Pressurised Reactors (EPR) generating 3,260 MW, representing future capacity well in excess of the combined output of the two Hinkley B units (1,320 MW) and the A station which was closed in 2000 (500 MW), but much of the associated, ancillary and other related development required to construct and operate the facility would be located in Sedgemoor.

4.17 The Council acknowledges the national status of the proposal, and recognises the support for the project and its potential benefits at the national level. The role the project could play at the local level in helping to deliver the Council's economic objectives is also recognised.

4.18 Associated or ancillary or related development that may be required to enable the construction and operation of the new power station is likely to include:

- transport infrastructure improvements for Bridgwater and its surrounds, including a Cannington Bypass and associated improvements in Cannington
- refurbishment of the wharf at Combwich and other associated development at Combwich
- freight consolidation and holding facilities;
- Park and Ride facilities with bus services to Hinkley Point;
- sites and buildings relating to housing management, induction, research, and educational functions;
- construction worker accommodation; and
- a temporary jetty (in West Somerset).

4.19 These types of associated or ancillary or related development may be significant in their own right, as well as being considered in the context of the project. It is therefore the Council's preference that any such development is, wherever possible, planned in accordance with the spatial strategy of the Core Strategy where this is possible having regard to national policy and the specific functional requirements of the project.

4 Major Infrastructure Projects

4.20 In recognition of the importance of the project both nationally and locally, the Council has been working with the project promoter to develop a shared vision and objectives for the project and these have been set out in a Planning Performance Agreement (PPA) between the promoter and the Council and in a document agreed following a workshop involving the promoter, SDC, West Somerset Council and Somerset County Council (known as the Dillington Vision).

4.21 The Council recognises the significance of the investment into the local economy that the HPC project would represent and that it has the potential for significant benefits alongside impacts for Sedgemoor. The PPA vision of what the project should achieve in the local context includes:

- “A significant contribution of socio-economic benefits to the local community, both during construction and in operation, through local employment opportunities, training and workforce development, the provision of related leisure services, expenditure on local facilities and services, and business for the supply chain.”
- “A positive contribution to local place shaping and transformation in line with regional and local priorities for regeneration, and to coordinated infrastructure investment to improve local outcomes and economic performance.”

4.22 The potential significance of Hinkley Point C to the local economy in particular is recognised by the Council in the Sedgemoor Economic Strategy adopted in July 2009. The Strategy states that “One of the Sedgemoor’s key commitments is that Sedgemoor will be one of the UK’s leading centres for energy related business, employment and skills, with Hinkley as the foundation, and other initiatives based on renewable energy and technologies”.

4.23 From this commitment in the Sedgemoor Economic Strategy, two ‘key actions’ are identified to be:

- “Derive the maximum community and business benefit possible from any large scale energy related development in the area”; and
- “Establish a high profile regional energy cluster in the District”.

4.24 The Sedgemoor Economic Strategy demonstrates the importance the Council attaches to energy development, and establishes a key objective for the way it discharges its role in relation to proposals connected with Hinkley Point C.

4.25 The Council, the promoter of Hinkley Point C and other stakeholders worked together to produce the ‘Dillington visions’, which have the five headline commitments in relation to economic development, developing a low carbon future, education, employment and skills, community wellbeing and housing.

4.26 The precise impacts potentially associated with Hinkley Point C will be assessed as part of the specific proposals when applications come forward. However, on the basis of public consultation by both EDF and by the Council and on the basis of the information that is available, it is clear that this is a significant development which will have a number of significant impacts, both positive and negative. It is anticipated from the available information that construction will take place over 8 years, involving 5,600 construction workers at the peak of the construction phase. There will be significant HGV movements during the construction period, particularly on the A39 and from Cannington to the main station. When operational the facility will employ about 900 employees.

Approach

4.27 Policies MIP 2 and MIP 3 identify the preferred outcomes sought by the Council in relation to the Hinkley Point C project in the context of the overall strategy of the plan set out in Chapter 3.

Major Infrastructure Projects 4

4.28 The accommodation requirement that will arise during the construction of Hinkley Point C is a particular issue for the Council in the context of the spatial plan for the Core Strategy. A relatively rapid influx of large numbers of workers to the area is expected during this period. The Council considers it important that temporary or permanent accommodation is consistent with the overall plan objectives and does not prejudice the delivery of the spatial strategy. The Council wishes to see an accommodation strategy agreed between the promoter and the Council, together with other parties if appropriate.

