

Planning for new energy infrastructure

Consultation on revised draft National Policy Statements for Energy Infrastructure

October 2010

Issued: 18 October 2010

Respond by: 24 January 2011

How to respond:

Online

Via the Government website <http://www.energynpsconsultation.decc.gov.uk>

By post or email

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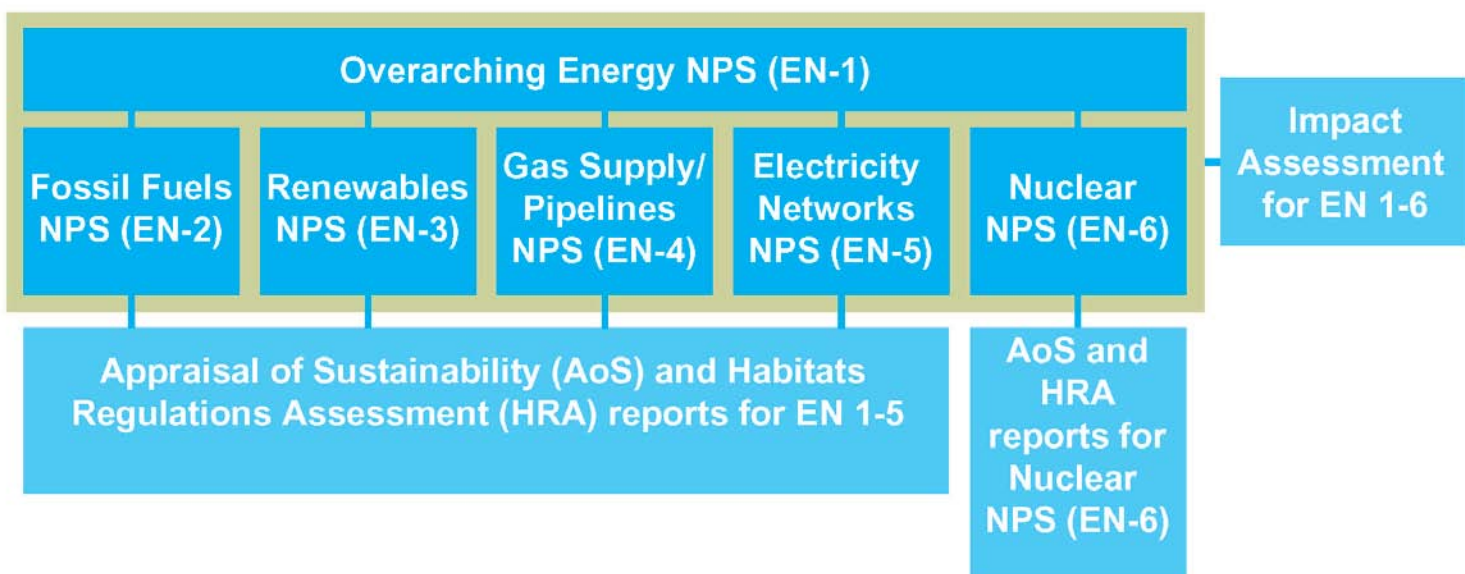
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Introduction

1. The Government wants a planning system for major infrastructure which is rapid, predictable and accountable. Planning decisions should be taken within a clear policy framework making these decisions as transparent as possible. The energy National Policy Statements (NPSs) will be a blueprint for decision-making on individual applications for development consent for the relevant types of infrastructure.
2. Between November 2009 and February 2010, the previous Government consulted on six draft energy NPSs and the Appraisals of Sustainability (AoSs), Habitats Regulations Assessments (HRAs) and Impact Assessment that accompanied those NPSs. Over 3000 responses were received. A Government Response to that consultation has been published alongside this document, which identifies the key themes and responds to them.
3. Having considered responses to the consultation and the outputs of the Parliamentary scrutiny process¹ the Government has made changes to the draft energy NPSs and the accompanying documents. Given the changes that have been made we are now reconsulting on the revised draft NPSs and the accompanying documents.
4. The diagram below illustrates the structure of the package of energy NPSs and the accompanying documents. This document uses the shortened name for each of the energy NPSs which is shown below:



¹ Alongside the last public consultation, the National Policy Statements also underwent Parliamentary scrutiny. The Government is laying the revised draft NPSs before Parliament for any further scrutiny that Parliament may undertake.

5. 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 2050² 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.

6. 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.

Purpose of the consultation

7. 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.
8. 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 consultation document aims to highlight the main changes to the draft energy NPSs and AoSs. It does not attempt to highlight every change made or to discuss why the changes have been made- that discussion is contained within the Government Response to consultation³.
9. For this consultation to be most effective, we would ask 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

² http://www.decc.gov.uk/en/content/cms/what_we_do/lc_uk/2050/2050.aspx

³ DECC, *Government response to consultation on the draft Energy National Policy Statements*, October 2010, <http://www.energy-nps-consultation.decc.gsi.gov.uk>

relevant change in circumstances since the previous consultation. However, all consultation responses will be considered.

Next steps for draft energy NPSs

10. 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.
11. Once they have been designated the energy NPSs will be the primary consideration for the IPC when it makes decisions on applications for development consent for nationally significant energy infrastructure under the Planning Act 2008.

Proposed reform of the Planning Act

12. The Government has announced that it intends to bring in legislation that would abolish the IPC⁴, 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. 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.
13. 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.

Electricity Market Reform

14. The Electricity Market Reform project will be subject to a consultation beginning later in 2010 and a subsequent White Paper. As explained in Part 2 of the revised draft of EN-1 it is not anticipated that any reforms of electricity markets as a result of this process will invalidate or give rise to any need to change the planning policies set out in the NPSs for the foreseeable future.

