
Planning Support Statement

A5025 On-line Highway Improvements

Application pursuant to section 73 of the Town and Country Planning Act 1990 for the variation of Condition 1 (Time Limit) of planning permission reference:

27C106E/FR/ECON

At A5025 between A5 East of Valley Junction to Power Station Access Road Junction, Cemaes

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Introduction

Horizon Nuclear Power Wylfa Limited "Horizon" currently holds planning permission (permission reference 27C106E/FR/ECON) for the A5025 On-line Highway Improvements authorising "improvements to the existing A5025 between the A5 east of Valley Junction to the proposed Power Station Access Road Junction, to include reconstruction and localised widening of the existing pavement and application of a surface dressing..., a Temporary Construction Compound including a temporary pavement recycling facility, and other associated works such as drainage infrastructure, boundary treatments, planting, new signage and road markings".

Permission was granted for the above works by Isle of Anglesey County Council ("IACC") on 13th July 2018.

The A5025 On-line Highway Improvements form an integral part of the wider transport strategy necessary for delivering the Wylfa Newydd Power Station Project "The Project".

This application follows correspondence between Horizon (letter dated 11th March 2020) and IACC (response letter dated 18th March 2020) regarding the current position of the Project, its implications on the A5025 On-line permission, and the approach to extending the implementation period of the permission. The context and need for the application is outlined below.

In accordance with the guidance contained within the National legislation and Policy content, the level of detail contained within this statement is proportionate to the complexity of the application and reflects the straight forward nature of the proposal.

Context of the Application

As above, permission was granted by IACC for improvements to the existing highway (A5025) between A5 East of Valley Junction to the proposed Power Station Access Road Junction, Cemaes, known as the "A5025 On-line Highway Improvements".

Pursuant to Condition 1 of the permission, the developments and works therein permitted are required to commence before the expiration of two years from the date of the permission (i.e. before 13th July 2020). In deciding to grant permission, the Planning Committee considered a two year implementation period was appropriate so that:

"In the event that planning permission is granted, the proposed works would take place starting as soon as possible, subject to any constraints (whether seasonal or imposed as part of any approval which may be forthcoming)."

As you will be aware, the Project is currently in a suspended state pending satisfactory funding arrangements being agreed between Horizon and the UK Government. Horizon nevertheless remains committed to obtaining a Development Consent Order ("DCO") for the new Power Station at Wylfa in anticipation of these funding arrangements being realised and the Project recommencing.



In the meantime, the implementation period for the A5025 On-line Highway Improvements is due to expire within the next six months (13th July 2020). In order to preserve the planning permission, pending the outcome of the DCO application, Horizon is proposing as part of this application to seek a variation to extend the implementation period in Condition 1 (Time Limit) pursuant to section 73 of the Town and Country Planning Act 1990.

The new permission (subject to grant of this section 73 application) will be a mirror of the existing permission. Horizon considers that a three year extension, taking the implementation period up to 13th July 2023, is appropriate for the reasons that are outlined below.

The need for the A5025 On-line Highway Improvements and the circumstances surrounding the grant of permission are no different to those that existed at the time of grant. The DCO application remains under consideration (pending a final decision by the Secretary of State) and the A5025 On-line Highway Improvements remain an integral component of delivering the Project should DCO be granted.

Specifically, the A5025 On-line Highway Improvements will assist in facilitating the delivery of the new Wylfa Newydd Power Station by ensuring that the road conditions on the A5025 are adequate and fit for purpose. It therefore, also assists in the urgent need for new nuclear power projects.

Planning History

Owing to the scale and nature of the proposal being an approximate 16km stretch of road comprising of eight individual sections, there is an extensive planning history which relates to individual parts of the site along the A5025. These were identified and considered as part of the original permission. With regard to the proposed works to the site as a whole, the original permission, to which this application relates (ref. 27C106E/FR/ECON) is the key permission of relevance to the assessment of this section 73 application.

To date no works have commenced on site. In the context of the above, this section 73 application by Horizon is considered to be an appropriate approach to extending the implementation period of the original permission.

Policy Context

This section considers the legislative and planning context against which this application will be determined at a local, regional and national level. Primarily, consideration has been given to any applicable changes to planning policy since the grant of the original permission.

As part of its considerations of the application the Local Planning Authority "LPA" will be required to consider if there have been any material changes in planning circumstances since the grant of the original permission, giving the appropriate weight to any changes to policies as has been set out below.

