

## **PLANNING FOR NEW ENERGY INFRASTRUCTURE – CONSULTATIONS ON REVISED DRAFT NATIONAL POLICY STATEMENTS FOR ENERGY INFRASTRUCTURE**

**EXECUTIVE MEMBER:** Councillor E Woodburn

**LEAD OFFICER:** Steve Smith

**REPORT AUTHOR:** Steve Smith

### **WHAT BENEFITS WILL THESE PROPOSALS BRING TO COPELAND RESIDENTS**

A clear and comprehensive national policy towards the provision of energy infrastructure would provide support and set the national context for the further development of the Council's own policy aspirations around nuclear power and renewable energy, as articulated in the Energy Coast Master-plan. The delivery of the Energy Coast objectives will provide a significant contribution to the task of ensuring the long term economic well-being of Copeland Borough and its communities.

### **WHY HAS THIS REPORT COME TO THE NUCLEAR WORKING GROUP?**

To provide information on the process of re-consultation that will help members formulate their response to the Energy Infrastructure National Policy Statements (NPSs).

#### **RECOMMENDATION:**

**That Members support the approach to the re-consultation exercise as proposed within the report.**

## **1. STRUCTURE OF THE REPORT**

- 1.1 The material contained within the NPS re-consultation process is extensive. The content of this report is focussed on those components of the Energy NPSs that are considered of strategic importance for Copeland and its communities.

The report provides;

- A reminder of the process so far with a copy of the Council's previous consultation submission as Appendix 1 for reference

- A summary of the Governments response to the consultation response and the headlines of the key changes made to each of the suite of NPS documents
- The structure of the re-consultation process in the form of the range of questions being asked of consultees and some suggested themes for a response
- The way forward to enable the Council to shape its response

## **2. INTRODUCTION/BACKGROUND**

- 2.1 Members will recall that between November 2009 and February 2010, the then Government consulted on the six draft Energy NPSs and the Appraisals of Sustainability (AoS) that accompanied those NPSs. A copy of the Council's response to the initial consultation is attached as Appendix 1. In the summer the new Coalition Government announced that it would be re-consulting on the draft documents and in October launched the re-consultation process and published its response to the initial consultation, which identifies the key themes and responds to them.
- 2.2 Having considered the responses received to consultation and the outputs of the Parliamentary scrutiny process the Government has made changes to the draft Energy NPSs and AoSs. Given the changes that have been made the Government are now re-consulting on the revised draft NPSs and associated documents. The consultation closes on Monday 24 January 2011.
- 2.3 Subject to the consultation and Parliamentary scrutiny, the Government intends to finalise and formally approve the energy National Policy Statements in Spring 2011. These National Policy Statements would then be used by the Infrastructure Planning Commission when it makes decisions on applications for development consent for nationally significant energy infrastructure.
- 2.4 The principal purpose of consultation on the revised draft energy NPSs, as with the previous consultation, is to identify whether they are fit for purpose: in other words, whether they provide a suitable framework for decision-making on applications for development consent for nationally significant energy infrastructure.

- 2.5 However, given the process of consultation the draft energy NPSs have already undergone and the fact that the previously published draft NPSs were in many ways similar to the drafts which are being consulted on now, this report aims to highlight the main changes to the draft energy NPSs. Should Members wish to see the full content of the proposed changes then this is available at [www.energynpsconsultation.decc.gov.uk](http://www.energynpsconsultation.decc.gov.uk).
- 2.6 Government is asking interested parties to focus their responses on those aspects of the policy that have changed and on any aspects which they think should change since the previous consultation. However, all consultation responses will be considered. As previously, the Government has set a number of questions in order to structure the consultation response.
- 2.7 Subject to this consultation, continuing Parliamentary scrutiny and final ratification by Parliament, the Government intends to finalise and then formally designate (adopt) the energy NPSs in 2011.
- 2.8 Once they have been designated the energy NPSs will be the primary consideration for the Infrastructure Planning Commission (IPC) when it makes decisions on applications for development consent for nationally significant energy infrastructure under the Planning Act 2008.
- 2.9 However the Government has announced that it intends to bring in legislation that would abolish the IPC, giving its function of examining applications to a Major Infrastructure Planning Unit (MIPU) within the Planning Inspectorate. MIPU would provide a recommendation and a report on development consent to the Secretary of State. The MIPU would thus operate a process which is largely the same but with a different decision maker at the conclusion of the process. Until such time as the Planning Act 2008 is amended, the IPC will have the functions set out in that Act, and in cases where there is a designated NPS, the NPS will form the basis for decision making.
- 2.10 The Government does not currently expect that there should be any need to change the planning policies or decision-making criteria set out in the NPSs if these proposed changes are implemented. The intention is that designated NPSs should provide the policy framework for decisions by the Secretary of State in the same way as they will for the IPC while it exists.

### 3. THE GOVERNMENT RESPONSE TO THE CONSULTATION ON THE DRAFT NATIONAL POLICY STATEMENTS FOR ENERGY INFRASTRUCTURE – KEY CHANGES

3.1 The previous consultation between November 2009 and February 2010 sought comments on the following documents;

- Draft Overarching NPS for Energy (EN-1)
- Draft NPS for Fossil Fuel Electricity Generating Infrastructure (EN-2);
- Draft NPS for Renewable Energy Infrastructure (EN-3);
- Draft NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4);
- Draft NPS for Electricity Networks Infrastructure (EN-5);
- Draft NPS for Nuclear Power Generation (EN-6);
- Appraisals of Sustainability (AoSs) of the drafts of EN-1 to 6; Habitats Regulations Assessments (HRAs) of the drafts of EN-1 to 6; and
- Draft Impact Assessment for the drafts of EN-1 to 6.

3.2 Over 3000 responses were received to the consultation which included six national events and eleven local events including three in Copeland. Transcripts from all local events have been made available on the energy NPS consultation website (see above).