4.29 Construction workers are likely to be housed through a combination of the use of private owner occupied and rented housing, tourism accommodation and purpose built campus development provided by the promoters of Hinkley Point C. There will be a need to increase the stock of suitable accommodation to match the additional requirements from an influx of construction workers for the project. Whilst recognising the functional needs of the promoter, in this regard the Council is concerned:

1. To ensure that the impact on the private rented housing market from the demand arising from construction workers should not unreasonably limit the access to this form of housing for others in the community who rely on this source of accommodation.
2. As part of the accommodation strategy for the Hinkley C proposals, the Council encourages wherever possible investment in schemes already allocated or identified for accommodation development in the Local Development Framework in any event.
3. To ensure that there is no significantly adverse diversion of tourism accommodation from its existing purpose as that could harm the interests of others involved in the tourism industry in the area and too great a diversion might be to the detriment of this part of the local economy. It is also recognised that there may well be positive benefits in terms of additional tourism-related accommodation investment.
4. That the investment inherent in accommodating project construction workers to provide a significant long lasting benefits which help the delivery of the overall spatial strategy for Bridgwater as far as possible. This would ideally include developing sites for permanent residential and mixed use development that are already identified for these purposes.

Policy MIP2 Hinkley Point C Associated and Ancillary Development

4.30 Policy MIP2 below sets out the principles that the Council will take into account in responding (either as statutory consultee or decision maker) to the proposals for associated or ancillary or related development related to Hinkley Point C:

Policy MIP 2

Hinkley Point C Associated and Ancillary Development

In responding to proposals for development associated with or ancillary or related to the Hinkley Point C project where the Council is the decision maker, the Council will take into account through the planning application process the degree to which the proposals achieve the outcomes set out at (a) to (f) below.

In responding to proposals for development associated with, or ancillary or related to the Hinkley Point C project which are subject to an application to the IPC/MIU/Secretary of State for development consent as an NSIP, and the Council is not the determining authority, the Council will, subject to the influence of any overriding national imperative, or specific operational requirement, take into account the same considerations in the preparation of a Local Impact Report.

4 Major Infrastructure Projects

(a) Accommodation proposals on a range of sites, primarily at Bridgwater, where there is greater access to services and public transport and the greatest potential for integration as part of the spatial strategy.

(b) A comprehensive package of measures to avoid, minimise and then mitigate adverse impacts on the transport network arising from the movement of people, goods and services and any other associated transport movements, including multi-modal transport solutions and public realm investment that encourage travel by public transport, walking and cycling. Highway safety for all users should be maintained and where possible improved. Transport services should be inclusive and accessible to the community where practicable and proposals should also make an appropriate positive contribution towards the delivery of Somerset's Future Transport Plan 2011-26, the Future Transport Strategy for Bridgwater, Taunton and Wellington, the Sedgemoor Infrastructure Delivery Strategy and the Bridgwater Vision.

(c) Meeting the accommodation needs of the temporary workforce in a way that does not have an unreasonable adverse effect on the housing market, including the ability of those on low incomes to access the private rented sector, affordable housing and other housing services. Proposals to provide for the accommodation requirements of temporary construction workers should wherever possible make a positive contribution to the long term housing and affordable housing objectives in Sedgemoor.

(d) Appropriate community facilities, where it is necessary to meet additional demand generated by the project. These facilities such as retail outlets, and healthcare, sports and leisure facilities, should be designed and located so that, wherever possible, they serve the general community and help contribute to the achievement of cohesive and sustainable communities with long lasting benefits. Where there would be additional impacts or demands on leisure facilities the Council will seek appropriate contributions for off-site facilities consistent with extant national policy advice.

(e) The delivery of education, employment and training opportunities connected with the project for the local community. Proposals should be supported wherever possible by procurement, education, employment, training and recruitment strategies, agreed with the Council at an early stage of project development. Where proposals have an educational or training and skills long lasting benefit, the detailed design of any property asset should be agreed with the end user and details of the transfer or agreed provision mechanism included in planning or development consent obligations.

(f) The delivery of investment in infrastructure, buildings and green infrastructure that would have long lasting benefits, contributing to creating attractive, prosperous and safe communities, as well as serving the needs of the development.

