

**TOWARDS A NUCLEAR
NATIONAL POLICY STATEMENT
STRATEGIC SITING ASSESSMENT AND CRITERIA FOR
NEW NUCLEAR DEVELOPMENT**

**A Response by the Royal Town Planning Institute to the
Consultation on the Strategic Siting Assessment Process and Siting Criteria for New
Nuclear Power Stations in the UK
Department for Business Enterprise and Regulatory Reform
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RTPI

mediation of space · making of place

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Contents

	Page
1. Introduction.....	2
2. Response in Principle.....	3
3. National Policy Statements.....	4
4. Consultation Question Responses	5

1. Introduction

The Royal Town Planning Institute is the leading professional body for spatial planners in the United Kingdom. It is a charity with the purpose to develop the art and science of town planning for the benefit of the public as a whole. It has over 21,000 members who serve in government, local government and as advisors in the private sector.

This document responds to the Department for Business Enterprise and Regulatory Reform (BERR) Consultation on the Strategic Siting Assessment Process and Siting Criteria for New Nuclear Power Stations in the UK.

The response has been formed drawing together internal consultations and the results of meetings with members, including a workshop with a professional networks policy forum in September 2008.

2. Response in Principle

The RTPI has been a strong supporter of the principle that the UK should develop national policy statements for key infrastructures, to inform planning decision making. For this reason, the RTPI has supported key components of the Planning Bill. It has viewed the emergence of a nuclear national policy statement with great interest, seeing this as a first essay in the development of a national policy statement, before processes are formalised in regulations and guidance pursuant to the shortly to be Planning Act 2008.

The RTPI supports in principle the need for a Strategic Siting Assessment process (SSA) and the development of siting criteria for new nuclear power stations in the consultation document. However, the RTPI believes a more strategic and integrated approach to energy planning needs to be adopted by the government, at a higher level than the current draft statement exercise. This would address the broad strategic approach to energy security of supply, diversity and response to our carbon challenge. It would explain why nuclear power has a role in the energy mix and would establish the basis for the scale of new nuclear generation that the Nuclear NPS will provide for. The RTPI proposes that a high level national energy strategy in the form of a NPS should be prepared by the government to set the direction for all energy priorities. The current proposals in the Nuclear NPS should form one part of a national energy planning policy agenda.

The virtue of the government possessing a high level energy strategy in the form of a national policy statement becomes apparent on a number of levels.

- Firstly, the government will possess a clear and transparent vision for the future of the energy sector as a whole which will provide certainty to a variety of stakeholders, notwithstanding the confidence from consumers. The RTPI argues that the possession of such a strategy will be utterly essential to enable the government to deliver against targets such as the European 2020 target for renewables, and critically also to ensure that broader climate change objectives can be met within relevant timescales.
- In addition, critical components of the energy system such as the owners and managers of generation, transmission and distribution assets will have a clear plan against which to frame strategic investment proposals with broad objectives for the UK's energy mix. The development approvals process will therefore legitimately be able to avoid further consideration of evidence designed to frame different energy mix priorities.
- Further, for the Infrastructure Planning Commission (IPC), the governments high level policies will become weighty considerations that assist the commission to avoid hearing time being spent in otherwise limited value examination of energy mix considerations.

3. National Policy Statements

Principles

On the basis that National Policy Statement preparation involves communities and is clearly accountable to Parliament, the RTPI continues to support the government's position that the Infrastructure Planning Commission (IPC) should be a final decision-making body. We have noted disquiet that such significant decisions as the location and development of new nuclear power stations should be taken by an entity other than a Minister or Parliament. However, on balance we remain persuaded that the current decision making processes for major infrastructures accountable to Ministers have been a source of delay and uncertainty and remain ripe for reform. If our nation is to respond effectively to our need to renovate energy and transport infrastructures to meet the challenge of climate change, we will need a much more certain policy framework than we have at present and we will need to take more expeditious decisions. The IPC can deliver this.

The RTPI emphasises the significant role of National Policy Statements (NPSs) in underpinning the legitimacy of IPC decision making. Our clearly articulated tests for sound NPSs are:

- They must be drawn up on a firm base of rigorously tested evidence.
- They must consider a broad range of options and their implications.
- They must take as their guiding and integrating principle the promotion of sustainable development.
- They must be as locationally-specific as possible.
- They must be thoroughly tested through open and transparent public engagement and debate.

In addition, the RTPI emphasises our view that Planning Aid can and should have a strong role in supporting communities' involvement in making draft National Policy Statements.

Our strategic concerns about the emerging Nuclear NPS process relate to the second of these principles. Where an NPS is prepared for one component of the energy sector alone, strategic option development does not provide a rationale for the adoption of a particular nuclear contribution to the UK energy mix. The absence of this rationale will to a significant extent weaken a Nuclear NPS that does not make this clear.

4. Consultation Question Responses

The following section provides the RTPI response to the consultation questions.

Q1. Do you agree that, at this time, the SSA should focus only on sites that are nominated as being suitable candidates for deploying new nuclear power stations by the end of 2025? If not, why not?

