

21 January 2020

**avisonyoung.co.uk**

Local Plan Review  
The Planning Strategy Team  
Stroud District Council  
Ebley Mill  
Stroud  
GL5 4UB

***By Email***

Dear Sir/Madam,

**Local Plan Review – Draft Local Plan Consultation – January 2020  
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 respect of the current consultation on the Stroud District Local Plan Review (Local Plan Review) Draft Local Plan consultation. Avison Young is the appointed property advisor for the NDA and Magnox, and provides planning advice across the NDA's UK-wide estate.

This representation is made in respect of the 'Former Berkeley Power Station' (the Berkeley Site).

On the NDA's behalf, the power station part of the Berkeley Site is operated by Magnox Limited (the Site Licence Company) to carry out the decommissioning of the licensed site, including waste management and land remediation where appropriate.

The de-licensed part of the Berkeley Site is leased by the NDA to South Gloucestershire and Stroud (SGS) College, who have developed a University Technical College (UTC) and GREEN skills Centre (Berkeley GREEN) at the site<sup>1</sup>. Cavendish Nuclear also have offices on this part of the Berkeley Site.

**Previous Representations**

As you will be aware, Avison Young (formerly GVA) previously submitted representations on behalf of the NDA and Magnox to the Emerging Strategy Local Plan consultation in January 2019.

In summary, the NDA and Magnox requested that the Berkeley Site should continue to be allocated within the Local Plan for B1-B8 employment uses and for employment related training and education within the de-licensed site; and for works and uses associated with nuclear decommissioning, waste management and land remediation in line with

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<sup>1</sup> For further information see the college website (<http://www.berkeleygreenutc.org.uk/>)

national decommissioning and waste management strategies and policies within the nuclear licensed site.

Given the diverging nature of the de-licensed and licensed sites, it was requested that the Council acknowledge this within the policy wording or by splitting the allocation in two.

In addition, comment was also made with respect to the option for a new strategic housing allocation to the north east of the Berkeley site within the "Berkeley Cluster". It was noted that a "Sharpness Vision document" had been prepared by the landowner and scheme promoter. Given that the proposed housing site has the potential to deliver up to 5,000 new homes, concern was raised regarding the lack of reference and consideration given to the NDA Berkeley site. As a major employment site within the Berkeley Cluster, it was stated that we would expect the Sharpness proposal to be progressed with due consideration and reference to its' impact on nearby major sites: including the NDA Berkeley site, its' associated decommissioning processes and the requirements of site closure operations over the next 100 years.

## Comments

The current Draft Local Plan consultation documents have been reviewed and we outline our comments below.

### *The NDA / Magnox Berkeley Site*

A key priority for the NDA and Magnox remains the need to secure a supportive policy context within the Local Plan Review to help support and facilitate the on-going decommissioning and, where appropriate, land remediation within the licensed site. This includes the management of waste in accordance with national strategies and policies. The continuation of a supportive policy framework for decommissioning, waste management and site remediation on the licensed site is therefore required.

The NDA supports the current development of the de-licensed site led by SGS College at the UTC and GREEN Skills Centre, incorporating B1-B8 employment uses and employment related training and education facilities. Development of the de-licensed site for nuclear decommissioning or radioactive waste management purposes is unlikely to be appropriate as these activities are likely to require a Nuclear Site License.

In light of the above, the NDA and Magnox consider that the Local Plan Review would benefit from contextualising the on-going decommissioning process on the licensed site; in addition to employment uses and employment related training and education uses within the de-licensed site. This will ensure that the Local Plan Review fully accounts for the current operational and future development of the whole Berkeley Site over the Plan period.

Reference is made to the Berkeley site within the overview section (Page 113) of the "Berkeley Cluster", *"The closure of Berkeley Nuclear Power Station had an impact on local employment opportunities, but the development of the Gloucestershire Science and Technology Park is providing new opportunities for growth"* – this is welcomed.

It is noted that the Berkeley site is proposed to be covered by Delivery Policy E12a ("Former Berkeley Power Station"), which states that the site will be retained for B1-B8 employment uses and employment related training and education purposes, in addition to operations and uses associated with the decommissioning of the nuclear power station. Redevelopment for unrelated alternative uses will not be permitted.

The NDA and Magnox support the continued proposed allocation of the Berkeley site. We would however request that this is amended so that:

- The de-licensed site is acceptable for alternative uses, including employment (B1 – B8) and related training and education; and
- For the licenced site, operations and uses associated with decommissioning, waste management and land remediation on the Nuclear Licensed Site in line with national strategies and policies and regulatory requirements.

The approach suggested for the licensed site is consistent with development plans adopted elsewhere in the UK. The existing site boundary for the Berkeley Site (as per its allocation under Delivery Policy EI2a within the adopted Stroud District Local Plan) is considered appropriate for any allocation applied to the site within the Local Plan Review provided that the divergent nature of the de-licensed site and the licensed site/power station site is recognised.

