

**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
**DISTRICT PLANNING COMMITTEE
9 JULY 2020**

**CIRCULATED
BEFORE THE
MEETING**

MEMBERS' UPDATE

AGENDA ITEM NO. 6

Application Number	20/00157/FUL
Location	Land East of Bradwell Power Station, Downhall Beach, Bradwell-on-Sea
Proposal	Application to carry out ground investigations, load test and associated works in connection with a proposed new Nuclear Power Station at Bradwell-on-Sea, together with the creation of two site compound areas and associated parking areas.
Applicant	Bradwell Power Generation Company Limited
Agent	N/A
Target Decision Date	EOT: 17/07/2020
Case Officer	Devan Hearnah
Parish	BRADWELL-ON-SEA
Reason for Referral to the Committee / Council	Not Delegated to Officers Major Application

5. MAIN CONSIDERATIONS

5.3 Heritage and Archaeology

Amended as follows:

- 5.3.4 Notwithstanding the above, given that the **ground load test** investigation compound is a temporary feature it is considered that a condition requiring the removal of the compound within five years and returning the site to its condition prior to the work would reverse the visual harm on the hangers and their setting. As the works are estimated within the Heritage Report to approximately three years, it is considered that five years is a reasonable amount of time. Therefore, subject to this condition it is not considered that the harm to the non-designated heritage assets would amount to a reason for refusal.

8. CONSULTATIONS AND REPRESENTATIONS RECEIVED

8.2 Statutory Consultees and Other Organisations (*summarised*)

Name of Statutory Consultee/ Other Organisation	Comment	Officer Response
Essex Wildlife Trust	Endorse the comments made by RSPB in their letter dated 15 th June 2020 in respect of the additional information provided. Position is of objection, based on insufficient information to enable MDC to rule out adverse impacts on SPA designated sites.	Given that Natural England have not objected, it is considered that the revised information submitted is acceptable. Please refer to section 5.4 of the Committee Report.

8.4 Representations received from Interested Parties

8.4.2 **Seven** additional letters of objection have been received, equalling a total of **144** objection letters. The points raised do not raise any new material planning considerations but for clarity the reasons for objection have been summarised below:

Objection Comment	Officer Response
Alterations to the landscape forever	Addressed at section 5.2 of the Committee Report. The site is to be returned to its current condition once the works are complete.
Noise, light and traffic disturbance	Addressed at sections 5.5 and 5.7 of the Committee Report
Reduction in tourism	There is no evidence to suggest that the development would result in a reduction in tourism. The works would increase jobs in the area and would likely have a positive impact on the local economy.
Heritage impacts	Addressed at section 5.3 of the Committee Report
Ecological Impacts and harm to the European Designated sites – objections from Natural England and RSBP	Addressed at sections 5.4 and 5.5 of the Committee Report. It should be noted that Natural England have removed their objection.
Contamination risks	Contamination is addressed at section 5.5 of the Committee Report.
There is no need for nuclear energy	This is not a consideration for this application as it only relates to ground works.
Flood Risk	Addressed at section 5.8 of the Committee Report.

Objection Comment	Officer Response
Undemocratic consultation	This refers to the separate consultation being ran by BRB in relation to the proposed power station and does not have a bearing on this application. This application was fully consulted on in accordance with the relevant legislation.
Potential to uncover WW2 graves	Heritage and Archaeology are addressed under section 5.3 of the Committee Report and appropriate conditions are proposed to deal with this matter.
<p>The groundworks planning application forms a critical part of a National Infrastructure Project not supported by National Policy (due to two reactors being proposed, opposed to one) therefore, it's outside of the planning system.</p> <p>The Nuclear Power National Policy Statement (NPS) does not support two reactors at Bradwell and all supporting documentation to justify the Governments case to include Bradwell is based on one reactor. Impacts for two have not been considered. The NPS states that Bradwell will not be revisited and reassessed for two reactors. As the works do not relate to the NPS planning should not be given.</p>	<p>These matters largely relate to the wider consultation being undertaken by BRB in relation to proposal for a new nuclear power station, rather than the ground works. However, the works proposed as part of this application are to inform the development consent order (DCO) process, and the impacts of a two-reactor station would need to be assessed as part of that DCO process. Therefore, these works are required to inform that process.</p>
MDC should not issue a decision until the Minister responds to the legality of the consultation process.	It would appear that this relates to the legality of the separate consultation process that is currently being undertake by BRB in relation to the wider development of a nuclear power station and not this application.

9. **PROPOSED CONDITIONS, INCLUDING HEADS OF TERMS OF ANY SECTION 106 AGREEMENT**

PROPOSED CONDITIONS

- 5 Within five years of the date of the planning permission, if permission has not been granted for a new nuclear power station on the site, the approved ~~ground investigation~~ **load test investigation** compound shall be removed, and the ground levelled to return it to its condition and appearance prior to the work. REASON: In the interest of nearby heritage assets in accordance with Policy D3 of the LDP.