Policy Title:

LPS14 - Nationally Significant Infrastructure Projects (NSIPs) and Related Development

Existing Policies Which adopted Core Strategy or Policies Sites and Places (PSP) policy would eventually be replaced	**Core Strategy Policy CS36 – Proposals for Major Infrastructure Projects**
Non-Strategic / Strategic	**Strategic**

Purpose

To set out SGC approach to discharging its:

- Largely discretionary role as consultee on Nationally Significant Infrastructure Projects (NSIPs) and any subsequent proposals to amend a Development Consent Order (DCO) whether within South Gloucestershire or in adjacent Council areas; and
- Role as determining authority role for development related to NSIPs; and
- Post consent role in determining applications to discharge requirements / conditions and as enforcement authority.

Policy to:

- cover all stages of scheme development from early pre-application engagement through to post consent implementation and Discharge of Requirements; and
- recognise the need for engagement to be proportionate to the potential scale and extent of effects on South Gloucestershire and its communities.

Nationally Significant Infrastructure Projects (NSIPs) are large-scale projects of national importance (defined in the Planning Act 2008) such as new trunk roads, airports, ports, power stations (including nuclear), electricity transmission lines, waste water treatment works and chemical works. Such projects are often of a scale and complexity that may have wide ranging effects, both positive and negative, on local communities, the economy and the local area.

Applications for Development Consent Orders (DCOs) for NSIPs are made to the Planning Inspectorate (PINs), who examine and test the proposals against criteria on national need, benefits and impacts as set out in relevant policy.

Development proposals for NSIPs are primarily assessed, examined and determined by National Policy Statements EN-1 and EN-6. Up to the point of consent, the local authority role on NSIPs is largely discretionary and is as a consultee to the planning and examination process.

However, the local planning authority may also highlight local issues and local planning policy that are considered to be important and relevant that the examining body can take into account when assessing and making recommendations on a DCO application. It will be essential for all applications for NSIPs to address the Council's objectives on climate change and nature recovery, as set out in policies LP 23 - Climate Change Adaptation and Resilience, LP25 - Embodied Carbon LP 28 - Ecology and Biodiversity Net Gain and LPS 11 - Strategic Green and Blue Infrastructure

In addition to a NSIP application, local authorities may be the decision maker for any elements of associated or related development not included within the main DCO application, and national policy will be a material consideration in determining these applications as appropriate. The local authority is also responsible for discharging 'Requirements' (akin to planning conditions) following the grant of a Development Consent Order. For these applications, consistency with the Development Consent Order and relevant certified documentation is the primary consideration, but national and local policy may also be relevant. The local authority is also the enforcement authority post consent. Local Authorities will also be consulted on NSIP applications in adjacent local authority areas, giving them the opportunity to consider and where relevant make representations on the effects on their area and communities.

It is a particular characteristic of NSIPs that their planning and construction can take place over a considerable number of years and can span economic cycles. This needs to be considered in assessment methodologies, and mechanisms agreed for monitoring and mitigation.

Further information on the NSIP process, including relevant legislation, guidance advice and roles of the various parties may be found on the Planning Inspectorate's website.

Policy wording

1. **In its role either as determining authority for planning applications, or as consultee for applications to other bodies, the Council will take into consideration the nature, scale, extent and potential impact of any development proposal on South Gloucestershire and its communities, and seek to ensure that:**
2. **Development proposals align with relevant West of England strategies, relevant South Gloucestershire policy, in particular with regard to policies LP 23 - Climate Change Adaptation and Resilience, LP25 - Embodied Carbon LP 28 - Ecology and Biodiversity Net Gain and LPS 11- Strategic Green and Blue Infrastructure to address climate change, nature recovery and biodiversity, and Neighbourhood Plans, and**
    a. **Positive social, economic, transport, design quality and environmental outcomes are maximised, negative impacts are minimised, and appropriate community and legacy benefits are secured, and**
    b. **In order to deliver effective mitigation and/or compensation measures must be commensurate with the scale and impact of the development.**
3. **In order to deliver on these objectives, inform consultation responses, seek efficiency of working and agreement as to common ground, the Council will:**
    a. **Take a collaborative partnership approach on NSIPs, working with scheme promoters and relevant Governmental, statutory and non-statutory bodies and local communities.**
    b. **Take a proportionate approach to project engagement as appropriate to the nature, scale, complexity and implications of the project for South Gloucestershire and its communities.**
    c. **Seek to agree the scope, evidence base, methodologies and publication of all relevant surveys and assessments that will underpin the development, assessment and subsequent monitoring of all stages of the lifecycle of NSIP related proposals and any associated development and infrastructure; and**
    d. **Expect evidence to be provided to demonstrate that brownfield land and/or redundant facilities have been used where possible; and**
    e. **How alternatives have informed the development of proposals including for any on site options, as well as the siting and design of and mitigation for additional construction areas and associated development and infrastructure; and**
    f. **Seek to ensure that consideration is given to the full range of the proposed project's environmental, transport and socio-economic impacts: positive and negative, tangible and intangible, and the level and duration of those impacts over time; and**
    g. **Demonstration as to how these assessments have informed the development and delivery of the hierarchy of impact avoidance, mitigation and compensation proposals; and**

h. **In addition to topic by topic assessments, cumulative assessments will be required, including to understand the full range of effects on individual communities, through the preparation of Community Impact Assessments.**