#### *Proposed new Newtown/Sharpness settlement*

The Draft Local Plan development strategy will distribute at least 12,800 additional dwellings and sufficient new employment land to meet needs for the next 20 years. The strategy will include two new settlements at Sharpness and Wisloe within the Severn Vale (A38/M5 corridor), where there is the potential to create new sustainable communities in accordance with garden village principles.

Therefore the proposed new Newtown/Sharpness settlement is considered of relevance to the NDA/Magnox Berkeley site. In this regard the Draft Local Plan references site “PS36” (south and east of Newtown and Sharpness) which is approximately 1km to the north east of the Berkeley site.

It is understood that the site is not envisaged as an extension to the existing settlement of Newtown & Sharpness, but as a distinct new “Tier 2” settlement in its own right. The site is proposed to be allocated for up to 2,400 dwellings by the year 2040, with 10 ha employment, local centre, community uses (including new secondary school) and open space. The Draft Plan also notes a total capacity of 5,000 dwellings by 2050 through the delivery of a “Phase 2”.

Reference is also made on page 120 to the fact that “*Detailed policy criteria will be developed to highlight specific mitigation measures and infrastructure requirements.*”

Further detail and design development is alluded to being progressed outside of the Local Plan process on page 120 through “*A range of tools including a community engagement and stewardship strategy, design codes and a spatial masterplan and implementation plan, to be approved by the District Council, will detail the way in which the new community, land uses and infrastructure will be developed in an integrated and coordinated manner.*” [Avison Young emphasis added].

The “Sharpness Vale: Natural Neighbourhoods” (November 2019) document has also been reviewed which is in essence a “vision” document and has been prepared by the landowners and scheme promoter.

Having reviewed the available information, the NDA and Magnox have significant concerns regarding this element of the Draft Local Plan. These concerns include the following:

- A lack of evidence and assessment of the potential impacts arising from the proposed housing allocation on the operational requirements of the NDA and Magnox in the short, medium and long term;
- The potential pressure on transport links in the area arising from the proposed housing allocation which may reduce or restrict movement of large plant or materials from the NDA’s Berkeley site; and
- No consideration of the long term intergenerational requirements and impacts of activities on the NDA Berkeley site over the next 70 – 100 years which will include remediation activities which may be regarded as a nuisance to sensitive new developments – such as housing.

On the information provided within the consultation there is no information on how the proposed housing allocation will respond to and mitigate these requirements.

In light of the above we wish to **object** for the following reasons given the potential impact on the NDA/Magnox Berkeley site:

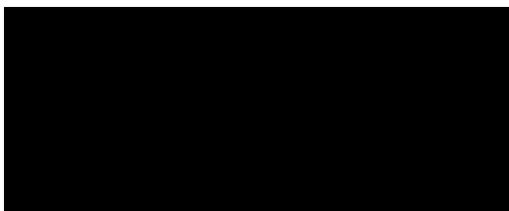
- The Vision document includes little specific detail, save for a Concept Plan which shows the general disposition of land uses and the proposed structure of the development. As such there is no firm detail on the proposed scheme, its impacts and proposed mitigation during the construction and delivery of the scheme;
- Unlike the proposed new settlement at Wisloe, there are no supporting background documents setting out the consideration given to the suitability and deliverability of the Sharpness site. This is considered to be a significant omission which impacts on the adequacy and soundness of the Plan making process;
- The NPPF (paragraph 35) requires that Local Plans are "Justified" and provide proportionate evidence on the suitability of sites - in this instance there is no evidence regarding the suitability and deliverability of the site provided; and
- The NPPF (paragraph 67) also requires that local planning authorities should have a clear understanding of the land available in their area and should prepare planning policies which identify a sufficient supply and mix of sites - taking into account their availability, suitability and likely economic viability. Given the lack of evidence in respect of the Sharpness site it is unclear as to how the Council have met this requirement.

It should also be noted that the *Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPPiR 2019)* categorise the Berkeley site (the former power station part of the site) as "Category 4" meaning an Outline Planning Zone (OPZ) extends 1 km from the site, with a Strategic Offsite Plan managed by Gloucestershire County Council. Given the relative closeness of the proposed Newtown/Sharpness settlement to the Berkeley site it has been assumed that the proposed allocation has been discussed with the Gloucestershire County Council Emergency Planning team – although there is no evidence to suggest this has taken place.

The NDA and Magnox would welcome the opportunity to work with Stroud District Council on the proposed policy wording for the Berkeley Site. In addition, we would request a meeting to discuss the important concerns raised in respect of the proposed housing allocation at Sharpness.

If you require any clarity in respect of this letter, then please contact us. We look forward to hearing from you on the matters raised in this letter.

Yours faithfully



Director



For and on behalf of GVA Grimley Limited t/a Avison Young