Policies, Sites and Places (PSP) Plan - Main Modifications Representations Form

12th June – 24th July 2017

The Main Modifications (including reference code) are available to view in on the consultation website at www.southglos.gov.uk/PSPmodifications

Representations should only be made on the Main Modifications and should be made using the form below. A guidance note for completing this form is available from: www.southglos.gov.uk/PSPmodifications. Completed forms should be returned to:

<table>
<thead>
<tr>
<th>Email:</th>
<th><a href="mailto:planningpolicy@southglos.gov.uk">planningpolicy@southglos.gov.uk</a></th>
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<tbody>
<tr>
<td>Post:</td>
<td>South Gloucestershire Council</td>
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<td></td>
<td>Department for Environment and</td>
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<td>Community Services</td>
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<td>Strategic Planning Policy &amp;</td>
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<td>Specialist Advice Team</td>
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<td></td>
<td>PO Box 1954</td>
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<td>Bristol</td>
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<td>BS37 0DD</td>
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Representations should only be submitted once i.e. by email or by post.

All representations must be received by no later than 24th July 2017 at 7pm.

Receipt of your representations will be acknowledged.
Please note that all representations must refer to the relevant Main modifications reference.

**PART ONE - YOUR DETAILS**

Please be aware that anonymous forms cannot be assessed by the Inspector, therefore representation forms must include your details below.

The information collected as part this consultation will also be used by the Council in accordance with the data protection principles in the Data Protection Act 1998. The purposes for collecting this data are: to assist in plan making; and to contact you, if necessary, regarding the planning consultation process. Some of the data may be made public as it will form part of the evidence base used to inform the creation of planning policy documents. The above purposes may require public disclosure of any data received on the response form, in accordance with the Freedom of Information Act 2000.

**Should you wish to make more than one representation, please submit a separate form for each in Part Two below clearly stating which Main Modification you wish to comment on. (N.B. You only need to complete Part One (Your Details) once)**

In circumstances where there are individuals/ groups/ organisations who share a similar view, it would be helpful if individuals/ groups/ organisations make a single response. It would also be useful if the group/ organisation state how many people the submission is representing and how the comment was authorised.

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<tr>
<th>Your Details</th>
<th>Your Agent’s Details (If applicable)</th>
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<tbody>
<tr>
<td>Reference No (if known*):</td>
<td>Reference No (if known*):</td>
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<tr>
<td>Title: Mr / Mrs / Miss / Ms / Dr / Other:</td>
<td>Title: Mr / Mrs / Miss / Ms / Dr / Other: Mr</td>
</tr>
<tr>
<td>Surname:</td>
<td>Surname: Griffiths</td>
</tr>
<tr>
<td>Forename:</td>
<td>Forename: Owain</td>
</tr>
<tr>
<td>Organisation / Company: The Nuclear Decommissioning Authority (NDA) and Magnox Limited (Magnox)</td>
<td>Organisation / Company: GVA</td>
</tr>
<tr>
<td>Address: c/o agent</td>
<td>Address: One Kingsway, Cardiff</td>
</tr>
<tr>
<td>Postcode:</td>
<td>Postcode: CF10 3AN</td>
</tr>
<tr>
<td>Contact No:</td>
<td>Contact No: [Redacted]</td>
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<tr>
<td>Email:</td>
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*If you have been contacted by post, you will find your reference number at the top of the letter under ‘Our Ref’*
PART TWO - YOUR REPRESENTATIONS

Please use a separate form for each representation.

Q1. To which main modifications does this representation relate?

Main Modification Reference: MM28
(e.g. MM14)

For guidance on ‘legal compliance’ and ‘soundness’ please see the guidance note available from www.southglos.gov.uk/PSPmodifications.

Q2a. Do you consider the Main Modification is legally compliant

✓ Yes    □ No

Q2b. Do you consider the Main Modification is sound?

□ Yes    ✓ Yes, with minor changes    □ No

Q3. On what grounds do you consider the Main Modification is unsound? Is it because it is not:

□ Positively Prepared?

□ Justified?

✓ Effective?

□ Consistent with National Policy?

Q4. Please set out what change(s) you consider necessary to make the Main Modification legally compliant or sound. Please be as precise as possible.

Your suggested change should have regard to the test you have identified at Q3 above where this relates to soundness. You should state why this change will make the Policies, Sites and Places Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text.

The NDA and Magnox would like to express some disappointment that the modifications to the PSP Plan do not go as far as GVA had requested in our representations made thus far. In particular, it is noted that the Council does not propose to include a site-specific policy and allocation for the existing Oldbury Power Station site within the Plan to support existing and potential future development at the site, including that associated with decommissioning and related employment uses.