3.3 The Government believes that the most significant changes that these documents have undergone are:

**Reconsideration of alternatives:** The selection and appraisal of policy alternatives within the AoSs for EN-1 to EN-5 have been reconsidered. New alternatives have been developed and appraised. This means that the likely impacts of consenting new energy infrastructure in accordance with the policies set out in these NPSs should be clearer.

**Need for the infrastructure:** This section sets out the need for new energy infrastructure and has been updated to take account of the latest modelling and Pathways to 2050 work. The changes are reflected in EN-1 which is where the need for individual technologies also now appears.

**Potentially suitable sites for nuclear power station development:** Kirksanton and Braystones in Cumbria have been removed from the list of potentially suitable sites within EN-6. Dungeness in Kent remains off the list.

The suite of documents now also includes a draft **Appraisal of Sustainability Monitoring Strategy**. Monitoring will test the actual significant environmental and sustainability effects of implementing the energy NPSs against the predicted effects. One draft monitoring strategy covering all the energy NPSs has been included for public consultation. It includes suggested indicators and data sources for monitoring significant effects.

### 3.4 **The revised draft Overarching National Policy Statement for Energy (EN-1)**

EN-1 is an umbrella document, under which all of the remaining draft energy NPSs sit. Its role is:

- to set out how the suite of energy NPSs will work;
- to explain the framework of existing Government policy for energy infrastructure; and
- to establish the need for new nationally significant energy infrastructure.

#### ***Key changes***

The document has been changed to reflect latest modelling analysis in respect of the need for new energy infrastructure. In terms of Carbon Capture and Storage the main change is that the Government is proposing an emissions performance standard (EPS) that will prevent coal fired power stations being built unless they can meet that standard

### 3.5 **The revised draft NPS for Fossil Fuel Electricity Generating Infrastructure (EN-2);**

This NPS, taken together with EN-1, provides the primary basis for decisions by IPC on applications it receives for fossil fuel generating stations with over 50 MW (megawatts) generating capacity.

#### ***Key changes***

This NPS has been revised to clarify that transport for fuel and residues is multi-modal but there is a preference for water-borne transport where available. It also clarifies that sites should be located near existing transport infrastructure where possible. The text has been further edited to be consistent with EN-1 and EN-3.

### 3.6 **The revised draft NPS for Renewable Energy Infrastructure (EN-3)**

This NPS, taken together with EN-1, provides the primary basis for decisions by IPC on applications it receives for renewable energy infrastructure. This covers any energy infrastructure for biomass and/or

waste generating above 50 MW, any offshore wind farm generating above 100MW, and any onshore wind farm generating more than 50MW. This NPS does not cover other types of renewable energy generation, such as schemes that generate electricity from tidal or wave power.

### ***Key changes***

The “need case” for new renewable electricity infrastructure is now in the revised draft EN-1. Regarding Biomass sustainability the text has been revised to take account of the latest position on Renewables Obligation Certificates (ROCs), but may need to be further revised if the proposed policy on ROCs referred to there, as having been subject to consultation, is not adopted.

New text has been included to explain the circumstances in which Green Belt provisions might be applicable when considering offshore applications. Further guidance on the noise and vibration impacts of Biomass/Waste has also been included

## **3.7 The revised draft NPS for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)**

This NPS, taken together with EN-1, provides the primary basis for decisions by the IPC on applications it receives for gas supply infrastructure and gas and oil pipelines, and including infrastructure that is being assessed as associated development with another Nationally Significant Infrastructure Project.

### ***Key changes***

The need case for new gas supply infrastructure and gas and oil pipelines is now in the revised draft EN-1. The document also makes changes to references to CO2 pipelines, regulatory controls that apply to the safety of shipping liquefied natural gas, geological assessments of salt caverns for storage and additional advice for applicants around noise impacts of a pipeline and gas emissions due to flaring or venting

## **3.8 The revised draft NPS for Electricity Networks Infrastructure (EN-5)**

This NPS, taken together with EN-1, provides the primary basis for decisions by IPC on applications it receives for electricity networks infrastructure, covering above ground electricity lines of 132 kilovolts (kV) and above, and other infrastructure for electricity networks that is associated with a Nationally Significant Infrastructure Project, such as substations and converter stations. This NPS will be particularly relevant to

guide potential development consent applications which come forward from the National Grid to provide power line connections to new nuclear build facilities in Copeland and unlock the potential of the Energy Coast.

### ***Key changes***

There is recognition that the visual impacts of electricity infrastructure including pylons can be intrusive. Generic landscape and visual effects are covered in EN-1. In addition there are specific considerations which apply to electricity networks which are covered in EN-5 including the issue of under-grounding which the NPS attempts to clarify. In relation to this the NPS states;

- In considering whether all or part of proposed electricity lines should be placed underground to obtain the benefits of reductions in landscape and/or visual impacts, the IPC will need to weigh the reductions in visual intrusion against the impacts (economic, environmental and social) and technical challenges of undergrounding.
- Because the impacts and costs will vary so much between individual projects, each project should be assessed on a case by case basis depending on the specific circumstances of the project and the IPC should only refuse consent for overhead line proposals on the basis that undergrounding is preferable if it is satisfied that the benefits from undergrounding outweigh any extra economic, social and environmental impacts and the technical difficulties are surmountable. It should consider:
  - The landscape in which the proposed line will be set, (in particular, the proximity to residential areas, and those of natural beauty or historic importance);
  - The additional cost of undergrounding (which will always be more expensive than overhead lines, but varies considerably from project to project depending on whether the line is buried directly in open agricultural land or whether more complex tunnelling and civil engineering through conurbations and major cities is required. Repair impacts are also significantly higher than for overhead lines as are the costs associated with any later uprating.)
  - The environmental and archaeological consequences (undergrounding a 440kV line may mean disturbing a swathe of ground up to 40 metres across, which can disturb sensitive habitats, have an impact on soils and geology, and damage

The NPS goes on to describe a range of mitigation measures that applicants and the IPC will need to consider to minimise visual intrusion and concerns regarding exposure to Electro Magnetic Fields (EMFs).

### 3.9 **Draft NPS for Nuclear Power Generation (EN-6)**

This NPS, taken together with EN-1, provides the primary basis for decisions by IPC on applications it receives for nuclear generating stations with over 50MW generating capacity.