Delivery

4.31 The additional cost burden of MIPs on the Council will be assessed and the Council may request promoters to enter into Planning Performance Agreements and Service Level Agreements as appropriate.

4.32 The Council may request delivery plans where appropriate to ensure action results in tangible investment and improvement for local places and communities as part of any related conditions, requirements or obligations.

Major Infrastructure Projects 4

4.33 Pre-application consultation by the HPC promoter with local communities in Sedgemoor, statutory consultees and the local authorities is encouraged. The Council will provide a full and detailed response to formal public consultation by the HPC promoter.

Monitoring

4.34 The HPC proposals will be assessed by the Council having regard to the extent they avoid, minimise, mitigate and compensate for negative impacts, and align with the objectives, plans and strategies of the Council.

4.35 Where a planning obligation or development consent obligation is secured, the Council will set in place a process to demonstrate that funding has been spent on the mitigation and compensation measures agreed with the MIP promoter.

Hinkley Point – Planning Obligations and Mitigation

Context

4.36 As part of its application to the IPC/MIU the promoter of Hinkley Point C will be obliged to undertake an impact assessment which will include consideration of impacts in combination with other projects and works including:

- decommissioning of the Hinkley A station;
- works relating to the potential extension of the operational life of the Hinkley B station, outages and eventual decommissioning and restoration;
- waste storage and transportation proposals;
- National Grid reinforcement and rationalisation;
- Steart Coastal Management Project.

Approach

4.37 If negative impacts are identified, any proposals to avoid, minimise or mitigate and, where appropriate compensate for the effects of the Hinkley Point C will need to accord with national legislation including, Circular 05/2005 and any relevant NPS.

4.38 Local matters to be addressed may include:

- a. Sites of international, national and local importance for landscape, ecology, geology, archaeology, environmental quality and image, and built heritage
- b. means for reducing, reusing, recycling or disposing of waste materials,
- c. Social cohesion and avoiding or minimising crime and disorder.
- d. health and wellbeing
- e. Bridgwater as a place to live, work and learn,
- f. secure social and economic benefits for local communities
- g. cultural, leisure, recreation and religious services and facilities,
- h. emergency service resources and their resilience
- i. educational facilities and outreach initiatives, including community development and third sector support
- j. housing market considerations
- k. tourism including facilities for visitors and tourists
- l. the objectives of the Core Strategy

4 Major Infrastructure Projects

Should impacts and harm resulting from the project be demonstrated, necessary and reasonable mitigation (including where appropriate compensation) will be sought in accordance with Policy MIP3 below.

Policy MIP 3

Hinkley Point C: Planning Obligations and Mitigation

Subject to any overriding national imperative, or specific operational requirement, the Council will seek to ensure, wherever possible, that the Hinkley Point C proposals avoid, minimise and mitigate (including, where appropriate, compensate for) impacts during the construction, operation, decommissioning, and restoration phases of the Hinkley Point C development, consistent with extant national policy advice.

The Council will encourage the promoter to engage effectively at the pre-application stage, with the Council and with local communities (including those at Bridgwater, Cannington, Combs and Burnham-on-Sea), consistent with the requirements of national policy and the Council's Statement of Community Involvement.

Delivery

4.39 Pre-application consultation by promoters with local communities in Sedgemoor, statutory consultees and the local authorities is encouraged, including compliance with the Council's requirements in relation to community involvement. The Council will provide a detailed response to formal public consultation by the HPC promoter.

4.40 The Council may request delivery plans where appropriate to ensure action results in tangible investment and improvement for local places and communities as part of any related conditions, requirements or obligations.

Monitoring

4.41 The Council will assess the HPC proposals having regard to the extent they mitigate and compensate for any identified negative impacts and harm, and align with the objectives, plans and strategies of the Council. A monitoring framework will be prepared that is structured around key Council objectives and targets

4.42 Where a planning obligation or development consent obligation is secured, the Council will set in place a process to demonstrate that funding has been spent on the mitigation and compensation measures agreed with the MIP promoter.

