

Our Ref: MV/ 15B802553

29 March 2019

Planning Policy Team
Vale of White Horse District Council
135 Eastern Avenue
Milton Park
Abingdon
OX14 4SB

avisonyoung.co.uk

Dear Sir / Madam,

Vale of White Horse District Council
The Local Plan 2031 Part 2: Detailed Policies and Additional Sites – 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 respect of the current consultation on *The Local Plan 2031 Part 2: Detailed Policies and Additional Sites (LPP2), Main Modifications* consultation.

Avison Young is the appointed property advisors for the NDA and Magnox, and provides planning advice across the NDA's UK-wide estate.

This representation is made in respect of the NDA/Magnox site ('the Harwell site'), which forms part of the Harwell Campus. The Harwell site is operated by Magnox (the Site Licence Company) on the NDA's behalf in order to carry out the decommissioning of the site (including waste management and, where appropriate, land remediation).

As you will be aware, GVA (now Avison Young) previously submitted a representation on behalf of the NDA and Magnox to the *LPP2, Call for Sites* consultation on 13th July 2016. Expanding on this earlier representation, GVA also submitted a representation on behalf of the NDA and Magnox to the *LPP2, Preferred Options* consultation on 4th May 2017 and the Publication Draft consultation on 22 November 2017.

Through our representations to the *LPP2* thus far, we have consistently requested that the Harwell Campus Site allocation within the *LPP2* supports the decommissioning and remediation of the Harwell site. This includes the management of waste in line with national strategies and policies, together with new opportunities for development of B1/B2/B8 employment uses.

The representation to the *Main Modifications* consultation is set out below.

Response to Main Modifications Consultation

As stated in our previous representations, it is important that the Local Plan's Vision and Strategy for Harwell Campus fully accounts for the current operational and future development at the Campus. Such

development includes employment uses together with operations taking place at the Harwell site, which includes activities and uses associated with decommissioning, waste management and site remediation.

It is acknowledged that the Harwell Campus is allocated as a Strategic Employment site within the *Local Plan 2031 Part 1: Strategic Sites and Policies (LPP1)* and this allocation is welcomed by the NDA and Magnox.

However, it is considered that the emerging *Local Plan to 2031* (by virtue of the adopted LPP1 and emerging policies and supporting text for the LPP2) do not provide sufficient context to the on-going decommissioning process at the Harwell site. In light of this, our previous representations have requested that any allocation applied to Harwell Campus as part of the LPP2 would benefit from supporting decommissioning and site remediation activities (including those associated with radioactive waste management) as well as traditional B1/B2/B8 employment development. This is particularly pertinent given that the majority of the Harwell site is not likely to be available for redevelopment for employment uses until the very end of the Plan period, due to the on-going decommissioning process taking place in the interim.

We note that paragraph 2.114 of the LPP2 continues to make reference to the on-going decommissioning process. However, it is considered that the general focus on Harwell Campus is in respect to the 'post-decommissioning' phase for the Campus and its development for employment uses. Core Policy 15b in particular focuses on new employment uses at the Campus, but falls silent on activities and uses associated with the decommissioning process taking place at the Harwell site.

It is critical that Core Policy 15b acknowledges all of the uses that would be supported at the Campus. Again, we must reiterate that the LPP2 must support development required as part of decommissioning and site remediation processes. Much of this development is considered 'Sui Generis' use and will generate employment opportunities and business activity in the form of decommissioning, before redevelopment for other employment uses can come forward on the site.

Having regard to the operational requirements of the Harwell site, it is considered that Core Policy 15b as currently drafted should be modified to explicitly support activities and uses associated with decommissioning and site remediation (including the management of waste in line with national strategies and policies), together with the employment uses at the Campus. It is therefore requested that the following additional text is included within Core Policy 15b (new text underlined in red):

"Core Policy 15b: Harwell Campus Comprehensive Development Framework

All new development at Harwell Campus will be guided by a comprehensive development framework.

The new housing allocated at Harwell Campus will be provided to an exemplar standard and in the form of an Innovation Village to unlock the unique potential for economic growth offered by the Campus. The new Innovation Village will be fully and successfully integrated with the Campus, incorporating on-site services and facilities and reflect a tailored mix of dwellings to help meet the needs of the organisations located at the Campus.

Development will come forward in accordance with Core Policies 15 and 15b.

Sufficient land is made available at Harwell Campus for research, innovation and economic development to accommodate at least 3,500 net additional jobs in the plan period up to 2031 within the designated Enterprise Zone.

Land within the Nuclear Licensed Site at Harwell Campus is subject to decommissioning of redundant facilities, management of waste in line with national

policies and strategies for the management of waste (both directive and radioactive) and, where appropriate, the remediation of land. Land within the Nuclear Licensed Site may be released for redevelopment for alternative uses (including new employment uses). However, this is dependent on the progress made with site decommissioning and land remediation.

Proposals for development within the Campus must demonstrate how they contribute towards a comprehensive approach to development...."

Additionally, we reiterate the importance of Core Policy 15b recognising the significance of the national strategies which govern waste management and the decommissioning and site remediation process, and recognises that on-going development in line with these national strategies could be required as part of the decommissioning and clean-up process, which will take place throughout the plan period.

Given that there is no recognition within the LPP1 or LPP2 of these national strategies or that on-going development in line with these national strategies could be required, it is considered that the policy framework provided by the *Local Plan to 2031* is inconsistent with national policy in the form of the aforementioned national strategies.

However, we consider that the above can be suitably addressed by the inclusion of additional supporting text to Core Policy 15b to provide further clarity in relation to the policy support for decommissioning and clean-up. It is therefore suggested that the following supporting text to Core Policy 15b is added (new text underlined in red):

"2.112 The formerly saved Local Plan 2011 (Policy E7: Harwell Science and Innovation Campus) is also replaced by the Part 2 plan Core Policy 15b.