Nevertheless, it is acknowledged that the Council has proposed to include a new paragraph (paragraph 9.x3) within the PSP Plan to acknowledge that the Council intends on working with the NDA and the site operators going forward as part of the preparation process for the New South Gloucestershire Local Plan 2018 - 2036 (New Local Plan). The proposed paragraph 9.x3 is currently worded as follows:

“The Council will work with the Nuclear Decommissioning Authority (NDA) and the operators of the existing Power Station site to consider if additional planning policy is
With respect to the above, the NDA and Magnox welcome the opportunity to work with the Council going forward and consider that this work will be beneficial in helping the Council to determine the scope of the policy relating to the existing Oldbury Power Station site to be included within the New Local Plan.

Work has already begun on the New Local Plan and GVA submitted representations on behalf of the NDA and Magnox to the consultation on the New Local Plan Prospectus documents on 22nd February 2017. The comments made reflected previous representations made by GVA on behalf of the NDA and Magnox to the PSP Plan and emerging West of England Joint Spatial Plan. For example, these representations highlighted that a new site-specific policy and allocation for the existing Oldbury Power Station site should be included within the New Local Plan. Further to this, the NDA and Magnox also welcomed the opportunity to work with the Council on the wording for the proposed policy going forward.

Notwithstanding the above, it is noted that paragraph 9.x3, as it is currently worded, refers to “the operators of the existing Power Station site”. Land at the existing Oldbury Power Station site is owned by the NDA and leased to Magnox Limited, who are the Site Licence Company responsible for operating the site on the NDA’s behalf in order to carry out the decommissioning and remediation activities on the site. In light of this, the NDA and Magnox are of the view that paragraph 9.x3 should make specific reference to “Magnox Limited” alongside the NDA, as Magnox Limited is the operator of the existing Oldbury Power Station site. It is therefore requested that paragraph 9.x3 is reworded as follows:

“The Council will work with the Nuclear Decommissioning Authority (NDA) and Magnox Limited (the current operators of the existing Power Station site) to consider if additional planning policy is necessary as part of the new Local Plan. Existing Core Strategy policies, CS36 and CS37, address the decommissioning process.”

Should the above minor change not be made, the proposed modification (MM28) is not considered to be ‘effective’ in terms of the test of soundness as set out in paragraph 182 of the National Planning Policy Framework (NPFF). Given that Magnox Limited will continue to operate the on-going decommissioning and remediation process at the site, which will extend throughout and beyond the plan period, the suggested minor change is considered necessary to ensure that the PSP Plan represents the on-going delivery of operations at the existing Oldbury Power Station site.

However, subject to the above minor change, the NDA and Magnox would be supportive of the introduction of paragraph 9.x3 within the PSP Plan, and would consider the modification to be sound in respect to the test of soundness as set out in the NPPF.

Q5. Please indicate which, if any, of the following you wish to be notified about.

☒ the publication of the recommendations of the independent Inspector

☒ the adoption of the Plan

Please indicate as appropriate

Signature: [Redacted] Date: 18/07/2017
Thank you for your time to complete and return this representation form. Please keep a copy for future reference.

All representations must be received by no later than 24th July 2017 at 7pm.
18 July 2017

South Gloucestershire Council
Strategic Planning Policy & Specialist Advice Team
Environment and Community Services Department
PO Box 1954
Bristol
BS37 0DD

Dear Sir / Madam,

South Gloucestershire Policies, Sites and Places Plan, Main Modifications Consultation

Representation on behalf of the NDA and Magnox Limited

We are writing to you on behalf of the Nuclear Decommissioning Authority (the NDA) and Magnox Limited (Magnox), in response to the current consultation on the Policies, Sites and Places Plan (PSP Plan), Main Modifications.

As you will be aware, GVA previously made representations on behalf of the NDA and Magnox to the consultation on Proposed Submission version of the PSP Plan on 8th September 2016 and later consultation on the Suggested Modifications to the PSP Plan on 6th January 2017. GVA also submitted a Hearing Statement to the Examination Hearings on 13th January 2017 and attended the Examination Hearing Session on behalf of the NDA and Magnox on 23rd February 2017. Our representations have been assigned to the representor ID [redacted].

The representation to the current Main Modifications consultation is set out below. This representation is accompanied by a completed representation form, which is attached to this letter for ease of reference.

