

Written Representation: A Summary

Sent by email on 4 December 2018 to: Wylfa@pins.gsi.gov.uk

This is a summary of the Written Representation **submitted by Harrison Grant Solicitors on behalf of Greenpeace Ltd** (an Interested Party) in connection with the Application by Horizon Nuclear Power Limited for an Order Granting Development Consent for the Wylfa Newydd Nuclear Power Station.

Greenpeace Ltd (Greenpeace UK) is a not-for-profit organisation which campaigns for the protection of the natural environment. It is recognised internationally and in the UK, and is routinely consulted by governments and others on policies, plans and programmes affecting the environment.

The Written Representation sets out the following:

- 1) The assertion made by Horizon Nuclear Power Limited (the "Applicant") that 'significant weight' should be given to the National Policy Statement (EN-1 and EN-6) by the Inspectorate in the determination of the Application is erroneous;
- 2) As no national policy applies, the determination of the Application will be conducted under Section 105 of the Planning Act 2008 (this is agreed by the Applicant¹);
- 3) For the purposes of Section 105, 'significant weight' can only be given to the outdated National Policy Statement if there have been no '*relevant changes of circumstance*' (as per the governing Ministerial Statement);
- 4) Since the designation of the NPS in 2011 and the 2008 White Paper on which it is based, there have been a significant number of relevant changes of circumstance, including:
 - a) **Urgent Need** a failure to meet the policy objective;
 - b) **Shift in Subsidy Regime** a failure to deliver on the promise of subsidy-free nuclear new-build;
 - c) **Cost of Renewable Energy** outdated policy position as to the cost of renewable energy versus nuclear;
 - d) **Energy Security** an outdated concept of 'baseload';
 - e) **Radioactive Nuclear Waste** an unreasonable and exploitative use of 'interim' measures of storage with no

¹ Page 4 of the Applicant's Planning Statement (June 2018) (PINS reference: EN010007)

foreseeable solution; and

f) Climate Change

a radical development in climate change science, independent expert recommendations, plus international commitments which post-date the policy.

- 5) Therefore, as there have been relevant changes of circumstance, the Inspectorate cannot attribute 'significant weight' to the National Policy Statement (EN-1 and EN-6); and
- 6) To attribute significant weight to the outdated policy in spite of these substantial and numerous changes in circumstance, would be unlawful, rendering the Inspectorate's determination of the Application vulnerable to judicial review.