



**Oldbury on Severn's Response
to the
Dept of Energy and Climate Change (DECC)
Consultation on draft National Policy Statements
For
Energy Infrastructure**

This response was sent to on the 18th February 2010



Consultation on draft National Policy Statements for Energy Infrastructure

Section 1 – About You

We require this information to monitor the geographical and organisational spread of responses. Please write your name and job title clearly in the spaces provided below.

Name Barry Turner

Job title Chairman of Oldbury on Severn Parish Council

Your location (please tick one)

Please tick just one box to indicate which county you live in if in England or Wales, or which country / territory you live in if you are based outside England or Wales.

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|---|---|---|--|
| <input type="checkbox"/> Aberdeenshire | <input type="checkbox"/> County of Moray | <input type="checkbox"/> Kent | <input type="checkbox"/> Roxburghshire |
| <input type="checkbox"/> Angus | <input type="checkbox"/> County Tyrone | <input type="checkbox"/> Kincardineshire | <input type="checkbox"/> Rutland |
| <input type="checkbox"/> Argyll | <input type="checkbox"/> Cumbria | <input type="checkbox"/> Kinrossshire | <input type="checkbox"/> Selkirkshire |
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| <input type="checkbox"/> Bridgend | <input type="checkbox"/> Durham, Co | <input type="checkbox"/> Merthyr Tydfil | <input type="checkbox"/> Suffolk |
| <input type="checkbox"/> Bristol | <input type="checkbox"/> East Lothian | <input type="checkbox"/> Midlothian | <input type="checkbox"/> Surrey |
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| <input type="checkbox"/> Caerphilly | <input type="checkbox"/> East Sussex | <input type="checkbox"/> Nairnshire | <input type="checkbox"/> Swansea |
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| <input type="checkbox"/> Cambridgeshire | <input type="checkbox"/> Fife | <input type="checkbox"/> Newport | <input type="checkbox"/> Tyne & Wear |
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| <input type="checkbox"/> Ceredigion | <input type="checkbox"/> Greater London | <input type="checkbox"/> Northumberland | <input type="checkbox"/> West Lothian |
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| <input type="checkbox"/> Clackmannanshire | <input type="checkbox"/> Hampshire | <input type="checkbox"/> Orkney | <input type="checkbox"/> West Yorkshire |
| <input type="checkbox"/> Conwy | <input type="checkbox"/> Herefordshire | <input type="checkbox"/> Oxfordshire | <input type="checkbox"/> Wigtownshire |
| <input type="checkbox"/> Cornwall | <input type="checkbox"/> Hertfordshire | <input type="checkbox"/> Peeblesshire | <input type="checkbox"/> Wiltshire |
| <input type="checkbox"/> County Antrim | <input type="checkbox"/> Invernesshire | <input type="checkbox"/> Pembrokeshire | <input type="checkbox"/> Worcestershire |
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| <input type="checkbox"/> County Down | <input type="checkbox"/> Isle of Man | <input type="checkbox"/> Powys | <input type="checkbox"/> Other |
| <input type="checkbox"/> County Fermanagh | <input type="checkbox"/> Isle of Wight | <input type="checkbox"/> Renfrewshire | |
| <input type="checkbox"/> County Londonderry | <input type="checkbox"/> Isles of Scilly | <input type="checkbox"/> Rhondda Cynon Taff | |
| <input type="checkbox"/> County of Bute | | <input type="checkbox"/> Ross and Cromarty | |



Are you responding on behalf of your Organisation?

- ☒ Yes
☐ No

If you are responding on behalf of your organisation then please provide the name of your organisation in the space provided below

Organisation name Oldbury on Severn Parish Council

Details of how you represent this organisation Chairman

Area of work / interest *(please tick one)*

Please tick what sector your organisation operates within - for example if you work for your council, please tick 'Local Authority'. If you work for (e.g.) Greenpeace please tick 'NGO'. If you are responding purely as a local resident, please tick 'Local Resident.' If you feel that your organisation does not fit under any of these headings, please tick 'other'

- ☐ Local Resident
☐ Local Business Owner
☒ Local Community Group(Parish Council)
☐ Energy Industry
☐ Other Industry
☐ Government or Government Agency
☐ National NGO
☐ Academic Institution
☐ Trade Organisation
☐ Other

Please write your email address in the space provided below

Email address chad@highchimneys.fsnet.co.uk

How did you hear about the opportunity to comment? *(please tick one)*

- ☐ Newspaper advertisement
☒ Government website/email
☐ Non-Gov website/email
☐ Colleague
☐ Media coverage e.g. newspaper article, radio feature
☐ Nominator/Energy company
☐ Other

- ☒ I have attended one of the Government's local events on the consultation
☐ I have attended one of the Government's national events on the consultation
☐ I have attended one of the Government's stakeholder events on the consultation



☒ Keep me informed on any updates (tick box)

We use this information to monitor how effective our communication with you has been and therefore how we might improve in the future.