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SUMMARY

CYNLLUN DATBLYGU LLEOL AR Y CYD ADNAU YNYS MÔN A GWYNEDD 2011-2026 ANGLESEY AND GWYNEDD DEPOSIT JOINT LOCAL DEVELOPMENT PLAN 2011-2026

HORIZON NUCLEAR POWER WYLFA LIMITED REPRESENTATIONS TO MATTERS ARISING CHANGES (JANUARY 2017)

1. Executive Summary

- 1.1 Horizon Nuclear Power Wylfa Limited ("Horizon") welcomes the opportunity to comment on the Isle of Anglesey County Council and Gwynedd Council ("Councils") Joint Local Development Plan ("JLDP") Matters Arising Changes ("MAC") (January 2017).
- 1.2 The Wales Act 2017 gained royal assent on 31st January 2017. This significantly changes the legal framework in which the Plan will sit and NSIP consenting framework, and Horizon has therefore revised their consenting strategy.
- 1.3 Although Horizon recognises that the JLDP is at a relatively late stage, it is equally timely that there is an opportunity for amendments to the JLDP to reflect both the change in the NSIP consenting framework and the optimisation of the proposals for on-site TWA since the examination hearings, as a result of further contractor involvement and responses to consultation. Approving the JLDP without recognising these changes would result in a local plan which does not correctly reflect either the current legal consenting framework or the Project proposals for which consent for a major NSIP will be sought later in 2017.
- 1.4 This very matter was addressed in the context of Hinkley Point C and the Sedgemoor Core Strategy, where it was concluded that for a local plan "to set tests of compliance" for an NSIP "could be seen as going beyond the Act [i.e. the Planning Act 2008] and anticipating the judgement of the IPC/MIU/SoS". On that basis, amendments were made to the Core Strategy to avoid it imposing such tests for proposed development which would be subject to the DCO process.
- 1.5 As currently drafted, Horizon considers that the JLDP (as proposed to be amended via the MAC) conflicts with the legal framework and national policy, for the reasons set out in the Sedgemoor Inspectors Report, and is therefore unsound. As a result, the Plan does not provide the appropriate and necessary planning framework for Wylfa Newydd and is inconsistent with the Wales Act 2017.
- 1.6 The appropriate and preferred approach would be for the JLDP to manage the Planning Act 2008/TCPA interface similarly to that set out in the adopted Sedgemoor Local Plan. That would see the JLDP set out the principles and approach (rather than detailed policy tests) that the Councils' will take into account in responding (either as a statutory consultee or decision maker) to the Wylfa Newydd DCO application.
- 1.7 If however contrary to the Sedgemoor approach, the Inspectors consider it appropriate to retain the detailed policies (as proposed to be amended by the MACs), Horizon considers that

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specific and fundamental changes are crucial to avoid the JLDP conflicting with the Project and thus creating a barrier for the delivery of Wylfa Newydd.

- 1.8 Horizon urges the Councils to incorporate its suggested changes to ensure that there is a clear planning framework so as to help realise (and not create a barrier to) the very urgent need for new nuclear power generation in the UK.

2. Introduction

- 2.1 Horizon Nuclear Power Wylfa Limited (“Horizon”) welcomes the opportunity to comment on the Isle of Anglesey and Gwynedd (“Councils”) Joint Local Development Plan (“JLDP”) Matters Arising Changes (“MAC”) (January 2017). This further period of consultation is particularly timely given:

- (i) the enactment of the Wales Act 2017 in January 2017 (see paragraph 2 below); and
- (ii) changes to Horizon's project as a result of consultation and ongoing design optimisation (see paragraph 3 below).

- 2.2 The publication of the MAC follows earlier consultation on the JLDP where Horizon made representations that included a number of important and fundamental proposed changes to the JLDP. Horizon also attended and participated in various Hearing Sessions of the Examination in Public (“EiP”).

- 2.3 The MAC represents proposed changes to the JLDP that have emerged as a result of the Hearing Sessions of the Examination.

- 2.4 Horizon is pleased that the MAC shows that a number of Horizon's proposed changes to the Focused Changes (and as debated at the EiP in Autumn and on-going dialogue with the Councils) have been incorporated into the JLDP. This is a positive move, and recognises and reinforces the importance of the Wylfa Newydd Project.

- 2.5 Horizon is advancing proposals for the construction and operation of a new nuclear power station at Wylfa (“Wylfa Newydd”). As outlined in Horizon’s representations to previous rounds of consultation to the JLDP, Wylfa Newydd and its associated development (“Wylfa Newydd Project” or “Project”) is likely to be one of the biggest, if not the biggest, energy investment in Wales. Horizon is therefore fully invested in the future of Anglesey and welcomes continued dialogue with the Councils as part of the latest JLDP consultation.