This NPS lists the sites that the Government has judged to be potentially suitable for the deployment of new nuclear power stations by the end of 2025 and the reasons why those sites are considered potentially suitable.

This NPS also sets out the Government's conclusion that it is satisfied that effective arrangements will exist to manage and dispose of the waste that will be produced by new nuclear power stations in the UK; and that there are Imperative Reasons of Overriding Public Interest (IROPI) for why it should proceed despite it not being possible at this stage to rule out any adverse effects on European Sites.

#### ***Key changes***

There are a number of key changes that have been included within the revised draft document of significance for West Cumbria.

#### ***The Management and Disposal of Radio Active Waste.***

Changes have been made in the draft document which are intended to;

- Demonstrate the Governments confidence that geological disposal will be implemented
- Clarify the Governments expectations in relation to the likely duration of onsite storage of higher activity waste, and
- Clarify the role of the IPC in relation to the arrangements for the management and disposal of wastes from new nuclear power stations.

Specifically the document concludes that;

- The Government is satisfied that effective arrangements will exist to manage and dispose of the waste that will be produced from new nuclear power stations and as a result the IPC should not consider this



- The Government is satisfied that the approach meets the requirements of the Appraisal of Sustainability

*Applications for nuclear development on a site not listed in the NPS*

The original NPS for Nuclear (EN-6) contained a list of proposed sites that were considered potentially suitable for deployment by the end of 2025. Having considered all the nominated sites the Government believes that only those sites listed in the revised NPS meet the criteria for deployment by 2025. For Copeland and West Cumbria the Government has already announced that they consider the sites at Braystone and Kirksanton are not deployable by 2025 having surrendered their grid connections and therefore are no longer included within the draft NPS. However the revised NPS states that should the IPC receive and accept a development consent application for a new nuclear power station on a site that is not listed in the NPS the IPC will examine the proposal and make a recommendation to the Secretary of State. It is worth noting that the Government have also excluded the Braystones and Kirksanton sites on the basis of the potential impact on the Lake District National Park.

*The need for all of the listed sites*

The NPS now includes 8 sites, including the land adjacent to Sellafield , as being suitable for development by 2025. The Government is of the view that all 8 are required to be listed as this allows sufficient flexibility to meet the urgent need for new nuclear power stations whilst enabling the IPC to refuse consent should it consider it appropriate to do so.

*Individual site assessments*

The revised NPS for Nuclear also includes updated site assessments for all of the 8 sites that remain within the NPS including the land adjacent to Sellafield, taking on board a range of comments made during the consultation including reference to impacts on the Irish Sea, transport, nationally and internationally designated sites and the proximity of existing facilities to any potential new build.

### **3.10 Appraisals of Sustainability (AoSs) of the drafts of EN-1 to 6; Habitats Regulations Assessments (HRAs) of the drafts of EN-1 to 6**

AoSs are required by the Planning Act 2008 and are intended to help to ensure that NPSs take account of environmental, social and economic considerations, with the objective of contributing to the achievement of

sustainable development. They incorporate the requirements of the regulations that implement the Strategic Environmental Assessment Directive. The AoS for EN 1-5 has informed the preparation of all the energy NPSs, although the Nuclear NPS was subject to a separate AoS. There are also AoS reports for each site.

The aim of the HRA is to assess the implications of NPSs for protected habitats. The main HRA appraises the revised draft Nuclear NPS as a whole. There are also HRA reports for each site.

### **3.11 Draft Impact Assessment for the drafts of EN-1 to 6.**

The Impact Assessment analyses the administrative costs and benefits of proposed Government interventions contained within the NPSs to business, the public sector and the third sector (voluntary organisations).

## **4. THE RE-CONSULTATION PROCESS**

- 4.1 For this consultation to be most effective, the Government is asking interested parties to focus their responses on those aspects of the policy that have changed and on any aspects which they think should change in the light of the revised AoSs or any relevant change in circumstances since the previous consultation. The first two consultation questions below reflect this approach by focusing on what Government consider to be the most significant changes. However, respondents are free to make other comments and the Government will consider these where appropriate.
- 4.2 Government recognises that changes to the list of potential sites for new nuclear power stations will be of interest to some respondents, particularly those who live in the vicinity of a site. Question 3 f) can be used to make your comments on specific sites.
- 4.3 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.
- 4.4 The questions, with proposed/suggested themes for a response, are as follows;

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

The Council supports the proposed and agrees that it is appropriate that the 'baseline' against which the effects of implementing the NPS policies is compared should be the environment as it now stands, rather than a

comparison between implementing the same policies with and without an NPS.

Additionally the Council agrees that appraisal should consider the advantages and disadvantages of different policies which could be adopted in the NPSs as alternative ways of trying to meet overall energy policy objectives.

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

Copeland Borough Council supports the need case made within the NPSs. Specifically for the Government to meet its energy and climate change objectives for the UK, there is an urgent need for all types of nationally significant energy infrastructure, including new nuclear power. Nuclear power generation is a low carbon, proven technology, which is anticipated to play an increasingly important role as we move to diversify and decarbonise our sources of electricity. New nuclear power stations will help to ensure a diverse mix of technology and fuel sources, which will increase the resilience of the UK's energy system. The County Council supports Government policy that new nuclear power should be able to contribute as much as possible to the UK's need for new non-renewable capacity.

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

The Council welcomes the inclusion of the site adjoining the current Sellafield site as a potential location for a new nuclear power station for development before 2025 in the draft Nuclear NPS. The Council is however disappointed that the Government has taken the view that the sites at Kirsanton and Braystones are not deployable by 2025. This Council supported their inclusion in the response to the first Nuclear NPS consultation.

The Council welcomes the Government's decision not to preclude alternative arrangements for the management of spent nuclear fuel from new build reactors, including the potential for a central storage facility, if a site can be identified and the necessary regulatory and planning permissions obtained.