Before submitting your form please ensure you have read the confidentiality and data protection statement which is at the end of this document.

☒ Yes, I have read and accept the provisions in the confidentiality and data protection statement (this is set out on the last page of this document)

☐ Please treat my response as confidential. If you are requesting confidentiality, it would be helpful if you could explain in the box below why you regard the information you have provided to be confidential



Overview of Concerns

The parishioners of Oldbury on Severn are not resourced to respond to a consultation of this style and nature. However, the significance of what is proposed by the policy statements, particularly EN6, on the day to day lives of our Parishioners (specifically Shepperdine and adjoining parishes) is of such magnitude that special effort has been put into our response. Considerable time, community involvement and analysis have been used to prepare the formal response in the hope that the consultation documents will be amended to reflect our concerns prior to designation.

The key issues of our concern include:

1. The way the consultation documents are written.
 2. The possibility of dismissing valid reasons for refusing a development application
 3. The lack of correlation between geographic power supply and demand in site selection
 4. The “one reactor” basis for the Appraisal of Sustainability and Habitats Regulation Assessment
1. **The way the consultation documents are written**
We have little faith that the IPC process will result in an unbiased outcome. The NPS’s will be the prime documents guiding the IPC through the evaluation process, but they over emphasise the need for more Generating Capacity and advise that the presumption should be in favour of development.
 2. **The possibility of dismissing valid reasons for refusing a development application**
Following directly from 1. above we are led to the conclusion that the IPC process could become more about mitigation, even stifling arguments which could show that adverse effects should preclude development. In this regard we note that the policy of Imperative Reasons of Overriding Public Interest can be applied to dismiss all other reasons for refusing a development application.
 3. **The lack of correlation between geographic power supply and demand in site selection**
We feel that the SSA was not really strategic in so far as the sites were nominated by Commercial Interests. Whether or not the sites selected are the best choice we are not qualified to say, but there seems to be little correlation between geographic supply and demand.

Continued on page 5

4. **The “one reactor” basis for the appraisal of Sustainability and Habitats Regulation assessment**

The assessments which provided the basis on which the SSA made its recommendations for Nuclear Sites were at a high level; so much so that its results must be considered as



very questionable. EN6 admits that the Appraisals of Sustainability and the Habitats Regulations Assessment were done on the basis of one reactor at most sites. This, we feel, is significant as the IPC is left to judge the suitability of the sites on this basis. With the guidance in the Policy being biased toward acceptance this is worrying when coupled with the issues the Policy states are not the concern of the IPC.

As far as Oldbury itself is concerned the main issues are as follows:-

Visual and Landscape impacts cannot be fully mitigated particularly because the use of an Indirect Cooling System involves the use of structures which cannot be hidden. Cooling Towers, whatever the design, will have negative visual impact. Depending on the design selected there are also noise and climatic issues to consider. Oldbury is the only site requiring this technology.

The footprint and mass of the proposed new Facility will be very significantly greater than the existing Magnox facility. Being the only estuarine site, Oldbury is unique in so far as the negative impacts can be easily seen from both the English and Welsh sides of the estuary which is in an area of Outstanding Natural Beauty and is classified as an area which has gained National and International recognition (RAMSCAR etc).

Flooding is a major concern. Again, the area is unique in so far as it is in Flood Zone 3 and has characteristics which have led the Parish Council on many occasions to try to persuade the local authorities to fund improvements. Whilst it is recognised that any threat from the River Severn should not be underestimated, it is internal flooding caused by run-off from development which is our main concern. The fact that a new facility at Oldbury would be built up onto a higher level is a concern not only in terms of flooding but also because access roads would have to be raised accordingly. This again would have an adverse visual impact in this low lying area.