- 2.6 Accordingly, please find enclosed at Appendix [1] a table of representations entitled **Table of Representations on JLDP MAC changes issued 26 January 2017** setting out Horizon’s detailed comments to the MAC. All MAC references relate to the “Written Statement Composite Version incorporating Matters Arising Changes” (we note some discrepancies in the numbering between the Written Statement Composite Version and the Schedule of Matters Arising Changes Written Statement. For example, NMC 124 in the Composite Version of the Plan is shown as NMC 126 in the schedule of Matters Arising Changes).

- 2.7 Specific amendments are also provided in further Appendices to this note, and comprise:

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- (i) Appendix [2]: Horizon proposed amendments to Chapter 3;
- (i) Appendix [3]: Horizon preferred proposed amendments to Chapter 7, incorporating revised policy wording for PS9;
- (ii) Appendix [4]: Horizon alternative amendments to Chapter 7 and Policies PS9; PS9A; PS9B and PS9C.

2.8 In addition to assist the Inspectors, the following further Appendices are provided:

- (i) Appendix [5]: Extracts from the Inspectors Report on the Sedgemoor Core Strategy;
- (ii) Appendix [6]: Extracts from the adopted Sedgemoor Core Strategy.

2.9 Horizon's representations have particular regard to the Government's requirements relating to soundness and legal compliance, further emphasised in national planning policy as set out in Planning Policy Wales ("PPW") (Edition 9, 2016). The accompanying table of representations at Appendix [1] contains Horizon's detailed comments on the MAC. This table sets out whether Horizon considers that the MAC meet the soundness test, and makes recommendations including, where appropriate, proposed changes to the JLDP.

3. Wales Act 2017

3.1 Horizon's previous representations¹ on the JLDP noted the (then) consenting regime for Nationally Significant Infrastructure Projects ("NSIP's") in Wales, identifying that this operated alongside the town and country planning regime. While Wylfa Newydd itself required a development consent order ("DCO") determined under the Planning Act 2008, its associated development had to be consented by planning permission under the Town and Country Planning Act 1990 (as amended) ("TCPA").

3.2 The enactment of the Wales Act 2017 fundamentally alters the consenting framework for DCOs in Wales. All associated development is now permitted to be consented by DCO rather than planning permission.

3.3 Horizon's representation of 12th April 2016 recognised this possibility on the basis of the emerging Wales Bill (as it was at the time). However, Horizon's representations were based on the basis of the consenting framework actually in place. As such, those previous representations were predicated on the principle that it was crucial for the JLDP to provide an appropriate planning policy framework for associated development so as not to create a barrier or unnecessary hurdles for the applications for associated development proposed in connection with the Project.

3.4 With the change in the law, it is appropriate and critical that the JLDP is reconsidered to ensure it accurately reflects the new consenting framework for NSIPs in Wales. This change necessarily represents a substantial shift in the consenting strategy for the Wylfa Newydd project.

¹Rep ID 1099; 1100 and 1101 to the JLDP Deposit Draft (2015) and Rep ID 094 to the Focussed Changes (2016)

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3.5 The key change to the consenting strategy from that presented at PAC2 (and as was the position at the EiP) is that most associated development which was previously to be consented under a planning permission (determined by IACC) will now be sought to be included within the DCO (to be determined by the BEIS Secretary of State). This means that planning permissions are unlikely to be sought for key associated development including:

- (i) The temporary worker accommodation (“TWA”);
- (ii) The park and ride facilities;
- (iii) The logistics facility at Parc Cybi;
- (iv) The four major highway bypasses at Cefn Coch, Llanfaethlu, Llanfachraeth, and Valley.

4. Project Update

4.1 Horizon has continued to develop the Project since the previous JLDP hearing sessions.

4.2 During the EiP, Horizon was undertaking its Stage Two Pre-Application Consultation (“PAC2”) (between 31 August and 25 October 2016). PAC2 presented Horizon's latest proposals for the Wylfa Newydd Project and provided a description of how their evolution from the Stage One Pre-Application Consultation in September 2014 and the Project Update consultation in January 2016 (January Project Update). Horizon presented a copy of the Main Consultation Document to the EiP on 7 September 2016 (Examination document reference: DA030).