⁴ The Government's full statement can be read at:
<http://www.publications.parliament.uk/pa/cm201011/cmhansrd/cm100629/wmstext/100629m0001.htm#10062944000016>

Timeline of development of draft energy NPSs

Date	Stage
November 2009 – February 2010	Consultation on the draft energy NPSs and accompanying documents ⁵ .
November 2009	Parliamentary scrutiny of the NPSs commenced. This included scrutiny by the Energy and Climate Change (EC) Select Committee in the House of Commons and the Grand Committee in the House of Lords. A report by the EC Select Committee was published in March 2010, and the Government's response to Parliamentary scrutiny has been published ⁶ .
February 2010 – October 2010	Analysis of consultation responses and preparation of revised NPS material. The Government Response to consultation has been published ⁷ .
October 2010 – January 2011	Consultation on the revised draft NPSs and accompanying documents.
October 2010 - January 2011-	Documents laid before Parliament for any further scrutiny.
January 2011- Spring 2011	Analysis of consultation responses, preparation of final NPSs. NPSs put before Parliament for ratification.

How to respond

15. When responding, please state whether you are responding as an individual or representing the views of an organisation. If you are responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how you assembled the views of members.
16. When responses to this consultation have been analysed, the Government will issue a response. 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.
17. If you are responding on potential sites for new nuclear, updated site assessments have been produced within the revised EN-6 for potentially suitable sites. For sites which are considered unsuitable, no updated site assessments have been produced. However, you may still comment on these sites- please see pages 23-24 of this document for further detail. The Government Response

⁵ <http://www.energynpsconsultation.decc.gov.uk>

⁶ The EC report: *Energy and Climate Change Third report: The proposals on national policy statements for energy*, HC-231 I and II, 2010
<http://www.publications.parliament.uk/pa/cm/cmenergy.htm> The Government's response: DECC, *Government response to Parliamentary scrutiny on the National Policy Statements for Energy infrastructure*, October 2010, <http://www.energynpsconsultation.decc.gov.uk>

⁷ <http://www.energynpsconsultation.decc.gov.uk>

responds to key themes identified in the previous consultation on sites and includes detail on why these sites are considered unsuitable.

18. Regulations made under the Planning Act 2008 require the Government to consult certain organisations on NPSs⁸. Annex C lists those organisations who are being consulted in accordance with these Regulations.

19. This consultation began on **18 October 2010** and will close on **24 January 2011**.

Responding online

Via the Government website <http://www.energy-nps-consultation.decc.gov.uk>

Responding by post or email

Energy NPS consultation
Department of Energy and Climate Change
3rd floor A
3 Whitehall Place
London
SW1A 2AW

Email: nps.consultation@decc.gov.uk

Confidentiality and data protection

20. 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.

21. Respondents who wish for their responses to remain confidential should clearly mark the document/s to that effect and explain the reasons for confidentiality. Any confidentiality disclaimer that may be generated by your organisation's IT system will be taken to apply only to information in your response for which confidentiality has specifically been requested.

22. 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).

⁸ The Infrastructure Planning (National Policy Statement Consultation) Regulations 2009 (SI 2009/1302) <http://www.legislation.gov.uk/ukSI/2009/1302/contents/made>

Additional copies

23. Electronic versions of all of the documents being published as part of this consultation are available on the website <http://www.energynpsconsultation.decc.gov.uk>
24. You may make copies of these documents without seeking permission.
25. Welsh copies of the consultation document, draft NPSs, Non-Technical Summaries for the AoS and Habitats Regulations Assessment (HRA) Main Reports, the AoS and HRA site reports for Wylfa, the Government response to the previous consultation and the response form will be available from the website <http://www.energynpsconsultation.decc.gov.uk>.

Help with queries

26. Questions about the policy issues raised in this consultation can be addressed to:

QUERIES – Consultation on Draft National Policy Statements
Department of Energy and Climate Change
Area 3A
3 Whitehall Place
London
SW1A 2AW
Telephone: 0300 068 6667
Email: nps.consultation@decc.gsi.gov.uk

Consultation conduct

27. If you have comments or complaints about the way in which this consultation has been conducted, these should be sent to:

Consultation Co-ordinator
Department of Energy and Climate Change
Area 6A
3 Whitehall Place
London
SW1A 2AW
Email: Consultation.Coordinator@decc.gsi.gov.uk

28. A copy of the consultation criteria from the Government's Code of Practice on Consultation is provided at Annex B.

Complete list of consultation questions

29. For this consultation to be most effective, we would ask 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 we consider to be the most significant changes. However, respondents are free to make other comments and the Government will consider these where appropriate.
30. 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. Please use Question 3 f) to make your comment on either potentially suitable or potentially unsuitable sites. Please see pp. 23-24 for more detail.
31. 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.

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

Question 2: Do you have any comments on the revised “need case” (the need for new energy infrastructure) in the Overarching National Policy Statement (EN-1)?

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

- a) Revised draft Overarching National Policy Statement for Energy (EN-1)
- b) Revised draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)
- c) Revised draft National Policy Statement for Renewable Energy Infrastructure (EN-3)
- d) Revised draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)
- e) Revised draft National Policy Statement for Electricity Networks Infrastructure (EN-5)
- f) Revised draft National Policy Statement for Nuclear Generation (EN-6) including the list of potentially suitable sites for the deployment of new nuclear power stations by 2025
- g) Revised Appraisal of Sustainability for EN-1

- h) Revised Appraisal of Sustainability for EN-2
- i) Revised Appraisal of Sustainability for EN-3
- j) Revised Appraisal of Sustainability for EN-4
- k) Revised Appraisal of Sustainability for EN-5
- l) Revised Appraisals of Sustainability for EN-6
- m) Appraisal of Sustainability Monitoring Strategy
- n) Revised Habitats Regulations Assessment for EN-1-5
- o) Revised Habitats Regulations Assessments for EN-6
- p) Revised Impact Assessment for the energy NPSs

How have the revised documents changed?