The Council understands Government's wish to evidence more clearly progress towards development of a geological disposal facility for higher activity radioactive wastes. The Council continues to consider that the best prospects for progress will be through sustained Government commitment to the key MRWS principles of voluntarism, right of withdrawal and community benefits.

The Council agrees it is appropriate for radioactive waste disposal arrangements to be considered by the IPC (or its successor body) when deciding upon planning applications to construct new nuclear power stations.

## **5. PROCESS GOING FORWARD**

- 5.1 Following consideration by the Nuclear Working Group on 2<sup>nd</sup> December, officials from DECC have accepted an invitation to attend an open, local consultation event on 9<sup>th</sup> Dec to which all Members of the Council have been invited to attend along with other community and stakeholder representatives. Discussion at this event may help to shape the Council's view on the re-consultation submission. It is then proposed that a Special Council meeting is held in early/mid January to consider the final draft response prior to submission by 24<sup>th</sup> January.

## **6. WHAT ARE THE LEGAL, FINANCIAL AND HUMAN RESOURCES IMPLICATIONS?**

- 6.1 The outcome of the NPS consultation process and the publication of Energy Policy Statements will have a significant impact on the future nuclear and energy related agenda for the Council.

## **7. HOW WILL THE PROPOSALS BE PROJECT MANAGED AND HOW ARE THE RISKS GOING TO BE MANAGED?**

- 7.1 The process is currently managed by a Project Manager

## **8. WHAT MEASURABLE OUTCOMES OR OUTPUTS WILL ARISE FROM THIS REPORT?**

- 8.1 The consultation response to Government

### **List of Appendices:**

### **List of Background Documents:**



## 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** **Fergus McMorrow**

**Job title** **Director of Development**

**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

- |   |   |   |  |
|---|---|---|--|
| <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 checked="" type="checkbox"/> Cumbria       | <input type="checkbox"/> Kinrossshire       | <input type="checkbox"/> Selkirkshire      |
| <input type="checkbox"/> Ayrshire           | <input type="checkbox"/> Denbighshire             | <input type="checkbox"/> Kirkcudbrightshire | <input type="checkbox"/> Shetland          |
| <input type="checkbox"/> Banffshire         | <input type="checkbox"/> Derbyshire               | <input type="checkbox"/> Lanarkshire        | <input type="checkbox"/> Shropshire        |
| <input type="checkbox"/> Bedfordshire       | <input type="checkbox"/> Devon                    | <input type="checkbox"/> Lancashire         | <input type="checkbox"/> Somerset          |
| <input type="checkbox"/> Berkshire          | <input type="checkbox"/> Dorset                   | <input type="checkbox"/> Leicestershire     | <input type="checkbox"/> South Yorkshire   |
| <input type="checkbox"/> Berwickshire       | <input type="checkbox"/> Dumfriesshire            | <input type="checkbox"/> Lincolnshire       | <input type="checkbox"/> Staffordshire     |
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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            |
| <input type="checkbox"/> Buckinghamshire    | <input type="checkbox"/> East Riding of Yorkshire | <input type="checkbox"/> Monmouthshire      | <input type="checkbox"/> Sutherland        |
| <input type="checkbox"/> Caerphilly         | <input type="checkbox"/> East Sussex              | <input type="checkbox"/> Nairnshire         | <input type="checkbox"/> Swansea           |
| <input type="checkbox"/> Caithness          | <input type="checkbox"/> Essex                    | <input type="checkbox"/> Neath Port Talbot  | <input type="checkbox"/> Torfaen           |
| <input type="checkbox"/> Cambridgeshire     | <input type="checkbox"/> Fife                     | <input type="checkbox"/> Newport            | <input type="checkbox"/> Tyne & Wear       |
| <input type="checkbox"/> Cardiff            | <input type="checkbox"/> Flintshire               | <input type="checkbox"/> Norfolk            | <input type="checkbox"/> Vale of Glamorgan |
| <input type="checkbox"/> Carmarthenshire    | <input type="checkbox"/> Gloucestershire          | <input type="checkbox"/> Northamptonshire   | <input type="checkbox"/> Warwickshire      |
| <input type="checkbox"/> Ceredigion         | <input type="checkbox"/> Greater London           | <input type="checkbox"/> Northumberland     | <input type="checkbox"/> West Lothian      |
| <input type="checkbox"/> Channel Islands    | <input type="checkbox"/> Greater Manchester       | <input type="checkbox"/> North Yorkshire    | <input type="checkbox"/> West Midlands     |
| <input type="checkbox"/> Cheshire           | <input type="checkbox"/> Gwynedd                  | <input type="checkbox"/> Nottinghamshire    | <input type="checkbox"/> West Sussex       |
| <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    |
| <input type="checkbox"/> County Armagh      | <input type="checkbox"/> Isle of Anglesey         | <input type="checkbox"/> Perthshire         | <input type="checkbox"/> Wrexham           |
| <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** Copeland Borough Council

**Details of how you represent this organisation** Official

**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  
☐ Energy Industry  
☐ Other Industry  
☐ Government or Government Agency  
☐ National NGO  
☐ Academic Institution  
☐ Trade Organisation  
☒ Other  
Local authority

Please write your email address in the space provided below

**Email address** Fergus.mcmorrow@copeland.gov.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.**

x 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

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?

Yes. We believe a significant amount of investment will be needed in the UK energy infrastructure over the next 10-15 years to replace existing capacity, to help secure energy security, and to meet the UK's climate change targets. We therefore support the introduction of National Policy Statements and the Infrastructure Planning Commission to help speed up the approval process for major energy infrastructure projects to help facilitate investment, especially in low carbon energy. We believe that quicker approval is vital, particularly given the long lead times for developments such as nuclear power. The Energy NPS and the IPC could make a significant beneficial difference to the timetable for economic development in Copeland where nuclear energy and other associated energy sectors are the cornerstone of the West Cumbria Energy Coast Masterplan.

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?

Yes. We consider that this NPS, together with the technology specific NPS's (e.g. nuclear) provide clear guidance to the IPC on Government policy; on the need for new energy infrastructure; and on the assessment principles and impacts that should be taken into account in deciding on development proposals. In addition the Council takes the view that the process by which the IPC will be considering applications for development consent should include appropriate recognition of the need for local community engagement and the role that local authorities can play in assisting the IPC in this process.