Infrastructure. In particular the local roads can be realistically described as inadequate and in need of repair, but going further afield to the M5, the vision is that everyday will be like a Bank Holiday (or worse) in terms of traffic and traffic congestion. The area is ill equipped to handle the potential volumes of traffic, irrespective of the possibility of a wharf. The adverse impacts resulting cannot be fully mitigated. For the development to proceed it will be necessary to see new road infrastructure, traffic management plans, and temporary housing for workers at a very early stage.

Radioactive waste. Arrangements for the disposal of radioactive waste are a concern, but it is also an area where we do not have the technical competence to address the issue in depth. Suffice it to say that locally there are serious concerns and doubts as to the arrangements as described in EN6, particularly relating to long term on-site storage and the Governments approach to final disposal. For example, we are aware that successive governments have signally failed to get agreement on a geological repository over nearly 40 years of trying. How can we have any faith in the volunteering process that is now being considered? The fact that the IPC is not expected to consider storage as an issue during their assessment process is again a factor which reduces confidence in the IPC process.

Non-related Power Generation development. Cumulative effects of other major infrastructure projects, all within the Bristol Channel/Severn catchments, have not yet



been taken into account. We have serious concerns for the future of the estuary because there is still no clear understanding of what else may become part of the mix of energy sources, particularly in respect to tidal power. Power distribution for Nuclear and Tidal generated power will be a big problem.

Final Comment. The development of a new nuclear power station, if it goes ahead, will change the character of Shepperdine and the surrounding area out of all recognition. The adverse impacts during construction will be extremely difficult to bear, even with mitigation. This will not necessarily improve during the operational stage, as it is committing the local community to a different way of life, and, if Development is permitted, some form of compensation which recognises this must be forthcoming.

Formal response to consultation follows, Please see pages 7 - 44



This consultation focuses on the consultation questions listed below. However, respondents are free to make other comments, and the Government will consider these where appropriate. When considering responses to this consultation, the Government will give greater weight to responses that are based on argument and evidence, rather than simple expressions of support or opposition.

When answering these questions please explain and give reasons for your answers.

Chapter 2: Draft Overarching Energy NPS (EN-1)

1. Do you think that the Government should formally approve ('designate') the draft Overarching Energy National Policy Statement?

No we do not think that the Government should formally designate the Draft Overarching Energy National Policy Statement. For the following reasons :-

Meeting the objectives of the Low Carbon Transition Plan should not be used as a reason for acceptance of negative impacts caused by the introduction of Infrastructure/Facilities into any geographic area. The NPSs are written in such a way as to constrain the thinking of the Infrastructure Planning Commission. We feel that it will be more disposed to accept that significant negative impacts have to exist (even after mitigation measures have been applied) for Imperative Reasons of Overriding Public Interest (IROPI).

The fact that the NPS instructs the IPC that certain issues are not to be considered within their remit is in itself indicative that permissions could be granted even though the impacts are significantly negative. This can be found both in the Draft Overarching NPS (EN1) and the accompanying specific NPS. Government Policy on new Nuclear Power Stations and Infrastructure Development specifically says that:-

"all 10 nominated sites are needed", it also states, "the Government considers that all of the sites listed in this NPS are needed and that the IPC should not consider any of the listed sites as alternatives to each other". Also "The IPC should start its examination of development consent applications for new nuclear power stations on the basis that need has been demonstrated and should give this need, and the benefits of meeting it, substantial weight in determining the applications".

This makes consultation more an exercise in mitigation than whether or not permission should be granted.

It is important for the credibility of the final outcome that the IPC is not working within these constraints.



2. Does the draft Overarching Energy National Policy Statement provide the Infrastructure Planning Commission with the information it needs to reach a decision on whether or not to grant development consent?

The draft Overarching Energy Policy provides a lot of useful information on which the Infrastructure Planning Commission can reach a decision. However, certain information is presented in such a way that the IPC may not feel bound to use it. Additionally, the overriding need for energy infrastructure, spelt out in Part 3 of this NPS, encourages the IPC to work from a platform that consent should be given eg:- part 4 Assessment Principles and Generic Impacts 4.1:-

“Given the level of need for energy infrastructure as set out in Part 3 of this NPS, if the development proposal is in accordance with this NPS and any relevant technology-specific NPS, then the IPC should operate on the basis that consent should be given, except to the extent that any of the exceptions set out in the Planning Act apply (see paragraph 1.1.2 above).”