32. This section summarises the key changes to the revised documents but does not seek to discuss them in detail. It does not aim to capture every change, but is designed to help respondents focus on those elements that are materially different in substance from the last consultation. Other changes have been made to the drafting of various parts of the documents; however, the Government's aim in making these has been to clarify the expression of, background to and reasons for policies set out in the draft NPSs previously published, rather than to change them to any material extent. Please see the Government Response to Consultation⁹ for a discussion of the key themes raised, the Government's response and the resulting key changes to the NPSs.

Revised draft Overarching National Policy Statement for Energy (EN-1)

33. The revised draft EN-1 NPS sets out the Government's energy policy, explains the need for new energy infrastructure, sets out policies which are relevant to more than one type of energy infrastructure and instructs the IPC on how to assess the impacts which are common to more than one type of energy infrastructure. The other draft energy NPSs contain supplementary information for specific types of infrastructure. These draft 'technology-specific' energy NPSs (EN 2-6) must be read in conjunction with the draft EN-1.

What are the key changes?	Where is the change?
<p>Clarity and repetition Repetition of the content of EN-1 within each of the other NPSs has been removed because EN-1 applies to all the technology areas.</p>	<p>Whilst this has not significantly changed EN-1, it has clarified and simplified the technology specific NPSs</p>
<p>Need 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 analysis¹⁰.</p>	<p>Section 3.7 pages 6-8; Section 3.9 page 13</p>
<p>Carbon Capture and Storage (CCS) This section has been revised. It requires CCS to be demonstrated on at least 300MW new of the</p>	<p>Section 3.6.5 to 3.6.7 page 25 Part 4.7, pages 42-44</p>

⁹ <http://www.energy-nps-consultation.decc.gov.uk>

¹⁰ http://www.decc.gov.uk/en/content/cms/what_we_do/lc_uk/2050/2050.aspx

What are the key changes?	Where is the change?
<p>proposed generating capacity. The purpose of the CCS requirement in the NPS is to specify a minimum requirement for the purposes of consent and to ensure that no consent is given to proposals to build coal-fired power stations which do not include commercial-scale demonstration of CCS. The Government has said it will establish an emissions performance standard (EPS) that will prevent coal-fired power stations being built unless they are equipped with sufficient CCS to meet the EPS. An Autumn consultation will consider further the introduction of an EPS alongside wider reform of the electricity market.</p>	
<p>Air emissions This section has been revised to include details on exhaust stacks, moved from EN-2 and EN-3.</p>	Section 5.2.3, page 54
<p>Historic environment This section has been updated to reflect the revised Planning Policy Statement PPS5¹¹.</p>	Section 5.8, page 80
<p>Landscape and visual impact This section includes guidance on how the IPC should consider cooling towers, which has been moved from EN-2 and EN-3.</p>	Section 5.9, page 84

¹¹ <http://www.communities.gov.uk/publications/planningandbuilding/pps5>

Revised draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)

34. 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.

What are the key changes?	Where is the change?
<p>Clarification Where this NPS repeated EN-1, repetition has been removed. This NPS should be read in conjunction with EN-1. The “need case” for new fossil fuel electricity generating infrastructure is now in EN-1.</p>	<p>Throughout</p>
<p>Transport infrastructure This section 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.</p>	<p>Paragraph 2.2.4, page 6</p>
<p>Carbon Capture and Storage This section has been edited to remove duplicate policy text from EN-1 and for consistency with EN-1.</p>	<p>Paragraph 2.3.6, page 9</p>
<p>Landscape and visual impact Impacts on landscape from cooling towers is now in EN-1. The description of cooling towers has been deleted and a reference made to EN-1.</p>	<p>Paragraph 2.6.1, page 11</p>

Revised draft National Policy Statement for Renewable Energy Infrastructure (EN-3)

35. 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.

What are the key changes?	Where is the change?
<p>Clarification Where this NPS repeated EN-1, that repetition has been removed. This NPS should be read in conjunction with EN-1.</p> <p>The “need case” for new renewable electricity infrastructure is now in the revised draft EN-1.</p>	Throughout
<p>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.</p>	Section 2.5
<p>Green belts for Offshore Wind New text has been substituted for the original (generic) text to explain the circumstances in which Green Belt provisions might be applicable when considering offshore applications.</p>	Section 2.6
<p>Noise and Vibration Impacts for Biomass / Waste New section included to reflect AoS findings.</p>	Section 2.5

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

36. 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.

What are the key changes?	Where is the change?
<p>Clarification Where this NPS repeated EN-1, that repetition has been removed. This NPS should be read in conjunction with EN-1. The “need case” for new gas supply infrastructure and gas and oil pipelines is now in the revised draft EN-1.</p>	Throughout
<p>CO₂ pipelines The NPS has been amended to clarify that the NPS is only intended to cover pipelines carrying natural gas or oil rather than covering CO₂ pipelines as well.</p>	Section 1.7
<p>Hazardous substances The NPS has changed to include suitable references to explain which regulatory controls apply to ensure the safety of shipping of LNG (liquefied natural gas).</p>	Section 2.4
<p>Geological assessment for salt cavern storage More information has been included about what this assessment should contain.</p>	Section 2.6
<p>Assessment and technology-specific information Relevant additional advice has been included to applicants about what to include in their applications. Various revisions have also been made to the guidance on impacts, for example the specification of assessing the noise impact of a pipeline within a 300m corridor has been changed. There is a new section relating to the impact on gas emissions due to the flaring or venting of gas.</p>	Part 2

Revised draft National Policy Statement for Electricity Networks Infrastructure (EN-5)

37. 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.