National and Regional Planning Policy

The overarching primary planning policy relevant to Nationally Significant Infrastructure Projects are National Policy Statements “NPS”. The NPSs of relevance to the Project are EN-1 (Energy) and EN-6 (Nuclear Power Generation). As stated in the original submission, Horizon considers the A5025 On-line Highway Improvements are required in advance of the grant of a DCO to ensure the Project can be developed and delivered as soon as possible to help meet the urgent national need for new generating capacity. The position of national policy remains unchanged.

The principle strategic policy documents for development in Wales are Planning Policy Wales: Edition 10 (2018) “PPW”, together with a number of Technical Advice Notes (TANs). Together these comprise the planning policy framework for Wales which inform local development plans setting out how the Welsh Government expects these policies to be applied. The original permission was granted on the basis of the then Planning Policy Wales (PPW9) being in force. As noted, Planning Policy Wales (PPW10) was adopted in December 2018 and has since superseded the previous iteration.

A review of the changes between PPW9 and PPW10 has concluded that the principles of PPW10 remain broadly similar to PPW9, pertinent to the proposal are the aspects which relate to sustainable development and transport, and these were thoroughly considered by the Planning Committee at the time of grant. Notably, PPW10 seeks to apply the sustainable development principles as set out in section 3 of the Well-Being of Future Generations (Wales) Act (2015) which was a material consideration as part of the original permission. In this regard, it is therefore concluded that there are no changes in PPW10 applicable to this proposal that would constitute a material change.

It is noted in IACC’s letter of 18th March 2020 that since the grant of planning permission, Technical Advice Note 12: Design (March 2016) and Technical Advice Note 21: Waste (February 2017) have been updated. While no changes are proposed to design or waste aspects associated with the A5025 On-line Highway Improvements as part of this submission, due consideration has been given to both updated planning policy notes and it is our view that neither updated TANs constitute a material change to the proposal.

Local Development Plan

The original planning permission was granted on the basis of the adopted Joint Local Development Plan (JLDP) 2017 to which we note remains in force as the current adopted Development Plan for Anglesey. No changes are proposed as part of this application which would be contrary to policy in the JLDP and therefore is not considered further.

Supplementary Planning Guidance “SPG”

The Nuclear Build at Wylfa: Supplementary Planning Guidance (2018) is the most applicable SPG in relation to the original permission and subsequently this application for the variation of condition. It is noted that this SPG remains adopted since the original grant of planning permission, therefore the variation proposed as part of this permission will be unaffected in this regard.

As far as reasonably applicable, we consider there to have been no other changes in the planning policy context which would have any bearing on the permission and this application to vary Condition 1. In light of the above, it has therefore been established that there have been no changes in policy of relevance to this proposal since the decision to grant permission which would constitute a material change.

Environmental Effects

Since the original grant of planning permission in 2018, it is our understanding that the existing environment remains materially unchanged, meaning the environment, social and economic information submitted alongside the original application remains valid.

In particular, we have considered the Environmental Report submitted at the time of the original application and have concluded that there are no material changes in the matters contained within that report. In any event, the permission contains extensive pre-commencement conditions requiring the submission of further details and surveys prior to commencement for approval by IACC. These conditions will be unaffected by the proposed variation to Condition 1. It is our understanding that the situation of third parties or stakeholders also remains unchanged.

Accordingly, it is concluded that there have been no material changes concerning environmental effects as part of this submission. However, should any further information be required in support of this application, Horizon will seek to provide this at the time of request.

Conclusion

As outlined above, in the context of the overall Project, Horizon considers that a section 73 application to extend the implementation period in Condition 1 by three years is an appropriate solution to ensuring the permission (ref. 27C106E/FR/ECON) remains live.

This statement has demonstrated that since the grant of planning permission, there have been no changes in the planning policy position of relevance to this proposal which would constitute a material change. The existing environment remains materially unchanged meaning the environment, social and economic information submitted alongside the original application remains valid. As affirmed, in any event, the permission contains extensive pre-commencement conditions requiring the submission of further details and surveys prior to commencement for approval by IACC. These conditions will be unaffected by the proposed variation to Condition 1. Furthermore, we understand the situation of third parties or stakeholders also remains unchanged.

In light of the above, Horizon considers that the proposal for the variation of Condition 1 (Time Limit) so as to extend the implementation period by three years (i.e. up to 13th July 2023) is acceptable and compliant with the necessary Regulations, national and development plan policies (in so far as they can be considered) and it follows that there is full justification for approval of the application and the grant of planning permission.