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 consider that Part 2 of the NPS provides a good summary of Government policy. We consider that, together with the technology-specific NPS's and other recent Government energy, climate change and low-carbon economy policy documents, there is sufficient information for the IPC. However we need to be assured that the cumulative impacts on local economies of related development consent applications will be considered by the Commission. This is particularly relevant in Copeland where the unique circumstance of the potential for development of 3 new nuclear power stations in close proximity to each other and related new grid provision will have cumulative impacts on the local infrastructure.



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. We consider that the statement of need in Part 3 of the NPS provides a very good assessment of the need and urgency for energy infrastructure. We consider that it provides a helpful indication of the amounts of energy capacity likely to be required, and the timeframe in which it is likely to be needed. The Council also takes the view that Copeland Borough has the potential to offer significant solutions to the Government's identified energy need through the provision of new power generation facilities, in an environment where the local community recognise the potential benefits that could be accrued by working in partnership with Government. The Council recognises that there is significant potential for the provision of grid infrastructure to enable and unlock infrastructure required for the development of power generation facilities and infrastructure that might generate wider community and economic benefits. Specifically the Council would like to encourage the further investigation of the potential for new grid provision to be combined with highway infrastructure provision and the provision of a tidal power generating barrage across the Duddon Estuary. Local partners in Copeland are already considering a comprehensive programme of infrastructure provision which would need to be implemented to coincide with the bringing forward of major schemes such as the grid provision and nuclear new build, and where the potential might exist for achieving economic efficiencies and cost reductions through a joined-up procurement process.

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?

Yes. We consider that the principles set out in Part 4 of the NPS provide a clear steer to the IPC on the basis which it should consent to or refuse development proposals, and the factors the IPC should take into account in taking its decision. We support the Government's approach that if a development proposal is in accordance with an NPS, then the IPC should operate on the basis that consent should normally be given. We would add however that such proposals should also be seen to conform to local development plans and in Copeland the Council is developing a Local Development Framework which recognises the positive development opportunities that an expanding energy and nuclear industry can provide to the local economy.

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?

Yes. We agree that the generic impacts described in Part 4 of the NPS and the related information in the technology specific NPS's cover the most likely and significant issues likely to arise. We found the Government's general approach on each of the potential impacts clear and helpful in (a) describing the impact, and in setting out (b) what is required of the potential development applicant, (c) what the IPC should consider, and (d) what mitigating measures might be required.

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

Copeland Borough Council believes we are in a unique position to help deliver the Governments agenda for energy security into the future. Our history of nuclear power generation at Sellafield and the proposal for 3 additional new sites in the Nuclear Power NPS, the provision of the national Low Level Waste site in the Borough and the fact that Copeland has expressed an interest in the MRWS process proves that Copeland Borough Council is committed to supporting the Governments agenda for energy security. However such a range of interventions does have resource implications for the Council and this should be recognised by Government. We consider it important to emphasise that we believe the focus of Government energy and climate change policy should now be on delivery and Copeland Borough Council is keen to be at the forefront of taking forward the energy agenda.

### **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)?

Yes. Copeland Borough Council consider it important for the UK to have diverse sources of energy supply, and support the introduction of clean-coal technology, recognising that such technology is at an early stage of development .

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

Yes. We consider that a huge increase in renewable energy deployment – especially offshore wind – is necessary if the UK is to meet its renewables and climate change targets. We believe that a more streamlined planning system is a necessary component of this, along with other factors such as improved supply chain capability. However, the Council believes that the NPS could be strengthened, and the role of the IPC clarified, if the NPS addressed and emphasised;

Linkages to key issues as set out in existing Planning Policy Statements (PPSs).

Linkages to other legislation that the IPC will need to have regard to, ie Biodiversity legislation.

Reference for the IPC to seek evidence on wider sustainability and carbon accounting issues.

The need for the IPC to consider the role of sub regional plans, targets or guidance in addition to regional strategies and targets.

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

Yes. The Council has previously expressed its support to achieving a diverse range of energy sources. We consider therefore that as the contribution of North Sea gas fields declines it is important to quickly put in place new gas importing infrastructure (including pipelines and LNG import facilities) and new gas storage capacity. We believe the NPS should be approved to help facilitate this.

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

Yes. Copeland Borough Council is of the view that a huge investment will be needed in the electricity network over the next 10-15 years to expand and reinforce the current network; to modernise it as we move towards more intelligent management systems (smart meters and grids); to adapt it to a de-carbonised energy system with e.g. more emphasis on nuclear and renewable energy, and the introduction of electric vehicles. In many cases, such investment in the electricity network will be a pre-requisite for investment in the energy infrastructure itself e.g. 400 kv power lines for nuclear power stations. Timely consents will therefore be vital. The Council recognises its commitment to protecting the environment and accepts that investment in the grid may have an impact on the wider environment across Cumbria, including the Lake District National Park, and is committed to identifying solutions that minimise environmental intrusion yet retain commercial viability.

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)?

No comment.

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

Yes, in respect of various renewable energy technologies. We believe it is very clear in respect of offshore and onshore wind, and biomass/waste. In addition to comments at 8b, the NPS currently refers to *regional* strategies and plans being taken into account by the IPC. The role of the IPC would be enhanced we believe by the NPS also making reference to the role of *sub-regional* strategies. For example, in Cumbria, the Cumbria Wind Energy Supplementary Planning Document (SPD) provides guidance on the capacity for landscapes to accommodate onshore wind energy development. It has been developed in line with the Regional Spatial Strategy and local planning policy and has been adopted by the local planning authorities. In addition to this, studies have been carried out on the capacity for renewable energy across the county. Sub regional evidence, such as adopted SPD and other evidence based information, should be reflected in the NPS and then taken into account by the IPC. Existing sub regional policy from the Cumbria Joint Structure Plan have been saved and extended to support the Regional Spatial Strategy. These include Policy ST4 Major Development, Policy R44 Renewable Energy outside National Parks and Policy R45 Renewable Energy for the Lake District National Park and Areas of Outstanding Natural Beauty. We note that there is not yet a NPS on wave and tidal energy, which we look forward to in due course, given the potential for development in the Solway Firth, Duddon Estuary and Morecambe Bay.