The RTPI supports this process in part; however caution is warranted where a proposal for a new site/location comes forward that has not been nominated through the SSA but that is still suitable for a nuclear power station. It is feasible that a new site/location could be as good or better than those previously nominated, there should be a mechanism whereby the government or IPC can determine if it is suitable, using the criteria set out for the SSA.

The RTPI also suggests that it would be more appropriate for the SSA to focus on suitable locations in the first instance, as opposed to sites. This would enable a number of sites within a location to be investigated or pursued and it provides the opportunity for the community to provide input into specific sites within a location.

The RTPI suggests that one way of ensuring suitable sites/locations are not rejected based on whether or not they have been identified, is to review the list say, on a 5 yearly basis to provide an opportunity for nominations for new sites to be included in the list. This review would only consider sites/locations rather than the broader principles within the NPS themselves. This would not only be beneficial for new sites, but also provide government/IPC with the opportunity to reassess existing nominated sites for their suitability.

Q2. Do you agree that the overall SSA process provides an appropriate mechanism for identifying and assessing those sites which are strategically suitable for the deployment of new nuclear power stations by the end of 2025? If not, how should the process be changed?

The RTPI believes that there are a number of ways the government can identify strategically suitable sites for nuclear development. The proposed process might lead to existing nuclear power station sites being selected that may have not been otherwise selected given current environmental and other considerations. The mere existence of existing nuclear sites should not be a key determinant in identifying proposals for new suitable sites/locations.

The RTPI is concerned that a long time could lapse between an NPS being published and the construction of a site, and that this could lead to planning blight. The concern is that this could also lead to the possibility of people buying up land so as to make a profit in this way. If nuclear energy is identified as a national need, the government itself might consider identifying a site/location to compulsory purchase, with a subsequent tender process to build and operate.

Q3. Do you have any other comments on the practicalities of the proposed SSA process, such as the timetable for nominations and the duration of the nomination period?

The RTPI suggests that the proposed eight-week nominations period is not sufficient to identify suitable sites with the appropriate consultation and rigor. The government should consider providing notice a year in advance to enable proper community consultation with the local community and research by the proponent entities.

A concern shared by RTPI members is that given the issues surrounding energy security, diversity of supply and the issues around ownership and management of energy infrastructures, sufficient and suitable sites/locations may not be identified to government. Further, any permissions granted would need to run at least until more sites were approved, and that at least one more location than is in fact needed will be required as an insurance against unforeseen delay.

The RTPI strongly advocates for mandatory community consultation prior to the nomination of locations to government. This could be in the form of community engagement at the pre-bid stage to determine the best option at a particular location. The post-bid consultation should be genuinely around strategic locations, entailing two or more sites that can be considered as reasonably feasible alternatives and enables community views about sites to be taken into account.

Q4. Do you agree that the proposed exclusionary and discretionary criteria are appropriate for the assessment of a site's suitability at a strategic level? If not, how should the criteria be changed to achieve this objective and, specifically, are there any additional criteria that should also be used? Should the classifications of any of the exclusionary criteria, discretionary criteria, or issues for local consideration be changed?

The RTPI is concerned that the contents of some exclusionary and discretionary criteria do not reflect current policy, particularly around flooding & nature conservation issues which we believe need to be exclusionary not discretionary. The discretionary criteria need re-evaluating, recognising that some of these are likely to raise weighty and serious issues that may indicate against a location quite strongly, whilst others will establish more localised siting and design issues for mitigation. The exclusionary criteria need strengthening to include the vulnerabilities of sites to climate change processes such as coastal inundation within the operational or decommissioning life of a nuclear power station and to respond more clearly to international treaty obligations in respect of nature conservation.

Some criteria that are missing from the proposed list include the consideration of ground water, flood water and run-off impacts that ought to be added to the strategic criteria. In addition, the RTPI questions whether absolutely any battlefields or parks should be excluded, as a literal reading of the document seems to imply. The references to 'heritage coast' are clearer, to the extent that this is at least a recognised planning term. In addition, there seems to be little reference to health risks.

The RTPI believes that a distinction should be drawn between national and international criteria and that the government should take into account the Regional Spatial Strategies and the core strategy which will include local interest through their own consultation processes. We do not however, support local councils attempting to place a ban on nuclear sites in their local

plans. The Government should specifically consult with the regional body and local authority where a site/location is proposed.

It is suggested that the assessment criteria should also include an examination of the positive impacts of nuclear siting. Disappointingly, the draft suggests an almost exclusively negative or constraint management approach to decision making. Good planning decisions also identify and weight the benefits of development. It is not outlandish to suggest that nuclear power developments will enable some locationally specific benefits and that a means of identifying and considering these should be included in the site assessment process. These could include for example, the potential for local employment, new infrastructure and the progression of regeneration activities. Similarly, the assessment criteria should also include discuss the need to balance the risks of a site/location and the positive impact (impact mitigation).

Q5. Do you agree that the proposed SSA is appropriate to produce a list of strategically suitable sites for the purposes of setting the framework for the Infrastructure Planning Commission's decisions? If not, how should the process be changed to achieve this objective?

Our general responses in sections 2 and 3 and to questions 1 - 3 above provide the RTPi views to this question.