What are the key changes?	Where is the change?
<p>Clarification Where this NPS repeated EN-1, that repetition has been removed. This NPS should be read in conjunction with EN-1. The “need case” for new electricity networks infrastructure is now in the revised draft EN-1.</p>	<p>Throughout</p>
<p>Biodiversity - Bird strike Amended to reflect AoS findings.</p>	<p>Section 2.7</p>
<p>Undergrounding Clarification of policy in this area.</p>	<p>Section 2.8</p>

Revised draft National Policy Statement for Nuclear Power Generation (EN-6)

38. 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.
39. 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.
40. 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 Interest (IROPI) for why it should proceed despite it not being possible at this stage to rule out any adverse effects on European Sites¹².
41. The revised draft Nuclear NPS looks different because as a result of the consultation the NPS has been streamlined to clarify the policy that the IPC should consider when determining an application for new nuclear development and reduce repetition of material from EN-1.

What are the key changes?	Where is the change?
<p>Clarity and repetition Repetition of the content of EN-1 has been removed. The revised draft Nuclear NPS should be read in conjunction with EN-1.</p>	<p>Throughout, including: moving the need for nuclear text (which formed Part 2 of the draft of EN-6) to EN-1; and streamlining some of the assessment principles in Part 2 of the revised draft (for example climate change adaptation (2.10) and good design (2.8)).</p>
<p>The management and disposal of radioactive waste There are three points on which the Government has concluded that the wording in the draft Nuclear NPS should be revised. These changes are intended to:</p> <ul style="list-style-type: none"> • demonstrate the Government’s confidence that geological disposal will be implemented; 	<p>Section 2.11 and Annex B</p>

¹² A network of internationally important sites designated for their ecological status, comprising Sites of Community Importance (SCI), Special Protection Areas (SPAs), Special Areas of Conservation (SACs), candidate Special Areas of Conservation (cSACs) and European Offshore Marine Sites (EOMS). For the purposes of EN-6 this term also includes Ramsar sites and potential SPAs.

What are the key changes?	Where is the change?
<ul style="list-style-type: none"> clarify the Government’s expectations in relation to the likely duration of the onsite storage of higher activity waste; and clarify the role of the IPC in relation to arrangements for the management and disposal of wastes from new nuclear power stations. 	
<p>Applications for nuclear development on a site not listed in the NPS Revised to more clearly set out how such an application would be handled should it come forward.</p>	Section 2.3
<p>The need for all of the listed sites Clarification that the need for the sites refers to the need for the sites to be listed in the NPS, rather than necessarily that a nuclear power station is needed at all of the sites. Given the limited number of potentially suitable sites, all eight are needed on the list to allow sufficient flexibility for developers to be able to meet the need for new nuclear power whilst recognising that the IPC may refuse consent at any of the sites once it has considered the detailed applications in accordance with the NPS.</p>	Paragraph 2.4.4
<p>The consideration of alternatives This text has been revised and condensed.</p>	Sections 2.3 to 2.6
<p>Regulatory Justification New text to explain the interaction with Regulatory Justification.</p>	Section 2.6
<p>Relationship between the planning regime and the regulators The text scoping the role of the IPC and that of the regulators has been revised and condensed. The draft NPS included a table which has now been removed. Detailed text on Nuclear Impacts or Flags for Local Consideration are only included in the revised draft where these are issues for the IPC to consider (rather than the regulators).</p>	Section 2.7 and Part 3
<p>Siting considerations General siting policy has been moved from the site</p>	Sections 3.2 to 3.4

What are the key changes?	Where is the change?
<p>assessments to Part 3 so that all of the general impacts and considerations are in one place. Specific siting considerations are set out in the site assessments (see below).</p>	
<p>List of potentially suitable sites Part 4 of the revised draft lists the sites determined by the Government as being potentially suitable for the deployment of new nuclear power stations before the end of 2025. The revised draft lists a total of eight sites.</p> <p>Site assessments have been updated since the consultation for the sites listed within the NPS and are now set out in Annex C of the revised draft NPS. Details regarding Braystones, Kirksanton and Dungeness (which are not on the list in the Revised Draft) are set out within the Government Response. Please see below for details on the changes to individual site assessments.</p>	<p>Part 4</p> <p>Annex C</p>
<p>IROPI Annex A has been revised in light of the changes to the “need case” for new infrastructure in EN-1.</p>	<p>Annex A</p>

Sites that are not suitable for a new nuclear power station

- 42. Three nominated sites are not considered potentially suitable for the deployment of new nuclear power stations by 2025. These are Braystones and Kirksanton in Cumbria and Dungeness in Kent.
- 43. In addition, the Government considers that the three sites identified by the Alternative Sites Study¹³ as “worthy of further consideration” are not potentially suitable.
- 44. Because these sites are not suitable they do not have site assessments within the Revised draft EN-6. If you are interested in commenting on these sites,

¹³ The Government considers that the nominations-driven Strategic Siting Assessment process is well-suited to identifying potentially suitable sites for the deployment of new nuclear power stations by the end of 2025. However, in order to ensure that, so far as possible, alternative sites have been identified and assessed, and in line with the requirements of the Habitats Directive, Atkins Ltd were commissioned to identify whether there might be other sites in England and Wales worthy of further consideration, and the Government has separately considered those sites. Beyond those sites that were nominated into the SSA process, the Alternative Sites Study found three sites worthy of further consideration – Druridge Bay, Kingsnorth and Owston Ferry.

please use Question 3 f). The below table directs you to the most relevant documents. These are available, alongside other sources, at <http://www.energynpsconsultation.decc.gov.uk> on the relevant site page.