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

Yes broadly. The Council believes that the process could be enhanced for the benefit of the outcomes determined by the IPC if there was reference made to local development frameworks as well as consideration of the potential impacts identified through Local Impact Reports and consultation

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

Yes. We consider the NPS offers clear guidance to developers, the National Grid and other network operators, and the IPC in terms of development proposals and decision-making, and in terms of mitigating measures the developer may need to consider e.g. in areas like landscape and visual impact. As noted earlier, we believe it is particularly important that mitigation measures are taken, where economically viable, to minimise environmental intrusion. The Council is also of the view that development proposals for grid infrastructure are submitted and approved in good time to enable the approval of the energy proposals to which they relate (e.g. new nuclear power stations). In this regard, it is particularly important for timely proposals in respect of a new 400 kv “Cumbria ring”, which is much needed now as well as to fulfill the requirements to support new nuclear power station opportunities and other power generation proposals that are currently proposed and/or in the pipeline in Copeland. We also consider it important that the work of the Electricity Strategy Networks Group on the electricity networks infrastructure should reflect the latest agreements between potential developers and the National Grid for the timing of connections of any potential new nuclear power stations in Copeland.

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)?

No comment.

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

Yes, in respect of the renewable energy technologies covered by the current document. We note that there is no current NPS for wave and tidal energy which is an area that Copeland Borough Council is particularly interested and we look forward to the opportunity to comment on this documents when it is published in draft form.

Through the preparation of the Energy Coast Masterplan this Council has previously expressed its support to achieving a diverse range of energy sources. In addition the following comments are offered;

In terms of potential **biomass** waste plants the Council expects that developers should still need to demonstrate why the site chosen is likely to be the best site for the development in broader sustainability terms, and particularly with regard to vehicular movements and associated carbon emissions.

In terms of **Offshore Wind**, currently the NPS includes reference to the Green Belt Planning Policy Statement, it should also refer directly to the need for the IPC to refer to planning policy statements relating to nature conservation (PPS9), landscape designations (PPS7) and historic designations (PPG15 and 16). This could be a particular issue when connecting offshore developments to the current onshore grid via cabling and substations, particularly where cables cross international and national nature conservation designations. In addition the NPS could be enhanced by requiring the IPC to consider the effects of any cabling or other infrastructure crossing Natura 2000 sites comprising international nature conservation designations such as Special Protection Areas and Special Areas of Conservation.

In terms of **Onshore wind** the NPS as currently drafted makes reference to the 'temporary' nature of such schemes whereas in effect it is relatively easy to remove the above ground infrastructure and ensure that de-commissioning takes place. In addition it should include reference to the role of regional **and** sub regional strategies and plans in IPC decision making, for example, the Cumbria Wind Energy Supplementary Planning Document provides guidance on the capacity for landscapes to accommodate onshore wind energy development (see comments at 8b above.

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

Yes.

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

**Yes. See 9d.**

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)?

No.

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

No.

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

No.

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

Where possible, applications for consent to develop new generating capacity and applications to develop related transmission infrastructure should be submitted jointly so that the IPC can assess the totality of impacts, both positive and negative.

## 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)?

Yes. We note that an Appraisal of Sustainability has been done for all the Energy NPS's, and that they incorporate the requirements for Strategic Environmental Assessment. We also note that other than for nuclear power, the Appraisals of Sustainability are not site or project specific, and that in terms of identifying, assessing and mitigating effects they are neither more stringent or relaxed than at present.

We agree with Government's assessment in its main conclusions for the Assessment of Sustainability that the NPS's are likely to speed up the transition to a low carbon economy; have a positive effect on climate change objectives; will provide greater clarity to developers; and through speedier decision-making should help provide greater investment certainty and

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

See 12a. No additional comment.

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

See 12a. No additional comment.

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

See 12a. No additional comment.

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

See 12a. No additional comment.

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)?

No.

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

No.

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

No.

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

No.

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

No.

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)?

No.



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

No.

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

No.

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

No.

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

No.

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)?

We note that the overarching Energy NPS says that before granting a development consent, the IPC must have regard to the Habitats Regulations; that information is provided to developers on where the requirements of the Regulations can be found; which statutory bodies should be consulted; and what developers must provide to the IPC, including on mitigation.

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

See 15a.

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

See 15a.

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

See 15a.

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

See 15a.

## 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?

Yes. As previously stated Copeland Borough Council supports the case for new nuclear power as set out fully in the Government's January 2008 White Paper. In July 2008, Government consulted on the process it intended to follow, and the criteria it intended to use in selecting new nuclear power station sites. And in January 2009, the Government invited nominations for sites capable of deployment by 2025, on the basis of the consulted criteria. We therefore consider the draft NPS a logical next step and a proper outcome to the earlier process.

The Borough Council recognises the need for a national Energy Strategy including a strategy for Nuclear Power Generation and supports the case made for Nuclear New Build as part of this strategy. For Copeland, new nuclear power, other energy sector related **diversification** opportunities as described in the Energy Coast Masterplan and associated infrastructure provision, collectively represent the best opportunity to lay a foundation for achieving long-term economic diversification and sustainable economic growth, as highlighted in the Energy Coast Masterplan. This scenario provides the real opportunity to attract new business and supply chain activities and the potential to retain the current skills base.

We believe that early designation of the NPS is vital if the Government is to meet its objective of deployment of the first new nuclear power station by 2025, with a significant proportion of the 25 GW of non-renewables capacity provided by nuclear power by 2025. We consider that even more nuclear power is likely to be needed (a) by 2050, and (b) if there is any shortfall in

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?