3. Does the draft Overarching Energy National Policy Statement provide suitable information to the Infrastructure Planning Commission on the Government's energy and climate policy?

Yes, we feel that the Governments energy and climate change policy provides suitable information but over emphasises the need for a rapid transition to lower carbon which we feel is not the prime objective of the NPS.

Continuation sheets can be added if required.



4. Does the draft Overarching Energy National Policy Statement provide suitable direction to the Infrastructure Planning Commission on the need and urgency for new energy infrastructure?

Yes most definitely

5. Do the assessment principles in the draft Overarching Energy National Policy Statement provide suitable direction to the Infrastructure Planning Commission to inform its decision-making?

Providing the IPC are not constrained by other considerations referred to in the preceding responses, the Policy Statement provides good direction generally. We have addressed our concerns regarding various issues at the appropriate points in this questionnaire.

Continuation sheets can be added if required.



6. Does the draft Overarching Energy National Policy Statement appropriately cover the generic impacts of new energy infrastructure and potential options to mitigate those impacts?

7. Do you have any comments on any aspect of the draft Overarching Energy National Policy Statement not covered by the previous questions?

Continuation sheets can be added if required.



Chapter 3: Draft NPSs for Fossil Fuels, Renewables, Gas Supply and Gas and Oil Pipelines, and Electricity Networks (EN 2-5)

8. Do you think that the Government should formally approve ('designate'):

a) The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

b) The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

Continuation sheets can be added if required.



c) The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

d) The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

The fact that the NPS states that the need is already demonstrated and that this need should be given substantial weighting implies that the attitude the IPC should take is one of acceptance of proposals, despite there being quite severe negative impacts for which mitigation cannot be successfully achieved. The document should be written to give the IPC freedom of thought and the ability to make a decision without being led in this manner.

Continuation sheets can be added if required.



9. Do the following draft National Policy Statements provide the Infrastructure Planning Commission with the information it needs to reach a decision on whether or not to grant development consent:

a) The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

b) The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

Continuation sheets can be added if required.



c) The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

d) The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

The Electricity Networks infrastructure has been subjected to rules and controls for many years, the Information contained within the NPS provides good advice on which the IPC can base its decisions. However, the document is biased towards the need rather than the effect an application might have. We feel that the NPS should be impartial in this respect.

Continuation sheets can be added if required.



10. Do the following draft National Policy Statements appropriately cover the impacts of the specific types of new energy infrastructure covered in them, and potential options to mitigate those impacts:

a) The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

b) The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

Continuation sheets can be added if required.



c) The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

d) The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

The statement goes a long way to covering the impacts of the Electricity Networks infrastructure, but there is concern that the benefits of mitigation (e.g. underground cabling) will not be given full weighting due to the costs involved.

Continuation sheets can be added if required.



11. Do you have any comments on any aspect of the following draft National Policy Statements not covered by the previous questions:

a) The draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

b) The draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

Continuation sheets can be added if required.



c) The draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

d) The draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

The local area has a long association with Electricity Networks Infrastructure. The need to upgrade the network to higher voltage, and the route the infrastructure might take to transport the power generated away from the potential new generating site is of critical concern to those who live in close proximity to the network. Mitigation of these concerns must be given maximum weighting when deciding if permission is to be granted and consulted upon in the same way as for the Generating Facility itself.

Continuation sheets can be added if required.



Chapter 4: Appraisal of Sustainability and Habitats Regulations Assessment for EN 1-5

12. Do you agree with the findings from the following Appraisal of Sustainability reports:

a) Appraisal of Sustainability report for the draft Overarching Energy National Policy Statement (EN-1)?

b) Appraisal of Sustainability report for the draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

Continuation sheets can be added if required.



c) Appraisal of Sustainability report for the draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

d) Appraisal of Sustainability report for the draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

Continuation sheets can be added if required.



e) Appraisal of Sustainability report for the draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

13. Do you think that any findings from the following Appraisal of Sustainability reports have not been taken account of properly in the relevant draft National Policy Statements:

a) Appraisal of Sustainability report for the draft Overarching Energy National Policy Statement (EN-1)?