Response to the Main Modifications Consultation

Main Modification Reference MM28 – Paragraph 9.4 and Map X

In respect of the proposed modification to paragraph 9.4 and the inclusion of an accompanying map (Map X), it is noted that GVA supported the introduction of the additional text to paragraph 9.4 and accompanying map at the Suggested Modifications consultation stage. As such, the NDA and Magnox are supportive of the proposed modification to paragraph 9.4 and inclusion of Map X within the PSP Plan.

Main Modification Reference MM28 – Paragraph 9.x3

The NDA and Magnox would like to express some disappointment that the modifications to the PSP Plan do not go as far as GVA had requested in our
representations made thus far. In particular, it is noted that the Council does not propose to include a site-specific policy and allocation for the existing Oldbury Power Station site within the Plan to support existing and potential future development at the site, including that associated with decommissioning and related employment uses.

Nevertheless, it is acknowledged that the Council has proposed to include a new paragraph (paragraph 9.x3) within the PSP Plan to acknowledge that the Council intends on working with the NDA and the site operators going forward as part of the preparation process for the New South Gloucestershire Local Plan 2018 - 2036 (New Local Plan). The proposed paragraph 9.x3 is currently worded as follows:

"The Council will work with the Nuclear Decommissioning Authority (NDA) and the operators of the existing Power Station site to consider if additional planning policy is necessary as part of the new Local Plan. Existing Core Strategy policies, CS36 and CS37, address the decommissioning process."

With respect to the above, the NDA and Magnox welcome the opportunity to work with the Council going forward and consider that this work will be beneficial in helping the Council to determine the scope of the policy relating to the existing Oldbury Power Station site to be included within the New Local Plan.

Work has already begun on the New Local Plan and GVA submitted representations on behalf of the NDA and Magnox to the consultation on the New Local Plan Prospectus documents on 22nd February 2017. The comments made reflected previous representations made by GVA on behalf of the NDA and Magnox to the PSP Plan and emerging West of England Joint Spatial Plan. For example, these representations highlighted that a new site-specific policy and allocation for the existing Oldbury Power Station site should be included within the New Local Plan. Further to this, the NDA and Magnox also welcomed the opportunity to work with the Council on the wording for the proposed policy going forward.

Notwithstanding the above, it is noted that paragraph 9.x3, as it is currently worded, refers to “the operators of the existing Power Station site”. Land at the existing Oldbury Power Station site is owned by the NDA and leased to Magnox Limited, who are the Site Licence Company responsible for operating the site on the NDA’s behalf in order to carry out the decommissioning and remediation activities on the site. In light of this, the NDA and Magnox are of the view that paragraph 9.x3 should make specific reference to “Magnox Limited” alongside the NDA, as Magnox Limited is the operator of the existing Oldbury Power Station site. It is therefore requested that paragraph 9.x3 is reworded as follows:

"The Council will work with the Nuclear Decommissioning Authority (NDA) and Magnox Limited (the current operators of the existing Power Station site) to consider if additional planning policy is necessary as part of the new Local Plan. Existing Core Strategy policies, CS36 and CS37, address the decommissioning process."

Should the above minor change not be made, the proposed modification (MM28) is not considered to be ‘effective’ in terms of the test of soundness as set out in paragraph 182 of the National Planning Policy Framework (NPPF). Given that Magnox Limited will continue to operate the on-going decommissioning and remediation process at the site, which will extend throughout and beyond the plan period, the suggested minor change is considered necessary to ensure that the PSP Plan represents the on-going delivery of operations at the existing Oldbury Power Station site.

However, subject to the above minor change, the NDA and Magnox would be supportive of the introduction of paragraph 9.x3 within the PSP Plan, and would consider the modification to be sound in respect to the test of soundness as set out in the NPPF.
Conclusion

This representation has been made by GVA on behalf of the NDA and Magnox in response to the current consultation on the South Gloucestershire Policies, Sites and Places Plan, Main Modifications.

In summary, subject to the suggested minor change to paragraph 9.x3 (as detailed above), the NDA and Magnox are supportive of the modifications to the PSP Plan as detailed within this letter. However, the NDA and Magnox would like to express some disappointment that the PSP Plan does not include a site-specific policy and allocation for the existing Oldbury Power Station site to support existing and potential future development at the site, including that associated with decommissioning and related employment uses. As such, the NDA and Magnox welcome the opportunity to work with the Council going forward to determine the scope of the policy relating to the existing Oldbury Power Station site to be included within the New South Gloucestershire Local Plan 2018 - 2036.

If you require any clarity in respect of the enclosed representation, then please contact us.

Yours faithfully

Owain Griffiths
MRTPI MRICS
Director of Planning Development & Regeneration

For and on behalf of GVA Grimley Ltd

cc. NDA
    NDA
    NDA
    Magnox Limited
    Magnox Limited