Site	Relevant material for respondents
Braystones, Cumbria	Original site assessment in draft EN-6 ¹⁴ , pp.82-106 Reasons why the site is not considered potentially suitable are in the Government response to consultation on the draft energy NPS ¹⁵ , pp.159-170
Kirksanton, Cumbria	Original site assessment in draft EN-6, pp.167-190 Reasons why the site is not considered potentially suitable are in the Government response to consultation on the draft energy NPS, pp.193-216
Dungeness, Kent	Original site assessment in the consultation document on the draft NPS, pp.70-88 ¹⁶ Government response to consultation on the draft NPS pp.253-261
Druridge Bay, Northumberland	Original site assessment in the consultation document on the draft NPS, pp.92-107 Government response to consultation on the draft NPS pp.270-271
Kingsnorth, Kent	Original site assessment in the consultation document on the draft NPS, pp.108-124 Government response to consultation on the draft NPS pp.272-273
Owston Ferry, Lincolnshire	Original site assessment in the consultation document on the draft NPS, pp.125-140 Government response to consultation on the draft NPS pp.274
Dungeness, Kent	Original site assessment in the consultation document on the draft NPS, pp.70-88 ¹⁷ Government response to consultation on the draft NPS pp.253-261

¹⁴ DECC, *Draft National Policy Statement for Nuclear Power Generation (EN-6)*, November 2009

¹⁵ DECC, *Government response to consultation on the draft energy National Policy Statements*, November 2010

¹⁶ DECC, *Consultation on the draft National Policy Statements for Energy Infrastructure*, November 2009

¹⁷ DECC, *Consultation on the draft National Policy Statements for Energy Infrastructure*, November 2009

Site assessments within the Nuclear NPS (EN-6)

45. The site assessments within Annex C of the revised EN-6 have been updated to reflect points made during the consultation that are relevant to the NPS. The site assessments do not reflect every comment or response made, which can be viewed at <http://www.energynpsconsultation.decc.gov.uk>. A Government Response to consultation on the Draft NPS has also been published, which contains a discussion of the key themes raised during the public consultation and the Government's response.
46. The site assessments also reflect the findings of the updated Appraisals of Sustainability and Habitats Regulations Assessments. Where this has led to key changes they are highlighted within these tables.
47. Within all the site assessments, as within the NPS, the planning policy or guidance to the IPC has been clarified. Where that policy or guidance repeated what policy within EN-1 or EN-6 required anyway, this has been removed and replaced with a reference to the relevant part of EN-1 or EN-6.
48. The below tables highlight changes that respondents may be interested in but do not attempt to reflect all the updates that have been made.

Bradwell

What are the key changes?	Where is the change? (criterion or heading within Annex C)
Deployability by 2025 The grid connection agreement between EDF and the National Grid has been modified from 2016 to 2021.	Deployability by the end of 2025
Demographics and emergency planning Further detail has been included in response to consultation comments.	C1
Flood risk Discussion of interim storage of waste on site and the implications of Flood Zone 3 status; discussion of climate change studies and projections.	D1
Coastal Processes Updated to reflect consultation comments on the Shoreline Management Plan and impacts on habitats.	D2
Outer Thames Estuary Special Protection Area (SPA) Updated to reflect the recently designated Outer Thames Estuary SPA; and the potential for cumulative effects if both Bradwell and Sizewell	D6; Appraisal of Sustainability and Habitats Regulations Assessment for

What are the key changes?	Where is the change? (criterion or heading within Annex C)
were developed.	Bradwell (key findings).
Nationally designated sites Clarification that Sandbeach Meadows and the Colne Estuary SSSI were considered within the assessment.	D6
Footpaths Reference to guidance within EN-1 on footpaths and coastal access.	D9
Cooling New detail on restrictions on the application of natural draft cooling towers; Further discussion of the impact of direct cooling.	D10
Health Updated to reflect 2008 radioactive monitoring findings. Also updated to reflect health studies raised during the consultation.	Health
Tourism and transport Updated to reflect comments made during the consultation	Other issues

Hartlepool

What are the key changes?	Where is the change? (criterion or heading within Annex C)
Demographics Further detail on the assessment in response to consultation comments.	C1
Flood risk Discussion of the relevance of the Shoreline Management Plan in response to consultation comments; Discussion of interim storage of waste on site and the implications of Flood Zone 3.	D1
COMAH sites An additional COMAH site, Fine Organics Ltd, has been identified; discussion of comments raised on the nearby recycling of vessels and ships.	D3

What are the key changes?	Where is the change? (criterion or heading within Annex C)
<p>Ecologically designated sites Updated to reflect consultation comments on habitat loss, impacts on birds and Hartlepool Power Station local wildlife site.</p> <p>Assessment updated to clarify that it reflected Cowpen Marsh and Coatham Sands SSSIs.</p> <p>The number of nationally and internationally designated sites where there is the potential for negative effects has been corrected to read seven rather than four (this section previously only reflected internationally designated sites).</p>	<p>D6</p> <p>D7</p> <p>Appraisal of Sustainability and Habitats Regulations Assessment for Hartlepool-key findings</p>
<p>Historic wreck Updated to reflect the historic wreck at Seaton Carew</p>	<p>D8</p>
<p>Health Updated to reflect 2008 radioactive monitoring findings. Also updated to reflect health studies raised during the consultation.</p>	<p>Health</p>