Yes, we think that for the purposes of expediency the Nuclear Sites were chosen on the premise that each site would have *one reactor* and that the AOS was written on this basis for most of the sites listed in the Draft as suitable by 2025. If you look at the document carefully you will realise that further work is required if *more than one reactor* is planned. For Oldbury we have seen plans for up to three reactors which bring into question the integrity of the findings of the AOS process. Therefore the findings do not take in to account the full extent of the demands of the potential application for development.

Continuation sheets can be added if required.



b) Appraisal of Sustainability report for the draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

c) Appraisal of Sustainability report for the draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

Continuation sheets can be added if required.



d) Appraisal of Sustainability report for the draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

e) Appraisal of Sustainability report for the draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

Continuation sheets can be added if required.



14. Do you have any comments on any aspect of the following Appraisal of Sustainability reports not covered by the previous questions:

a) Appraisal of Sustainability report for the draft Overarching Energy National Policy Statement (EN-1)?

b) Appraisal of Sustainability report for the draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

Continuation sheets can be added if required.



c) Appraisal of Sustainability report for the draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

d) Appraisal of Sustainability report for the draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

Continuation sheets can be added if required.



e) Appraisal of Sustainability report for the draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

15. Do you have any comments on the Habitats Regulations Assessment reports for the following draft National Policy Statements:

a) Habitats Regulations Assessment report for the draft Overarching Energy National Policy Statement (EN-1)?

EN1 Section 4.3 explains the approach to assessing affects to particular habitats and directs the IPC to ensure the applicant provides the information required to make a decision. Likewise, the applicant is directed to seek the advice of Natural England (for England). We feel that there should also be a very clear indication that local views should be sought. Given the depth of understanding of local conditions by local people this could be achieved by the involvement of local statutory bodies (Parish Councils) .

Continuation sheets can be added if required.



b) Habitats Regulations Assessment report for the draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)?

c) Habitats Regulations Assessment report for the draft National Policy Statement for Renewable Energy Infrastructure (EN-3)?

Continuation sheets can be added if required.



d) Habitats Regulations Assessment report for the draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)?

e) Habitats Regulations Assessment report for the draft National Policy Statement for Electricity Networks Infrastructure (EN-5)?

Continuation sheets can be added if required.



Chapter 5: Draft Nuclear NPS (EN-6) and associated documents

16. Do you think that the Government should formally approve ('designate') the draft Nuclear National Policy Statement?

No, we do not think that the Government should formally designate the Nuclear National Policy Statement for the following reasons:-

Meeting the objectives of the Low Carbon Transition Plan should not be used as an overriding reason for acceptance of negative impacts caused by the introduction of new facilities. The NPSs are written in such a way as to constrain the thinking of the Infrastructure Planning Commission. In this regard we note that the policy of Imperative Reasons of Overriding Public Interest can be applied to dismiss all other reasons for refusing a development application.

The fact that the NPS instructs the IPC that certain issues are not to be considered within their remit is in itself indicative that permissions could be granted even though the impacts are significantly negative. This can be found both in the Draft Overarching NPS (EN1) and this specific NPS (EN6). Government Policy on new Nuclear Power Stations and Infrastructure Development specifically says that:-

"All 10 nominated sites are needed", it also states, "the Government considers that all of the sites listed in this NPS are needed and that the IPC should not consider any of the listed sites as alternatives to each other". also " The IPC should start its examination of development consent applications for new nuclear power stations on the basis that need has been demonstrated and should give this need, and the benefits of meeting it, substantial weight in determining the applications".

This makes consultation more an exercise in mitigation than whether or not permission should be granted.

It is important for the credibility of the final outcome that the IPC is not working within these constraints.

We also feel that conclusions used which identified the 11 sites were not exhaustive. We feel that more suitable sites could have been identified affording better national coverage of supply where it is needed most. This would have a beneficial effect on the Electricity Networks Infrastructure.



17. Does the draft Nuclear National Policy Statement provide the Infrastructure Planning Commission with the information it needs to reach a decision on whether or not to grant development consent?

The Statement goes a long way to providing the information the IPC needs but there are issues regarding some of the advice being given.

For example Guidance and Policy

It should be a prerequisite that the discretionary criteria, which could make a site unsuitable for development, are considered by the IPC. This should not be optional as suggested in EN6 4.1.12 particularly because the Strategic Siting Assessment process did not involve site specific data or investigation.