4. **Phasing plans and triggers to secure the timely delivery of relevant elements of the project, its supporting infrastructure and associated development will be necessary to ensure the control of impacts to acceptable levels, including, for example, and where relevant early or advance implementation of for example:**

   a. **Archaeological investigations and wildlife surveys to ensure that these inform site selection and site planning; and**

   b. **Strategies for procurement, employment, education, training and recruitment, that take account of long lead in times; and**

   c. **Transport infrastructure and worker accommodation proposals to avoid impacts on, for example, the road network, community facilities and the rented housing market; and**

   d. **Habitat creation, landscape mitigation and/or screen planting where significant impacts are predicted.**

5. **In respect of proposals for temporary development or enabling construction areas, the Council shall require a scheme of works to be agreed whereby:**

   a. **Temporary buildings, structures and other infrastructure are removed, and/or**

   b. **Where appropriate serviced land is left in a condition suitable for a future agreed use; or**

   c. **the land is restored to its original state.**

6. **Appropriate monitoring arrangements and adequately resourced Management and Delivery Plans for both the Construction and Operational phases of NSIPs will be required to ensure that relevant policy objectives are met.**

7. **Given the scale, complexity and duration of larger NSIPs, mechanisms and contingencies to enable the modification of mitigation to address unanticipated project impacts.**

8. **Contributions to the Local Authority and/or other appropriate and agreed organisations will where relevant be required to mitigate or offset significant adverse impacts, additional demands and/or harm caused by the project. Proposals should be developed through early and effective engagement including with affected local communities and the Council. The objective will be to identify measures, projects and services to mitigate impact while enhancing the long-term well-being and sustainability of the communities and environments affected.**

9. **Local economic and community benefits should be maximised through agreement and early implementation of social, education, training, economic, environmental and transport strategies.**

10. **In recognition of the burden and disturbance borne by the community in hosting some Nationally Significant Infrastructure Projects, the Council will where appropriate require packages of community benefits to be provided by the developer to offset and compensate the community for the burden imposed by hosting the project.**
11. **In order to have sufficient information to be able to assess the complex effects that can arise from NSIPs over a potentially significant number of years of construction and operation, plans for monitoring of the effects of the project should be set out in the Environmental Statement. Clearly defined socio economic, environmental health and biophysical Key Performance Indicators (KPIs) should be set out against which monitoring will be undertaken and reported.**
12. **There should be transparency of monitoring of progress against the DCO, its Requirements and the KPIs through the publication of a publicly accessible Annual Monitoring Report. The credibility of monitoring information should be ensured through provision for independent analysis and verification, as well as the establishment of theme specific monitoring and advisory groups involving relevant stakeholders.**

Supporting text

1. If the Council is to effectively respond and successfully engage with developers on behalf of our communities in respect of major infrastructure proposals, this is likely to require significant resources beyond the capacity of the Council.

2. In line with the Council's adopted Charging policy, South Gloucestershire Council will require developers to enter into Planning Performance Agreements (PPA) and/or Service Level Agreements (SLA), appropriate to each project. These should cover all stages of the project, from pre-application through to post consent. Developers are encouraged to review South Gloucestershire Council's Planning Performance Agreement Charter for further information.

Impact assessment and monitoring

3. Given the nature and scale of many NSIPs, it is likely that the full range of topics under the Environmental Impact Assessment regulations will need to be considered. However, where a NSIP is in an adjacent or nearby authority, effects may be less.

4. In order to minimise impact, and reduce the risk of unforeseen impacts, advance surveys and assessments of baseline conditions should inform site selection and planning work as well as detailed design. Impact assessment should also be an iterative process, conducted alongside the development of project proposals so that impact assessment informs both project planning and design.

5. Where NSIPs require a substantial number of construction workers, particular attention will need to be paid to potential impact, including on the housing market and the rental sector.

6. For larger projects, cumulative impact assessment is a particularly important consideration, including across within and across topic areas and in combination with other plans and projects. This should include consideration of the cumulative effects on impacts that are individually found not to be significant, so for example a series of biodiversity impacts that are found to be individually not significant, when considered together may cumulatively be found to be significant.

7. A Community Impact Assessment will also be required in order to bring together and assess individual and cumulative impacts on existing communities and to inform the development and timely implementation of appropriate management and mitigation measures.

8. There has historically been an emphasis on assessing the impacts of major projects 'at peak', i.e. when there are predicted to be maximum numbers of e.g. traffic or workers for a relatively short period of time. However, if unforeseen changes in the project occur it will be important to assess the predicted impacts of the project over time, in order to determine either their acceptability or whether additional control measures and/or mitigation are required.

9. For projects that will result in significant effects locally, appropriate governance arrangements will need to be put in place to monitor the progress of the project against Key Performance indicators (KPI), involving relevant stakeholders. Data and findings should be reviewed and published at agreed intervals appropriate to each KPI. To ensure transparency and public accountability, KPI's should be published annually on a project monitoring web site and a paper copy deposited in a suitable local publicly accessible venue.

<u>Mitigation and compensation</u>

10. Mitigation and compensation contributions will be negotiated as part of the planning process, including through section 106 agreements and the Community Infrastructure Levy where appropriate.

11. Monitoring mechanisms will allow mitigation to respond to change and unanticipated consequences over time, and where necessary enable the introduction of additional mitigation or the adjustment of approved measures.

12. Community benefits beyond the requirements of the Planning Acts may also be sought through the provisions of the Local Government Acts, other legislation, through voluntary agreement with the project provider, or in accordance with an industry protocol.

Additions	
Key evidence	Hinkley C Connections Project Examining Authority Report to the Secretary of State
Other relevant policies to cross-reference?	LP 23 -Climate Change Adaptation and Resilience LP25 - Embodied Carbon LP 28 - Ecology and Biodiversity Net Gain LPS 11 - Strategic Green and Blue Infrastructure