Heysham

What are the key changes?	Where is the change? (criterion or heading within Annex C)
<p>Demographics Summary updated to reflect comments made during the consultation.</p>	<p>C1</p>
<p>Proximity to military activities An erroneous reference to historic munitions within the assessment section has been removed.</p>	<p>C2 and D5</p>
<p>Flood risk Updated to reflect consultation comments on the interim storage of waste on site.</p>	<p>D1</p>
<p>Coastal processes Updated to reflect consultation comments on the impact of coastal defences on designated habitats.</p>	<p>D2</p>
<p>Proximity to hazardous facilities Updated to reflect consultation comments on an</p>	<p>D3</p>

What are the key changes?	Where is the change? (criterion or heading within Annex C)
alleged incident involving the transit of Ammonium Nitrate at Heysham Harbour.	
<p>Nationally and internationally designated ecological sites Leighton Moss SPA added to the key findings (it was already featured under the assessment of D6 in the draft NPS).</p> <p>Updated to reflect consultation comments on Heysham Golf Course reedbed and Heysham Nature Reserve, which are not designated at national level.</p>	<p>Appraisal of Sustainability and Habitats Regulations Report for Heysham – key findings</p> <p>D7</p>
<p>Areas of amenity, cultural heritage and landscape value Discussion of concerns raised on Heysham Head including St Patrick’s Chapel.</p>	D8
<p>Cumulative effects Updated assessment reflects the relationship with the nominated site at Sellafield (Kirksanton and Braystones are not included on the revised draft NPS).</p>	Appraisal of Sustainability and Habitats Regulations Report for Heysham – key findings
<p>Health Updated to reflect 2008 radioactive monitoring findings.</p>	Health

Hinkley Point

What are the key changes?	Where is the change? (criterion or heading within Annex C)
<p>Recent developments Updated to reflect progress towards deployment, and to reflect comments made on EDF’s preferred proposals.</p>	<p>Deployability by 2025</p> <p>Other issues- Detailed proposals and local effects</p>
<p>Flood risk Updated to reflect consultation comments on the interim storage of waste on site.</p>	D1
<p>Footpaths Updated to reflect guidance within EN-1 on coastal</p>	D8

What are the key changes?	Where is the change? (criterion or heading within Annex C)
access.	
Size of site to accommodate operation Map references updated	D9
Cooling Updated to reflect consultation comments on cooling.	D10
Cumulative effects How cumulative effects are considered by the IPC has been clarified to reflect EN-1.	Cumulative effects
Health Updated to reflect 2008 radioactive monitoring findings. Also updated to reflect comments made during the consultation.	Health

Oldbury

What are the key changes?	Where is the change? (criterion or heading within Annex C)
Recent developments Updated to reflect progress towards deployment by Horizon Nuclear Power.	Deployability by the end of 2025
Demographics Updated to reflect comments made during the consultation.	C1
Flood risk Updated to reflect the assessment of sites within Flood Zone 3.	D1
Internationally and nationally designated sites Updated to reflect consultation comments on potential impacts on birds, the microclimate effects of cooling towers, and comments on sites that are not nationally designated.	D6 and D7
Cooling towers Updates reflect Horizon’s stated preference of hybrid (shorter) towers and changes made to EN-1 on guidance for the IPC’s consideration of types of	D8

What are the key changes?	Where is the change? (criterion or heading within Annex C)
cooling towers. Consideration of comments on the size of reactors.	D10
Footpaths Updated to reflect guidance within EN-1 on coastal access.	D9
Cumulative effects How cumulative effects are considered by the IPC has been clarified to reflect EN-1.	Cumulative effects
Health Updated to reflect 2008 radioactive monitoring findings. Also updated to reflect consultation comments.	Health
Other issues Updated to reflect comments made during the consultation on transport, socio-economic effects and geology.	Other issues

Sellafield

What are the key changes?	Where is the change? (criterion or heading within Annex C)
Silecroft range Assessment and guidance clarified to reflect that consideration of on and off site hazards is undertaken by the Health and Safety Executive.	C2 and D5
November 2009 floods Assessment updated to reflect the flooding events and how Sellafield was affected.	D1
Coastal processes Updated to reflect consultation comments on the impact of coastal defences.	D2
Sellafield existing facilities Updated to reflect consultation comments regarding the proximity of existing facilities to any potential new build.	D3
Nationally and internationally designated sites	

What are the key changes?	Where is the change? (criterion or heading within Annex C)
Updated to reflect consultation comments on the natterjack toad, Wast Water, and additional sites that are beyond 20km of the site boundary; and concerns over Church Moss SSSI and Sellafield Tarn.	D6, D7
Lake District National Park Updated to reflect comments received during the consultation on potential impacts.	D8
Cooling Updated to reflect consultation comments on whether there would be impacts on the Irish Sea.	D10
Cumulative effects Updated assessment reflects the relationship with the nominated site at Heysham (Kirksanton and Braystones are not included on the revised draft NPS).	Appraisal of Sustainability and Habitats Regulations Report for Sellafield – key findings.
Other issues Updated to reflect consultation comments on cumulative radiation doses and transport.	Other issues
Health Updated to reflect 2008 radioactive monitoring findings. Also updated to reflect health studies raised during the consultation.	Health

Sizewell

What are the key changes?	Where is the change? (criterion or heading within Annex C)
Transmission Updated to reflect a revised grid connection agreement date and recent developments by the National Grid on consultation.	Deployability by 2025
Demographics Updated to reflect consultation comments on the impacts on development in the area.	C1
Flood risk Discussion of interim storage of waste on site, and	D1

