

Nuclear new build – the development consent process

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Today I will be talking about:

- The future of infrastructure planning
- Proposals currently in pre-application stage
- The purpose of the IPC
- Key features of the development consent process
- Issues for nuclear new build

The future – continuing planning reform

Commitment by Government to an efficient and democratically accountable fast-track process for major infrastructure projects.

- NPSs will be ratified by Parliament
- Ministers will take final decisions, subject to a statutory timetable and to NPSs
- New primary legislation in the current session
- A new Major Infrastructure Planning Unit as part of the Planning Inspectorate
- The expertise, processes and special character of the IPC will be retained
- Existing procedures remain during transition.



The IPC's published programme

42 proposed NSIPs:

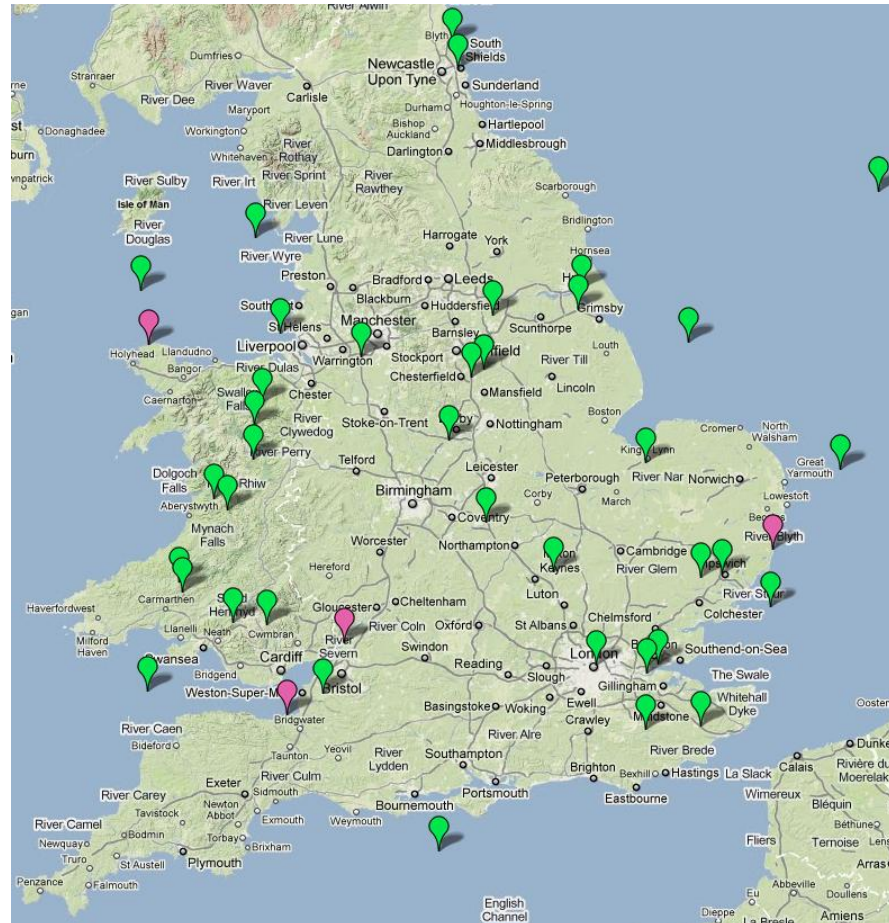
- 4 nuclear power stations [15 GW]
- 7 onshore & 8 offshore wind-farms [16.5 GW]
- 6 other generating stations [3.2 GW]
- 5 upgrades to overhead electricity lines
- 5 motorway or trunk road improvements
- 5 railway and rail freight terminal developments
- 1 gas pipeline
- and the Thames Tunnel

Location	Proposal	Applicant	Anticipated date of submission	2010 - 2011			
				Apr - June	July - Sept	Oct - Dec	Jan - Mar
Banwen, Neath	132,000 volt overhead wood pole line connect Maesgwyn Wind Farm	Western Power Distribution	July 2010	<	A	P	E
Clocaenog, Denbighshire	Wind farm (64-96 MW output)	RWE NPower Renewables	July 2010	<	A	P	E
Rookery South, Bedfordshire	Waste combustion plant (65 MW output)	Covanta	July 2010	<	A	P	E
Mynydd y Gwynt, Y Foel nr Llangurig, Powys	Wind farm (up to 69 MW output)	Renewable Energy Holdings	01/09/2010	<	A	P	E
Brig y Cwm, Merthyr Tydfil	Waste combustion plant (up to 77 MW output)	Covanta	September 2010	<	A	P	E
Blyth, Northumberland	Biomass power station (100 MW output)	RES New Ventures	Q4 (Oct to Dec) 2010	<	A	P	E
DIRFT 3 Daventry International Rail Freight Terminal	Rail Freight Interchange	Rugby Radio Station Limited Partnership	Autumn 2010	<	A	P	E

Map and details all on our website

4 nuclear proposals:

- Wylfa
- Hinkley C
- Oldbury
- Sizewell C



The purpose of the IPC

- A simpler process
- Faster decisions
- A fairer approach
- Including people and communities
- Independent professional judgement
- Cutting costs
- Democratic and accountable



3 values, 5 commitments, 7 principles

Values:

Independent, impartial and inclusive

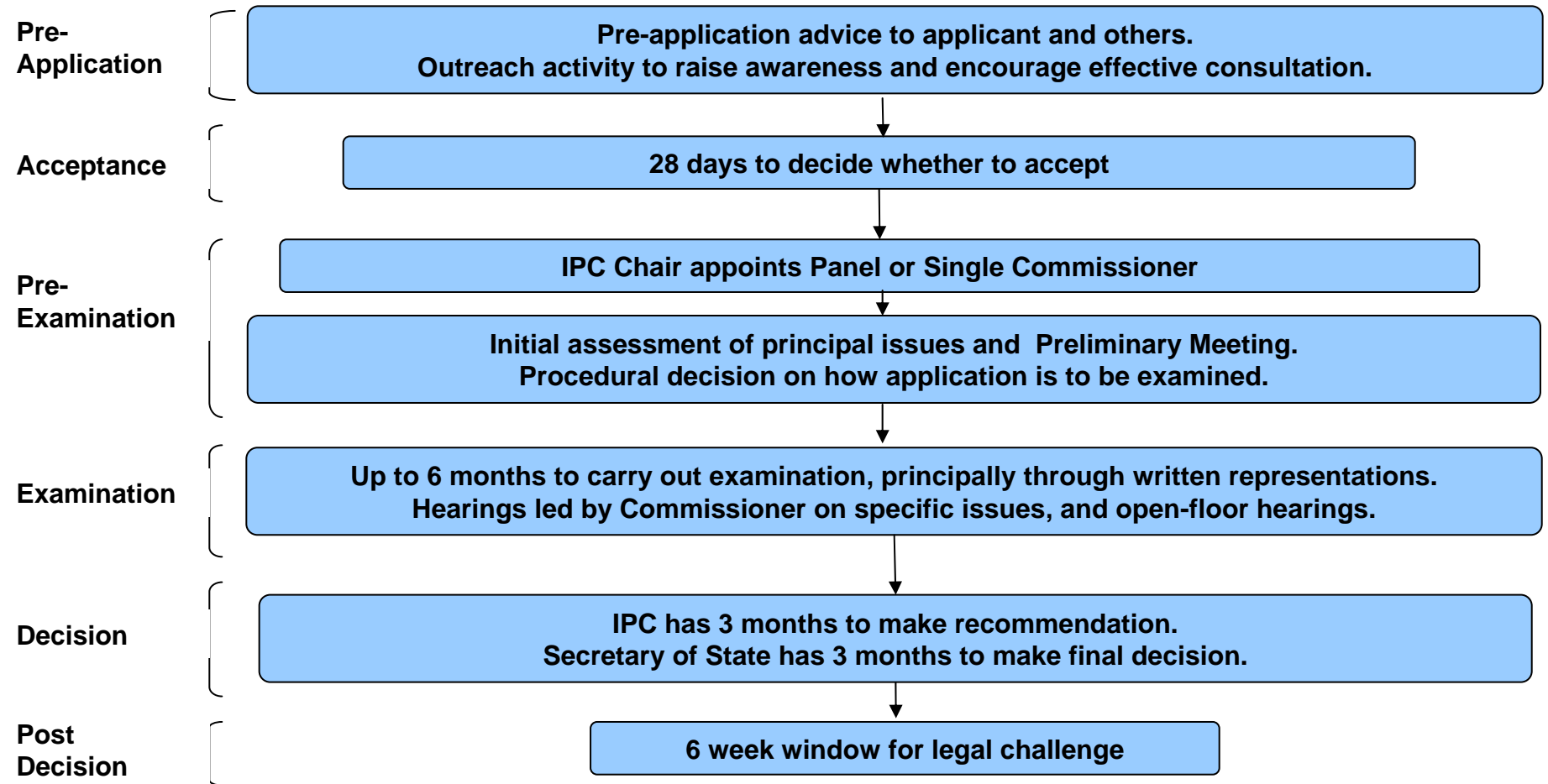
Commitments:

Engagement, Openness, Consensus, Sustainability, Independent decisions

Nolan principles of public life:

Selflessness; integrity; objectivity; accountability; openness; honesty and leadership

How our process works



Pre-application: what developers must do

- The IPC process is **frontloaded**. Pre-application obligations are extensive, and include:
 - Community engagement
 - Dialogue with local authorities
 - Formal notification to the IPC
 - Consultation with statutory bodies
 - Environmental Impact Assessment
 - Publicity
- The process and timetable are in the hands of the applicant

Acceptance: the Commission's decision

Section 55 of the Planning Act sets out the tests the Commission must apply. Key issues will be:

- Has the developer met all its pre-application obligations?
- Does the Consultation Report demonstrate the consultation was effective?
- What is the local authorities' view of the adequacy of the consultation?
- Is the application in the correct form, including necessary documents: a draft Development Consent Order and an Environmental Statement?
- Has applicable guidance been followed, and if not, why not?

The new examination process

- Procedure determined by Commissioners
- Rigid timescales
- Emphasis on written representations
- Inquisitorial approach (rather than adversarial)
- Importance of preliminary meeting
- Limited scope for amending application

Issues for nuclear new build

- Nuclear NPS
 - Designation process
 - Sites specified and not specified
- Development Consent Order
 - Scope of development
 - Limited opportunity for later changes
- Links to other NSIP applications
 - EIA must address cumulative impacts
 - Planning risk of grid connection lies with applicant
- Requirements for other consents
 - EA and HSE licences and permits will still be required
 - IPC will need to know these are not expected to be refused

Contact us

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