Yes. The Council accepts that the Energy NPSs collectively provide a suitable framework for the assessment of applications for development consent by the IPC and clear guidance on the range of issues to be considered. We consider that there is very clear guidance to the IPC on the information it will need to take a decision on each of the 10 selected sites. For example, for each of the individual criteria (such as flood risk or landscape value) there is specific guidance to the IPC on a site-by-site basis.

The Council believes there is a fundamental role for local authorities (within the IPC process of considering applications for development consent) leading the process of community engagement and consultation and in preparing Local Impact Reports. The Council is keen to play a full role but recognizes the resource implications of undertaking such a role. As noted previously Copeland has the potential to contribute substantially to the Government's energy agenda through the proposal for 3 sites for nuclear new build, the siting of the national Low Level Waste site and through its expression of interest in the Managing Radioactive Waste Safely (MRWS) process all of which create resource pressures. Additionally the Council is of the view that the IPC should consider as part of the process the need to identify a programme of enabling infrastructure (to include ICT; road, rail and sea access; and grid provision) which would be implemented concurrently with the development of the power station to ensure that once on-stream the nuclear power plant is adequately served by supporting infrastructure and not reliant on existing outdated provision.

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. We believe the Government has set out clearly its policy on nuclear power; the need for new electricity generation capacity; the need for new nuclear power; the need for early deployment of new nuclear power; and the reasons why it has selected 10 sites in its NPS list. We agree with Government that nuclear power is low carbon, contributes to energy security, enhances energy diversity, and is proven technology. We consider that more reliance should be placed on nuclear power as the basis for a de-carbonised energy infrastructure than on other low-carbon technologies. Government says: "There can be no certainty that development consent on all sites listed in the Nuclear NPS will be granted as issues may emerge once they are analysed in detail by developers and the IPC. This Council recognises that in order to meet Government targets it is essential that the Nuclear NPS has sufficient sites to allow for the loss of some sites at the detailed site assessment level."

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?

Yes. The Council supports the Government's conclusion that geological disposal is the best long-term approach for the management of higher activity waste, and agree with the Government's voluntarist and partnership approach to selecting a disposal facility site. As Government notes, three Cumbrian authorities – Allerdale and Copeland Borough Council's, and Cumbria County Council – have formally expressed interest in their potential involvement [and a letter of intent has been provided to Government]. The Council is committed to pursuing this process. We consider the partnership working of the three authorities, to be good progress. We believe on the basis of experience in other countries (e.g. Sweden) that Government is right not to set a formal timetable for the selection process. We also share the Government's view that interim storage will provide a safe and secure means of containing waste until a geological disposal facility is available, and legacy waste disposal completed. While we therefore agree that effective arrangements will exist, we would however ask Government to reconsider in due course its approach to spent

**Continuation sheets can be added if required.**

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

**Yes. In general the Council considers that the nuclear specific impacts are clearly defined, and that for each of the impacts there is clear guidance to potential developers on what should be covered in its development application; what the basis of the IPC decision should be; and what mitigating measures may be possible. We consider that the correct criteria was selected for the Strategic Siting Assessment (SSA), and the right distinction made between categories for national and local consideration.**

We note the Government's view that there is potential for long term impacts in Copeland and Cumbria because of the proximity of the Lake District National Park; that the nuclear industry has a significant beneficial effect on the local economy; and that development of a number of sites within a region (such as Copeland) could have short term negative effects if the sites were developed in a similar timeframe. The Council is aware of its environmental protection role but sees no conflict through supporting nuclear new build, and where proposals have an impact on the environment is keen to explore options to mitigate and minimise those impacts which are economically viable. A failing of the high-level nature of the assessment process to date for the NPSs is that there is no proper consideration of the cumulative impacts in relation to key strategic impacts identified in the report. The Councils view is there are also cumulative *benefits* that need to be considered from the potential development of facilities and infrastructure within similar timescales and the NPS should refer to such a potential existing and for it to be included as part of the IPC appraisal process

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

Yes. We understand that all nominated sites were subjected to a thorough assessment by Government and its statutory consultees, against clear exclusionary and discretionary criteria. We note as testimony to the rigour of the process that not all nominated sites were selected. We also note that Government took expert advice on whether it was reasonable to conclude that the nominated sites could be deployed by 2025, as asserted by nominators. Furthermore, we note that there are firm plans by energy utilities for the construction of new nuclear power stations at five sites before 2025 – at Hinkley, Oldbury, Sizewell, Sellafield, and Wylfa].

At a meeting of the Council on 17<sup>th</sup> Feb the Council expressed its support for the inclusion of all 3 sites in Copeland at Sellafield, Braystones and Kirksanton, in the National Policy Statement on the basis that they currently meet the Governments criteria for deployment by 2025. All 3 sites will be the subject of further specific and detailed suitability and impact studies. All 3 sites would have a significant impact on the local economy. At the same meeting the Council unanimously supported the proposal that it considers that, of the 3, the site at Sellafield is the Council's priority site for development.

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

No comment.

c) Braystones

We agree with the Government's assessment of Braystones, and its inclusion in the NPS. We share Government's view that up to 25 GW of new nuclear power is likely to be needed by 2025, and that because of the uncertainty over the number of reactors to be deployed on each site, all sites worthy on their own merits – such as Braystones – should be included. Moreover, because of the proximity of Braystones to the current Sellafield site and its location in West Cumbria, we believe that Braystones enjoys several of the advantages of the listed Sellafield site (e.g. skills base, access to nuclear infrastructure – see Sellafield below). However, while we believe that both Kirksanton and Braystones merit inclusion, we believe that the listed Sellafield site enjoys more advantages because it is adjacent to the current Sellafield site e.g. access to emergency services, proximity to waste treatment facilities.

d) Hartlepool

No comment.

e) Heysham

No comment.

f) Hinkley Point

No comment.

g) Kirksanton

We agree with the Government's assessment of Kirksanton, broadly for the same reasons as Braystones (see c) above, and thus its inclusion in the NPS. We recognise that Kirksanton is further away from Sellafield than Braystones, but it is likely to share several of the same benefits attributed by Government to the area. Development of Kirksanton would have positive economic benefits for the south of Copeland Borough. However, while we believe that both Sellafield and Kirksanton merit inclusion, we believe that the listed Sellafield site enjoys more advantages because it is adjacent to the current Sellafield site e.g. access to emergency services, proximity to waste treatment facilities.

h) Oldbury

No comment.

i) Sellafield

We agree with the Government's conclusion that the Sellafield site is potentially suitable and should be included in the NPS list. We believe that the purchase in October 2009 of land for deployment by Iberdrola, GDF Suez and Scottish and Southern Energy puts Sellafield in the very top rank of sites potentially capable of earlier deployment, by around 2021.