What are the key changes?	Where is the change? (criterion or heading within Annex C)
consultation comments on the risks of fluvial flooding.	
Coastal processes Updated to reflect consultation comments including on offshore dredging.	D2
Nationally and internationally designated ecological sites Assessment updated to reflect comments on a number of sites and species including the recently designated Outer Thames Estuary SPA.	D6 and D7; Appraisal of Sustainability and Habitats Regulations Assessment for Sizewell – key findings.
Area of Outstanding Natural Beauty Updated to reflect concerns regarding impacts on the Suffolk Coast and Heaths AONB, the impacts of a potential access road, and impacts on footpaths.	D8; D9; Detailed planning proposals for Sizewell
Health Updated to reflect 2008 radioactive monitoring findings.	Health
Other issues Updated to reflect consultation comments on socio-economic effects and transport.	Socio-economic effects Transport

Wylfa

What are the key changes?	Where is the change? (criterion or heading within Annex C)
Recent developments Updated to reflect progress towards deployment by Horizon Nuclear Power.	Deployability by the end of 2025
Demographics Updated to reflect consultation comments regarding emergency planning.	C1
Internationally designated ecological sites Updated to reflect an assessment of Llyn Dam SAC and impacts on water quality.	D6
Anglesey Area of Outstanding Natural Beauty	

What are the key changes?	Where is the change? (criterion or heading within Annex C)
Updated to reflect consultation comments on potential impacts.	D8
Footpaths Updated to reflect guidance within EN-1 on coastal access.	D9
Health Updated to reflect 2008 radioactive monitoring findings.	Health
Other issues Updated to reflect comments received on socio-economic effects and seismic risk.	Other issues

Revised Appraisals of Sustainability for EN 1-5

49. AoSs are required by the Planning Act 2008¹⁸ 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 Directive¹⁹.

50. 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.

What are the key changes?	Where is the change?
<p>Effects of policies</p> <p>The effect of the policy/ies have been reappraised and includes short, medium and long term appraisal, as well as discussion on potential cumulative effects. The “baseline” against which the effects of implementing the NPS policies have been compared has been that of the environment as it stands now, so that the assessment is answering the question, “what difference would it make to build a new generation of energy infrastructure in accordance with the NPSs?”, rather than making a comparison between implementing the same policies with and without an NPS as the previous draft AoSs did.</p>	<p>Throughout, but especially in the appraisal sections</p>
<p>Alternatives</p> <p>The selection and appraisal of policy alternatives for each Appraisal of Sustainability report (AoS1, 2, 3, 4 and 5) has been reconsidered. New alternatives have been developed and appraised, so that the appraisal considers the possible advantages and disadvantages of different policies which could be adopted in the NPSs as alternative ways of trying to fulfil the overall energy policy objectives which lie behind them, rather than different ways of drafting the NPSs, as the previous draft AoSs did.</p>	<p>Section on assessment of alternatives (separate section in AoS1, combined with appraisal of policies in AoS2-5)</p>

¹⁸ Section 5(3) of The Planning Act 2008

¹⁹ Directive 2001/42/EC of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment

Revised Habitats Regulations Assessments for EN 1-5

51. The aim of the HRA is to assess the implications of NPSs for protected habitats.

What are the key changes?	Where is the change?
<p>Updates and alternatives Minor updates where needed, and amendments to the HRA alternatives to reflect those in the AoS for EN 1-5.</p>	<p>Throughout</p>
<p>Clarification that the Imperative Reason of Overriding Public Interest (IROPI) case for the HRA applies to the NPSs, not to individual infrastructure applications; the latter will still need to go through the full HRA process.</p>	<p>Noted in the introduction and raised in the IROPI section of the revised HRA</p>

Revised Appraisals of Sustainability for EN-6 (the revised draft Nuclear National Policy Statement)

52. The main AoS appraises EN-6 as a whole. There are also AoS reports for each site.

What are the key changes?	Where is the change
<p>AoS main report The assessment has been updated to take account of the removal of Kirksanton and Braystones from the revised draft Nuclear NPS. This includes an update of the assessment of cumulative effects of sites.</p> <p>For clarity, existing material on the conclusion that there are no transboundary effects from the NPS has been consolidated in one section. It was previously set out in several different annexes.</p>	<p>Chapter 7</p>
<p>AoS site reports and appendices Updated site reports and appendices have been published for the 11 nominated sites including those that have not been listed in the revised draft NPS (Braystones, Kirksanton and Dungeness). They take into account relevant comments from the public consultation which mainly focused on the characterisation of the area around the nominated site and relate to factual accuracy.</p>	<p>AoS site reports for each potentially suitable site</p>

Revised Habitats Regulations Assessments for EN-6 (the revised draft Nuclear National Policy Statement)

53. The main HRA appraises the revised draft Nuclear NPS as a whole. There are also HRA reports for each site.

What are the key changes?	Where is the change?
<p>HRA main report The assessment has been updated to take account of the removal of Kirksanton and Braystones from the Nuclear NPS. This includes an update of the assessment of cumulative effects.</p> <p>The case for IROPI has been updated to reflect the changes on the revised need case in EN-1, and changes on the sites that are considered potentially suitable.</p>	<p>Chapters 4, 5 and 6</p> <p>Chapter 7</p>
<p>HRA site reports Updated site reports and appendices have been published to take account of comments from statutory consultees and other relevant comments from the public consultation. The changes consist of factual clarifications and the conclusions in the reports have not changed.</p> <p>The site reports for Sizewell, Bradwell and Heysham have been updated to account for new Natura 2000 sites.</p> <p>The site report for Dungeness has been updated to consider further environmental studies submitted by the nominator and comments from the public consultation. The environmental studies submitted by the nominator have also been published for information.</p>	<p>Throughout</p> <p>Relevant site reports</p> <p>Sections 2 and 3 of Dungeness site report</p>

Revised Impact Assessment

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

What are the key changes?	Where is the change?
Details of the first consultation and Parliamentary Scrutiny have been added.	Page 9
Data on the costs and benefits of the NPSs have been updated to take account of actual spend and revised benefit estimates	Summary and Page 10
New paragraphs have been added under the heading “Equality Impact Assessment” to expand on the statement in the original consultation version that the NPSs had been screened and it had been determined that a full Equality Impact Assessment is not required. The screening document is annexed to the Impact Assessment.	Page 11

Annex A: What has been published?