And 4.1.3

This paragraph should imply that for the purposes of development consent the project will be assessed as the total package. The IPC should make an assessment of the complete project. Part 5, 5.3.4 of EN6 also makes reference to this. It is not good enough to say that land additional to the boundary may be included. The IPC when making its decision needs to take the complete project into account. We disagree in principle with EN6 Section 5, 5.3.5 for the same reason, because the use of land other than that nominated would be indeterminate.

Likewise the assumption of one Reactor per site, in relation to D9 - Size of Site and D10 – Cooling, looks false. Whereas the assessment was done using a yardstick of one reactor, we know that in some cases the actual figure is two Reactors and up to three Reactors on two sites.



18. Does the draft Nuclear National Policy Statement provide suitable direction to the Infrastructure Planning Commission on the need and urgency for new nuclear power stations?

Yes it does , if anything it over emphasises

19. Do you agree with the Government's preliminary conclusion that effective arrangements will exist to manage and dispose of the waste that will be produced by new nuclear power stations in the UK?

No, we have *serious* concerns regarding the arrangements for Radioactive Waste Disposal Management. The arrangements described within the NPS do little to reassure that the disposal of waste arrangements will provide the levels of protection necessary to avoid exposure and the resultant outcomes. The timescales involved are extensive and the Government has not set a definitive date for geological disposal or indeed identified a site, preferring to seek volunteers. In much the way the Nuclear Sites have been selected by the SSA process, potential geological facilities should likewise be identified. This, like the construction of new Generating and Distribution infrastructure could be costed, planned and monitored, and the degree of uncertainty significantly reduced. It is not sufficient for the Government to state:- "The Government will keep the arrangements for radioactive waste management and disposal under review and will consider whether any new significant evidence or material provides ground for revisiting its conclusion".

This is also another area where the Government policy is that the IPC do not have to consider the subject.



20. Does the draft Nuclear National Policy Statement appropriately cover the impacts of new nuclear power stations and potential options to mitigate those impacts?

Most definitely not in some cases. There is sufficient evidence contained within the document to prove that some negative impacts cannot and will not be fully mitigated. The concern is that this is where the use of ORIPi will come in to play.

This is of great concern when considering the visual and landscape affects but has a bearing on many of the environmental impacts including Coastal Change.

Continuation sheets can be added if required.



21. Do you agree with the Government's preliminary conclusion on the potential suitability of sites nominated into the Strategic Siting Assessment, as set out below?

You can respond in general terms on the assessment as a whole, or against one or more specific sites.

a) General comments

We will comment on Oldbury as a Specific Site but feel that there are more appropriate sites around the coastline where the negative impacts would be less than for some of the 10 listed.

The Government considers the following sites to be potentially suitable for the deployment of new nuclear power stations by the end of 2025:

b) Bradwell

Continuation sheets can be added if required.

c) Braystones



d) Hartlepool

e) Heysham

f) Hinkley Point

g) Kirksanton



h) Oldbury

The Parish of Oldbury on Severn has hosted a Nuclear Power Generating Facility for over half a century and so feel qualified to make some observations regarding the potential for a new one. We have grave concerns regarding the suitability of the site due to its size and visual impact, therefore we disagree with the Government's conclusion that Oldbury is a suitable site for the following reasons:-

The proposals for the new site are way in excess in terms of potential impact when compared to the existing facility. The Strategic Siting Assessment which led to the site being one of the 10 listed did not ask how many reactors may be developed at the site, preferring to focus attention on the land within the nominated boundary. We subsequently know that the nominator has plans which could require up to 3 reactors where the presumption has been one.

Oldbury is the only truly estuarine site, and it is clear from both the NPSs' associated documents and the Nominators scoping report that cooling water is an issue. So much so that technology not required on the other 9 sites has to be employed to overcome the inadequate supply. To what extent the need for indirect cooling at the Oldbury Site is determined by the number of reactors the nominator may seek to build we are not technically competent to say, but it seems that indirect cooling is the only option being considered irrespective of the number of reactors sited there.

The fact that indirect cooling is the preferred solution due to lack of water, the technology brings with it undesirable impacts which cannot in any way be successfully mitigated in terms of Landscape and Visual amenity, and there are also climatic issues to consider. We accept at this stage design of the cooling system is not finalised and that of the known options some are more capable of mitigation than others. To make efficient use of water available the nominator proposes that the existing tidal lagoon is retained and used for the new Facility. This has the potential to cause environmental problems because the Potential Development is in an estuarine environment. Furthermore, Cooling (D10) was assessed on the basis of one new Reactor (EN6 5.3.6), if the inadequacy of water supply was an acknowledged problem then. Common sense says it will be of a magnitude greater with more reactors.