The site, at 250 hectares, is the second largest available in England and Wales (after Bradwell) and is considerably bigger than most others. We believe that it is potentially capable of hosting up to eight or nine reactors, over time.

As noted by Government, the site is close to the UK's – and the world's – first ever commercial nuclear power station, at Calder Hall – providing historical significance.

We consider that Sellafield is better placed than any other potential site in terms of its proximity to the UK nuclear industry. [The North West has been named as the Government's Low Carbon Economic Area for nuclear. And, as noted by Government, West Cumbria is host to "the largest concentration of nuclear facilities in the UK representing some 60% of the total industry, with a continuing focus on skills and education".

We agree with Government's views that Sellafield's location will give access to a qualified workforce and technical support; that there is strategic support for energy infrastructure in the region; and that new nuclear generation fits well with the sub-regional development plan ("Britain's Energy Coast) in terms of its support for a de-carbonised energy infrastructure, including also renewable energy.

We note that the site passes the Government's criteria on:

- demographics;
- proximity to military activities;
- flooding, tsunami and storm damage;
- coastal processes;
- proximity to hazardous substances;
- proximity to civil aircraft movements;
- nationally designated sites of ecological importance;
- size of site to accommodate operation; and
- access to suitable sources of cooling.

We share Government's view that the most significant issue for the site is grid infrastructure. However, as Government notes, a connection offer has been made by National Grid for 1600 MW by October 2023 and a further 1600 MW by October 2025. Similar or earlier offers have also been made by National Grid and accepted by the nominator (RWE) in respect of the Braystones and Kirksanton sites. Moreover, detailed and positive discussions have been held with local stakeholders, including local planners and the Lake District National Park Authorities, about potential options for a grid routing to the north and south of the Sellafield site.

We recognise that the Appraisal of Sustainability considered that there could be a potentially adverse landscape and visual impact, particularly including the Lake District National Park. However, we agree with the conclusion of the Sustainability Appraisal that, overall, the new power station would be seen in the context of the existing Sellafield complex, and that the direct impacts will be primarily felt at local level. We would add that West Cumbria has a mutually beneficial interest in developing both new nuclear power and promoting tourism, both inside and outside the National Park. They are the two main areas of economic development for area, and we therefore see a shared interest with others in developing both as positively and sensitively as possible.

The last point is an important one. As noted, West Cumbria has been at the heart of the UK nuclear industry for some 60 years, and around 50% of jobs in the Borough of Copeland and 25% of jobs in the Borough of Allerdale are linked with it. A new nuclear power station(s) at Sellafield would be the most significant contributor to the economic development of West Cumbria for some time . [Moreover, we believe that local stakeholders are likely to be less attracted by the possibility of additional waste management facilities in the absence of power stations.]

j) Sizewell

No comment.

k) Wylfa

No comment.

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:

l) Dungeness

No comment.



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

Given the UK's potential dependency on nuclear power, we consider that Government was correct to consider alternative sites to those nominated. We do not however have specific comments on the three sites studied by Government.

b) Druridge Bay

No comment.

c) Kingsnorth

No comment.

d) Owston Ferry

No comment.

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

We agree with the AoS that the draft NPS could bring benefits in meeting the Government's climate change and energy security objectives. We also agree that there is potential for positive effects on local employment – these are significant in our view for Copeland. We therefore agree that a development proposal to the IPC should include socio-economic as well as environmental considerations. We are pleased that each nominated site has been subject to an assessment of sustainability in respect of nature conservancy, biodiversity and other sustainability effects, as well as the potential for inter actions or cumulative effects (such as more than one site in a region). We believe that for each of the three listed Cumbrian sites – Braystones, Kirsanton and Sellafield - the correct issues have been identified.

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?

No, we believe proper account has been taken, at least insofar as the three Copeland sites listed are concerned.

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

As above, we are pleased that the draft NPS has been assessed in accordance with the Habitats Directive. We note that the key findings for each site in terms of Appraisal of Sustainability and the Habitats Directive are summarised together and, as under 23 and 24 above – we therefore agree with the areas highlighted.

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?

No.

## 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?

The reports seem to be comprehensive.

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?

We cannot comment from the perspective of a developer, which we are not, but the draft NPS seems to us a useful reference for those who will be involved in the development consent process, including local authorities, the public and other stakeholders, and the IPC itself.

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 Council is fully supportive of the Governments energy policy and its ambitions to achieve security of supply into the future. The Council believes that Copeland Borough is in a unique position, through the Energy Coast Master Plan and through the designation of 3 sites for potential new nuclear power stations, to significantly assist the Government to meet these ambitions. We are also of the view that the energy sector and associated business activities represents the best opportunity to lay a foundation for achieving long-term economic diversification and sustainable economic growth, as highlighted in the Energy Coast Master Plan. However in order to deliver on both the Governments wider energy ambitions and to achieve the economic benefits to the locality it is recognised that investment in supporting infrastructure is essential. Investment in upgrading the grid connectivity is necessary to provide the additional capacity to meet planned developments in power generation, both nuclear and renewables, but just as important is the necessary infrastructure to support the economic regeneration and diversification of this area in roads, rail, ports and community infrastructure. We are also of the view that there are opportunities to combine aspects of the provision of infrastructure locally which will lessen the environmental impact and produce investment efficiencies, and this Council is committed to working with local partners and Government to bring about the investment that is required.

**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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WC1X 8XG

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

Or email them to [energynpsconsultation@opm.co.uk](mailto: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.