The documents below have been published alongside this consultation document.

Revised draft energy National Policy Statements

- Revised draft Overarching National Policy Statement for Energy (EN-1)
- Revised draft National Policy Statement for Fossil Fuel Electricity Generating Infrastructure (EN-2)
- Revised draft National Policy Statement for Renewable Energy Infrastructure (EN-3)
- Revised draft National Policy Statement for Gas Supply Infrastructure and Gas and Oil Pipelines (EN-4)
- Revised draft National Policy Statement for Electricity Networks Infrastructure (EN-5)
- Revised draft National Policy Statement for Nuclear Power Generation (EN-6)

Revised Appraisals of Sustainability and Habitats Regulations Assessments

- Revised Appraisal of Sustainability for EN-1
- Revised Appraisal of Sustainability for EN-2
- Revised Appraisal of Sustainability for EN-3
- Revised Appraisal of Sustainability for EN-4
- Revised Appraisal of Sustainability for EN-5
- Revised Appraisals of Sustainability for EN-6 including a main report and site reports
- Draft Appraisal of Sustainability monitoring strategy
- Revised Habitats Regulations Assessment for EN-1-5
- Revised Habitats Regulations Assessments for EN-6 including a main report and site reports

Other

- Revised Impact Assessment
The Impact Assessment analyses the administrative costs and benefits of proposed Government interventions to business, the public sector and the third sector (voluntary organisations).
- Government response to consultation on the energy NPSs
The Government response identifies the key themes that were raised during the consultation on all the energy National Policy Statement and sets out the Government's views on the points raised. It also provides further discussion of key changes that have been made to the NPS and the reasons why Braystones, Kirksanton and Dungeness have been found to be unsuitable.
- Government response to Parliamentary scrutiny of the energy National Policy Statements.

This responds to the Parliamentary Scrutiny that the energy NPSs have undergone to date, including Grand Committee in the House of Lords, debates in the House of Commons and the outputs of the Select Committee on Energy and Climate Change's consideration of the NPSs.

Annex B: Consultation criteria

The Government's seven consultation criteria are:

Criterion 1 – When to consult

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2 – Duration of consultation exercises

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3 – Clarity of scope and impact

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4 – Accessibility of consultation exercises

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5 – The burden of consultation

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6 – Responsiveness of consultation exercises

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7 – Capacity to consult

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

The complete Code of Practice on Consultation is available online at www.berr.gov.uk/files/file47158.pdf

Annex C: List of organisations consulted under the Planning Act 2008

In accordance with the requirements of regulations made under the Planning Act 2008²⁰, the following organisations are being consulted on the draft energy NPSs:

- The Scottish Executive;
- The Welsh Ministers;
- The relevant Northern Ireland Department;
- Regional planning bodies;
- Local authorities;
- Strategic Health Authorities;
- The Local Government Association;
- The Association of Chief Police Officers;
- The Chief Fire Officers Association;
- The Health and Safety Executive;
- The Environment Agency;
- Natural England;
- Regional development agencies;
- The Commission for Sustainable Development;
- The Equality and Human Rights Commission;
- The Joint Nature Conservation Commission;
- Waste Authorities;
- The Joint Committee of the National Amenity Societies;
- Transport for London;
- The Crown Estate Commissioners;

²⁰ The Infrastructure Planning (National Policy Statement Consultation) Regulations 2009 (SI 2009/1302) <http://www.legislation.gov.uk/ukSI/2009/1302/contents/made>

- The Committee on Climate Change;
- The National Association of Local Councils;
- AONB Conservation Boards;
- The National Consumer Council;
- The Chartered Institute of Environmental Health;
- The Civil Aviation Authority;
- The Rail Passengers Council;
- The Disabled Persons Transport Advisory Committee;
- The Coal Authority;
- The Office of Rail Regulation and approved operators;
- The Gas and Electricity Markets Authority;
- The Water Services Regulation Authority;
- The Forestry Commission;
- The British Waterways Board;
- The Commission for Architecture and the Built Environment;
- The Health Protection Agency;
- Statutory Undertakers, where the NPS is relevant to their functions;
- Trinity House;
- The Royal Commission on the Ancient and Historical Monuments of Wales;
- The Commission for Integrated Transport;
- The Countryside Council for Wales;
- The Welsh Local Government Association;
- The Historic Buildings and Monuments Commission for England;
- The Commission for Rural Communities;
- The Homes and Communities Agency;
- The Maritime and Coastguard Agency;

- Integrated Transport Authorities and Passenger Transport Executives.

For the sites identified as potentially suitable for the deployment of new nuclear power stations in the draft Nuclear NPS:

- The relevant police authority and any police authority sharing a boundary with that authority;
- The relevant fire and rescue authority and any fire and rescue authority sharing a boundary with that authority;
- The relevant internal drainage board;
- The relevant local resilience forum.

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