Referring back to the Strategic Siting Assessment, the NPS states that Size of Site (D9) was also assessed on the basis of one reactor. Given that this is a fact, it has to be asked whether or not there is much credence in the findings, not only of the SSA, but also the Appraisal of Sustainability.

Please see continuation on next page



h) Oldbury (continued)

The NPS states that it is not possible to predict how many reactors there will be at the site. We disagree in so far as, if a facility is constructed, a limit should be set on its capacity which takes account of the significance of the impacts of this type of Facility and the geographical location in which it sits. The Severn estuary enjoys environmental recognition nationally, internationally and world wide. Given the potential for renewable energy development in the Severn Estuary the cumulative effects of these and 2 nuclear sites with up to 5 reactors raises questions regarding their cumulative effects. It is difficult to see in the NPS and associated documents how this will be managed.

When comparing the case for Owston Ferry where cooling in an estuarine environment was one of the reasons for rejection, it begs the question why Oldbury is seen in a different light.

i) Sellafield

j) Sizewell

k) Wylfa

Continuation sheets can be added if required.



The Government does not consider the following site to be potentially suitable for the deployment of new nuclear power stations by the end of 2025:

I) Dungeness

We disagree that Dungeness should not be included as a suitable site. It should be included for consideration in the same way as the ten sites have been listed to be on a level playing field. The IPC should consider the relative merits and values given to ecological consideration for all sites.

Furthermore Dungeness is in an area requiring significant amounts electrical power and there are economies and benefits of having the power close to where it will be used.

Continuation sheets can be added if required.



22. Do you agree with the Government's preliminary conclusion that the three sites identified in the Alternative Sites Study, as listed below, are not potentially suitable for the deployment of new nuclear power stations by the end of 2025? You can respond in general terms on the sites identified in the Study as a whole, or against one or more specific sites.

a) General comments

No comment is made regarding the unsuitability of the three rejected sites because we do not have the resources necessary to analyse these cases. The decision seems questionable in so far as the IPC could have been the vehicle by which a deeper examination was done. Equally, it would have been useful to know what other sites identified by the consultants were and the reasons for their rejection. Whilst the reasons for a nomination driven process are understood it could be equally argued that the IPC should be the vehicle by which any site should be judged. There is also the question of post 2025 and the ongoing replacement of time-expired facilities to consider.

b) Druridge Bay

Continuation sheets can be added if required.



c) Kingsnorth

d) Owston Ferry

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Continuation sheets can be added if required.



23. Do you agree with the findings from the Appraisal of Sustainability reports for the draft Nuclear National Policy Statement?

The findings are relevant. The issue of concern is the basis on which the report was produced based on one reactor, and so we feel the findings are inconclusive. It remains to be seen whether or not the scaling up for the actual number of reactors will be taken into account at the site specific EIA .

24. Do you think that any findings from the Appraisal of Sustainability reports for the draft Nuclear National Policy Statement have not been taken account of properly in the draft Nuclear National Policy Statement?

It is difficult to say whether or not the findings have not been taken into account. The concern is that for many important decision streams, including waste disposal, the figure of 10 reactors is used for the purposes of assessment. It is felt that this is an unrealistic approach given what we know of nominator's aspirations, and the Government's grasp of this subject:-

6.4.3 of the Appraisal of Sustainability of the draft Nuclear National Policy Statement: Main Report states "There is uncertainty around the quantity of spent fuel that might be produced by a new nuclear programme. The volume of spent fuel produced by a single new nuclear power station depends on a number of factors, including the capacity of the plant, its operational lifetime and various other operational considerations (including burn-up)".

Continuation sheets can be added if required.



25. Do you have any comments on the Habitats Regulations Assessment reports for the draft Nuclear National Policy Statement?

The Habitats Regulations Assessment was carried out at the same time as the AOS and so the concerns expressed regarding the AOS equally apply. It remains to be seen how the “bigger picture” will be managed if or when the consultation process proceeds.

26. Do you have any comments on any aspect of the draft Nuclear National Policy Statement or its associated documents not covered by the previous questions?