4.3 Following PAC2, Horizon continued its programme of optimisation both in response to consultation feedback as it is required to do, and more generally as part of the engineering and design evolution for the Project. This process is looking at optimisation in a number of core areas including programme/schedule of delivery - recognising the need for the Power station to be operational by 2025, safety, environmental impact, and cost. The optimisation process has also been informed through input from industry / construction experts. Whilst many of the changes relate to the layout of the nuclear power station, proposals for locating some TWA on the main development site are also relevant.

5. Representations to the JLDP Matters Arising Changes

5.1 Although Horizon recognises that the JLDP is at relatively late stage, it is equally timely that there is an opportunity for amendments to the JLDP to reflect both the change in NSIP consenting framework and the movement in Project proposals for on-site TWA. Approving the JLDP without recognising these changes would result in a local plan which does not correctly reflect either the current legal consenting framework or the Project proposals for which consent for a major NSIP will be sought later in 2017.

5.2 Describing and defining the operation of the national planning regime for NSIP proposals alongside the TCPA in local plans is not new. Perhaps most relevantly this was considered in 2011 in the preparation by Sedgemoor District Council of its relevant Core Strategy (the Sedgemoor Local Plan) in light of the Hinkley Point C new nuclear build.

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- 5.3 Relevant extracts from the Inspectors Report on this process, and the adopted Core Strategy, are provided at Appendix [5] and [6] respectively. These documents confirm that the inspectors' views were that:
- (i) Because NSIPs and their associated development are subject to a separate planning process within the national planning regime, local plans should not set any policies, tests or requirements for the Secretary of State to apply in deciding whether any element of the development comprised in an application for development consent is acceptable, nor the basis on which any such application should be approved;
 - (ii) The local plan does not have the same status for decision making by the Secretary of State as it does for decisions under the TCPA, where the Council is the determining authority;
 - (iii) Local plans are relevant in that they will inform the preparation of the local authority's Local Impact Report and may form an "important and relevant matter" (where the Planning Act 2008 at Section 104(2)(b) and (d) states that the Secretary of State must, in deciding a DCO, have regard to any Local Impact Report together with any other matters he/she thinks are both important and relevant to the decision).
- 5.4 The current drafting of the JLDP does not reflect this approach. This is not surprising given it was prepared (and partially agreed) prior to the Wales Act 2017. However in light of the Wales Act, it is necessary to relook at the structuring of the JLDP.
- 5.5 It is fundamental that the JLDP does not seek to exceed what it can lawfully do. It cannot lawfully, and therefore must not, set any policies, tests or requirements for deciding whether any element of development comprised in an application for development is acceptable. Due to the Wales Act 2017, that now includes associated development for which consent is sought through a DCO.
- 5.6 This very debate took place in the context of Hinkley Point C and the Sedgemoor Core Strategy, where it was concluded that for a local plan *"to set tests of compliance"* for an NSIP *"could be seen as going beyond the Act [i.e. the Planning Act 2008] and anticipating the judgement of the IPC/MIU/SoS"* (paragraph 72). On that basis, amendments were made to the Core Strategy to avoid it imposing such tests for proposed development which would be subject to the DCO process.
- 5.7 The same considerations and conclusions apply in the case of Wylfa. Specifically Horizon considers that:
- (i) The fundamental shift in the consenting regime for NSIPs in Wales should be clarified in the JLDP;
 - (ii) As currently drafted (per the MACs), Policies PS9; PS9A; PS9B and PS9C, in setting criteria for the consideration of the Wylfa Newydd Project as an NSIP, assumes a status above that accorded by the Planning Act 2008 and the relevant NPSs. Horizon therefore considers that the JLDP exceeds its proper legal scope, does not accord with national policy and is not fully justified or effective in connection with Wylfa Newydd and is therefore unsound;

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- (iii) The appropriate and preferred approach would be for the JLDP to manage the Planning Act 2008/TCPA interface similarly to that set out in the adopted Sedgemoor Local Plan. That would see the JLDP set out the principles and approach (rather than policies) that the Councils' will take into account in responding (either as statutory consultee or decision maker) to the Wylfa Newydd DCO application;
- (iv) Specific policies are appropriate for those parts of the Project for which TCPA applications will still be made.