2.XXX The policy also supports the on-going decommissioning, radioactive waste management and land remediation process at Harwell Campus – a process governed by national strategies which are subject to regular review and consultation and recognised as a material consideration in planning decisions. The Council is aware that the Environmental Regulators have issued draft guidance¹ which requires Magnox (and other Nuclear Site Licence holders) to review the site-wide waste management approach to identify and deliver an optimised site end state. This includes considering a range of waste management options covering forms off on-site and off-site management and the approach to managing land contamination. Any works associated with decommissioning, radioactive waste management and land remediation at the site will be brought forward in line with **Core Policies 15a and 15b**. The Council will engage with the Site Licence holders during the plan period to keep updated on progress with decommissioning and clean-up.

2.113 The Council will work with Harwell Campus Partnership and other key stakeholders to prepare a comprehensive development framework for the campus, which will be adopted as a Supplementary Planning Document (SPD)..."

The abovementioned approach will ensure that the *Local Plan to 2031* fully accounts for the current operational and future development at the Harwell Campus, thus ensuring a positive policy context for the site over the plan period.

Should Core Policy 15b and the supporting text not be modified as requested, the policy framework provided by the *Local Plan to 2031* is not considered to be 'effective' in terms of the test of

¹ Guidance on Requirements for Release of Nuclear Sites from Radioactive Substances Regulation (February 2016) (<https://consultation.sepa.org.uk/operations-portfolio/grr/>)

soundness as set out in the *National Planning Policy Framework (NPPF)*. It would not represent what is deliverable at the site, given the continuing decommissioning and remediation activities which will extend throughout and beyond the plan period.

This is a similar situation encountered by the NDA and Magnox at Berkeley Power Station in the Stroud District of Gloucestershire, which is also subject to decommissioning and remediation. In light of the representations made to consultation documents and during the examination of the *Stroud District Local Plan*, a site-specific policy for the 'Former Berkeley Power Station' was included. This policy provides a site allocation which allows the site to be retained for B1-B8 employment uses and for employment related training and education purposes² and for operations and uses associated with nuclear decommissioning. This policy approach recognises and supports the on-going decommissioning process, together with the future re-use / redevelopment of the site.

In accordance with Core Policy 15b, it is noted that the Council intends on preparing a comprehensive development framework to guide future development at the Campus and this will be published as a SPD to the *Local Plan*. It appears that the focus of the SPD will be on the 'post-decommissioning' phase for the Campus, with guidance in respect of the proposed employment allocations. It would be beneficial if this could be clarified and clearly stated in the text to Core Policy 15b. It is important to highlight at this time that the NDA and Magnox have not been invited to have any direct input into the SPD and, in the absence of their input, their preferred approach would be for the SPD to focus on the 'post-decommissioning' phase. Whilst decommissioning will ultimately result in the release of land for future re-use and redevelopment, some land areas within the licensed site will need to remain 'licensed' beyond the development plan period to 2031 and this should be acknowledged by the SPD.

As noted in Core Policy 15b, the Council intends for development proposals at the Campus to be brought forward in view of a comprehensive site-wide approach to development. In light of this, the Nuclear Licensed Site and the rest of the Harwell Campus need to be treated as a single entity. As such, the policy approach set out by Core Policy 15b needs to recognise the varied operational requirements of the different organisations at the Campus. For example, the operational requirements for decommissioning and site remediation activities and uses at the Harwell site are very different to the operational requirements for traditional B1/B2/B8 employment uses on the rest of the Campus.

Criterion iii under Core Policy 15b relates to design of all buildings on the Campus, and it likely that this will be supplemented by additional guidance within the proposed SPD. However, it must be acknowledged that operational requirements for buildings have a huge influence on building design. In light of this, it is considered that any design guidance applied to the Harwell Campus must acknowledge that building design should be proportionate to the operation/use for which the building is required. The NDA and Magnox would not want overly prescriptive design criteria to foreclose potential development proposals coming forward at the Harwell site, many of which will be temporary and purely required to facilitate decommissioning.

It is considered that the inclusion of the Harwell site within the proposed LDO for the Campus could address the above design issue on the basis that an LDO could provide suitable planning control over the necessary operational development required at the NDA site. We have previously requested that the site be included within the LDO and we note that the Council is considering the appropriateness of including the NDA/Magnox site within any future LDO for the Campus. The NDA and Magnox would support this and look forward to being kept informed of this process.

² Part of the site has been redeveloped as a University Technical College (UTC) and a GREEN Skills Centre by South Gloucestershire and Stroud College

Conclusion

This representation has been made by Avison Young on behalf of the NDA and Magnox in response to the current consultation on the *Local Plan 2031 Part 2: Detailed Policies and Additional Sites – Main Modifications* consultation.

In summary, the NDA and Magnox remain of the opinion that Core Policy 15b should explicitly support activities and uses associated with decommissioning and remediation, including the management of waste in line with national strategies and policies for the management of waste (both radioactive and directive), together with employment uses and the proposed housing at the Campus. It is also important that Core Policy 15b makes reference to the relevant national strategies which govern waste management and the decommissioning and site remediation process, thus ensuring compliance with such strategies.

If you require any clarity in respect of the representation, then please contact me [REDACTED]
[REDACTED].

Yours faithfully

[REDACTED]

Matt Verlander MRTPI
Director

[REDACTED]
[REDACTED]

For and on behalf of Avison Young

cc. Frank Wigley – NDA
Michael Hughes – NDA
Jonathan Jenkin – NDA
Stephen Wilmot – Magnox
Roger Wrayford – Magnox
Stuart Clark – Magnox