The Government have stated that to meet the objectives set out in the LCTP that all 10 stations are necessary. We question this in so far as 10 reactors will generate the target output, but we already know that at least two sites are being assessed on the basis of two reactors and the proposals for Oldbury and Wylfa for possibly 3 reactors each. The potential output generated from this is circa 12 GW so must we assume that the remaining 6 sites will generate the remainder and be in effect smaller. Quite clearly something does not equate. Either the final outcome is that 10 sites are not required or there is an undeclared policy to have a significant potential excess of Nuclear Generated Power to mitigate any shortfalls in Renewable and other sources of Energy.

Whatever the reason, when it comes to the Oldbury proposal, the situation is that the intention to use indirect cooling to mitigate the shortage of suitable water supply is a major factor. We are told that the AOS was done on the basis of one reactor when the proposal for Oldbury is 2/3, depending on the design adopted. Therefore the work done so far leading to Oldbury being listed is not by any means complete.

Admittedly, EN6 advises reasonably clearly that the significance of effects is best determined through Site level studies to produce the site EIA and HRA.

Whilst this is a safeguard it still begs the question that the NPS in its current form is making assumptions which are either not true or have been superseded by time, if this is the case they should be amended to give the IPC the guidance they require.

Continuation sheets can be added if required.



Chapter 6: Impact Assessment and other questions

27. Do you have any comments on the Impact Assessment report for the draft energy National Policy Statements?

To make sense of the Impact Statement it has to be read in conjunction with the Planning Bill - Impact Statement (2007). Part A of that document concentrates on Nationally Significant Infrastructure Projects (NSIP), and Section D describes the average number of Future NSIPs over the years 2008 -2030. It is noted that there are no Nuclear Power Generation Significant Infrastructure Projects listed. We have been unable to find any reference to the impact nuclear power generation contributes to the overall Impact Assessment. It is therefore difficult to make comment but it seems that the cost and time factors of examination relating to Nuclear seem to be omitted. We feel that the Draft Energy Policy Statement does not make it easy to establish the true impact because reference to other documents seems to be the only way to find the data.

28. Does this package of draft energy National Policy Statements provide a useful reference for those wishing to engage in the process for development consent for nationally significant energy infrastructure, particularly for applicants?

It provides a great deal of useful information but requires significant resource and cross referencing to be of constructive benefit.

Continuation sheets can be added if required.



29. Do you have any comments on any aspect of the draft energy National Policy Statements or their associated documents not covered by the previous questions?

The Draft Energy Policy statements requires considerable analysis and, to be meaningful, cross-referencing with the supporting and earlier reports. Organisations, particularly Parish Councils, are not resourced or funded to be able to do the work necessary to respond effectively. Nonetheless there is need to provide a response in accordance with the community views and expectations.

The underlying costs associated with this are not to be found in the Impact Statement and there appears to be no reference to costs anywhere else in the NPS'.

The NPS' (Impact Statement) should spell out how the work necessary to provide a meaningful response should be funded.

Perhaps the IPC income from applications should include funds which could be allocated to the statutory responders to fund resources/offset the costs incurred.

Likewise the costs of meaningful consultation after SOCC and prior to formal application between developers and Local Authorities/Councils should be funded in some transparent and impartial form.

Before submitting your form please ensure you have read the confidentiality and data protection statement which is at the end of this document.

Please return completed forms to:

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252b Gray's Inn Road
London
WC1X 8XG

Fax: 0845 055 1700 (F.A.O Robin Clarke)

Or email them to energynpsconsultation@opm.co.uk

**Confidentiality and data protection**

Responses to this consultation, including names, will be made public and may be used by Parliament as evidence in the Parliamentary scrutiny process, and may be published under the authority of Parliament, unless respondents specifically request confidentiality.

However, respondents should be aware that confidentiality cannot always be guaranteed. For example, responses, including personal information, may be subject to publication or release in accordance with the access to information regimes (primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

If you want information that you provide to be treated as confidential please be aware that, under the Freedom of Information Act 2000, there is a Statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this, if you are requesting confidentiality, it would be helpful if you could explain why you regard the information you have provided to be confidential. Any confidentiality disclaimer that may be generated by your organisation's IT system or included as a general statement in your fax cover sheet will be taken to apply only to information in your response for which confidentiality has been specifically requested.