5.8 If however contrary to the Sedgemoor approach the Inspectors consider it appropriate to retain the detailed policies (as proposed to be amended by the MACs), Horizon considers that specific and fundamental changes are crucial to avoid the JLDP conflicting with the Project and thus creating a barrier for the delivery of Wylfa Newydd. For avoidance of doubt, Horizon understands that it is the Council's preference to retain some form of the Wylfa policies in the JLDP. Comments in paragraph 5 below are presented on this basis.

6. Representations to the JLDP Focussed Changes

6.1 Following comments made by the Inspectors during the EiP in late 2016 (including critically during Hearing Session 9 on Wylfa), Horizon engaged with the Councils on the wording of the proposed Wylfa Newydd specific policies, which sit beneath draft Policy PS9. While some common ground was found, much of the drafting proposed by Horizon for Policies PS9; PS9A; PS9B and PS9C has not been included by the Councils in the MAC. Fundamentally, the proposed wording set out in the MAC conflict directly with the siting strategy of key and crucial components of the Wylfa Newydd Project.

6.2 If detailed policies are to be included in the JLDP, Horizon considers that the magnitude, duration, and national context of the Wylfa Newydd Project justifies the need for appropriate policies which include sufficient flexibility as necessary to deliver a major construction project, which (when built) will operate during the lifetime of the JLDP. It is also appropriate that these are contained in the Development Plan, rather than any Wylfa specific Supplementary Planning Guidance ("SPG") alone.

6.3 Appendix [2] and [3] provide proposed detailed amendments to Chapter 3; Chapter 7 and Policies PS9; PS9A; PS9B and PS9C of the MAC. If the changes proposed at Appendix 3 are accepted, then Policies PS9A, B and C would be deleted, in accordance with the approach in the Sedgemoor Local Plan.

6.4 However, if this position is not agreed, Horizon have also proposed alternative amendments to Chapter 7, Policies PS9, PS9A, PS9B and PS9C of the MAC, which would reflect the change in legislative context and align the policies more with Horizon's current proposals. This alternative wording is provided at Appendix [4 and 4a-c].

7. Soundness Test

7.1 Planning Policy Wales (PPW) (Edition 9, 2016) stresses the need for Local Development Plans (LDP's) to meet the three soundness tests which comprise:

- Does the plan fit? (i.e. is it clear that the LDP is consistent with the other plans?);

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- Is the plan appropriate? (i.e. is the plan appropriate for the area in the light of the evidence?);
- Will the plan deliver? (i.e. is it likely to be effective?).

7.2 The Deposit Draft JLDP set out ten criteria for assessing soundness, which we assume should also apply to the MACs and these are referred to, in summary where relevant, in the accompanying table.

7.3 In its current form, Horizon does not consider that the JLDP meets the soundness tests because:

- (i) The fundamental shift in the consenting regime for Wylfa Newydd means that the Local Plan does not have the same status for decision making for NSIPs as it does for decisions under the TCPA where the Council is the determining authority. As per the MAC therefore, the JLDP does not meet “Does the Plan fit?”; “Is the Plan appropriate?” or “Will the Plan deliver?” soundness tests because it currently assumes a status above that accorded by the Planning Act 2008 and relevant NPSs and therefore not consistent with national policy in so far as it relates to NSIPs;
- (ii) The policies are not sufficiently flexible or appropriate having considered relevant alternatives and could constrain the ability of the plan to adapt to project changes, which are inevitable in a project of this scale. The JLDP therefore fails to meet the “Is the Plan appropriate?” soundness tests;
- (iii) As currently drafted, the JLDP is insufficiently flexible to appropriately provide for associated development. In order for the plan to be effective, Horizon consider it fundamental that the JLDP amend the Wylfa Newydd specific policies (i.e. PS9; PS9A; PS9B and PS9C) as proposed by Horizon. As drafted, the proposed wording of those conditions create a barrier or unnecessary hurdles for associated development and therefore do not meet the “Is the Plan appropriate?” or “Will the Plan deliver?” soundness tests.

7.4 As currently drafted, Horizon considers that the JLDP (as proposed to be amended via the MAC) does not meet the three soundness tests and does not therefore provide the appropriate and necessary planning framework for Wylfa Newydd and is inconsistent with the Wales Act 2017.

7.5 Horizon urges the Councils to incorporate its suggested changes to ensure that there is a clear planning framework so as to help realise (and not create a barrier to) the very urgent need for new nuclear power generation in the UK.

NOT PROTECTIVELY MARKED