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Subject: Wylfa Newydd DCO - Land and Lakes (Anglesey) Limited - Deadline 2 submissions [PM-AC.FID1867548]
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Attachments: [PML + Ms F Fernandes - Wylfa Newydd DCO - Land and Lakes \(Anglesey\) Limited - Deadline 2 Submissions.PDF](#)
[Land and Lakes Written Submissions \(Front Part – Final\).PDF](#)
[Land and Lakes \(Anglesey\) Limited Response to ExA's - Relevant Questions.PDF](#)

Dear Sirs

Please see attached letter containing a link to Land and Lakes (Anglesey) Limited's Deadline 2 submissions in respect of the above matter. A copy of the front part of the submissions and response to the Ex'As Relevant Questions is also attached to this email.

If you have any difficulties accessing the documents, please contact Mike Pocock (cc'd above).

Kind regards

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LAND AND LAKES (ANGLESEY) LIMITED

WRITTEN SUBMISSIONS

relating to

**Wylfa Newydd Nuclear Power Station
Development Consent Order Application**



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1. INTRODUCTION

- 1.1 These written submissions are prepared on behalf of Land and Lakes (Anglesey) Limited ("L&L") in respect of the Wylfa Newydd Nuclear Power Station Development Consent Order ("DCO") Application submitted by Horizon Nuclear Power Limited ("HNP").
- 1.2 The submissions outline L&L's serious concerns regarding HNP's proposals for on-site worker accommodation put forward as part of its DCO application.
- 1.3 L&L is a property developer specialising in leisure and residential developments and is the legal owner of three sites on Holy Island, Anglesey, known as Penrhos, Cae Glas and Kingsland ("Sites"). L&L was granted planning permission (reference 46C427K/TR/EIA/ECON) (the "Planning Permission")¹ by the Isle of Anglesey County Council ("IOACC") on 19 April 2016 and acquired the Sites from Anglesey Aluminium in September 2016. A report setting out the background to L&L's proposals is contained at [Appendix 1].
- 1.4 In summary, the Planning Permission permits the following development:
 - 1.4.1 **Penrhos** – a leisure village of up to 500 leisure units and associated facilities;
 - 1.4.2 **Cae Glas** – a leisure village of up to 315 leisure units and facilities which are intended to be used initially as temporary construction worker accommodation for a nuclear facility, housing up to 2000 workers; and
 - 1.4.3 **Kingsland** – a residential development of up to 320 houses which are intended to be used initially as temporary construction worker accommodation, housing up to 1500 workers (collectively the "**Development**").
- 1.5 A more detailed description of the Development is included within the Planning Permission and is set out at appendix 3 of the report prepared by GVA HOW Planning at [Appendix 2] to these submissions.
- 1.6 The Planning Permission is subject to an agreement entered into between (1) IOACC; (2) L&L and (3) Anglesey Aluminium Metal Limited (the former landowner) pursuant to section 106 of the Town and Country Planning Act 1990 ("Section 106 Agreement"). A detailed discussion of the Section 106 Agreement is set out at [Appendix 3] and a copy of the agreement is attached to that report.
- 1.7 The Section 106 Agreement includes numerous provisions designed to safeguard the Development in the event that the DCO is granted. Additionally, the Agreement secures the delivery of numerous legacy benefits which will continue to be enjoyed by the Isle of Anglesey beyond the Wylfa Newydd construction period.
- 1.8 It is noted that bespoke off-site accommodation such as that proposed by L&L was previously preferred by HNP and formed part of its DCO proposals throughout the first two rounds of public consultation. Indeed, in May 2013 HNP issued a letter of support to L&L in which it was stated as follows:

"We also recognise the potential legacy use of this composite application with refurbishment into leisure lodges at Cae Glas and open market at Kingsland and appreciate the merits of this type of legacy use for the long term benefit of the Isle of Anglesey and North Wales"
- 1.9 Unfortunately, during HNP's third round of consultation a complete change in approach was adopted to focus on the delivery of up to 4.000 bedspaces in a purpose built on-site

¹ A copy of the Planning Permission was submitted to the Examining Authority on 13 November 2018 and has been uploaded to the DCO project website

workforce campus ("Site Campus"). These are the proposals that have made their way into the DCO application and which have given L&L cause to make these submissions.

- 1.10 HNP assessed the L&L scheme as an alternative to the now proposed Site Campus as a means of accommodating 3500 workers. HNP's stated reasons for choosing the Site Campus as a preferable location are contained within Section 6.4.14-6.4.23 of the Site Selection Report (APP-439 / Horizon ref 8.24.4) and may be summarised as (1) commercial viability and (2) the assertion that planning policy gives "equal support" to off-site and on-site worker accommodation (para 6.4.15).
- 1.11 The reports appended to this document provide a detailed response to HNP's proposals for on-site worker accommodation and its stated reasons for choosing the Site Campus as a preferred location. The salient points raised by the reports are summarised in the following sections of this document.

2. COMMERCIAL VIABILITY

2.1 As stated at paragraph 1.10 above, commercial viability is one of HNP's stated reasons choosing the Site Campus as a preferable location. The arguments put forward by HNP in relation to commercial viability break down to the following reasons for dismissing the L&L Scheme:

- 2.1.1 Cost of transporting workers to WNDA from L&L
- 2.1.2 Impact on NAECI allowances
- 2.1.3 Interaction between temporary and legacy uses being "non complimentary"
- 2.1.4 Insufficient power or transport infrastructure
- 2.1.5 Insufficient space to accommodate 1500 workers at Kingsland
- 2.1.6 Insufficient amenity space
- 2.1.7 No bus terminal at Cae Glas
- 2.1.8 Meandering Roads
- 2.1.9 Transport impacts of moving workers from L&L to WNDA.

2.2 The reports appended to these submissions provide a comprehensive rebuttal to these points and demonstrate that HNP have adopted a flawed approach to the assessment of the L&L scheme which has led to a decision to pursue the Site Campus; a solution which is significantly less preferable from an environmental perspective and which does not meet development plan policy and delivers no legacy.

2.3 Taking each of the above headings in turn, the evidence demonstrates as follows:

2.3.1 **Cost of transport**

A report authored by Mr York FIHE, MIHT of Curtins Transport Planning is appended at [\[Appendix 4\]](#). Mr York demonstrates that the direct cost of providing the coach transport, per 1000 workers, is £1.95m per annum when considered over a 5 year period. HNP has not provided any adequate data on costings to demonstrate why this sum should affect the project's viability. The Site Selection Report [\[APP-439\]](#) directs the reader to the Integrated Traffic and Transport Strategy (ITTS) 6.30.20 [\[APP-107\]](#) for more detail, however the ITTS contains no costings for worker transport whatsoever. Accordingly, Mr York's figures provide the only clear evidence of cost and that cost is not prohibitive.

2.3.2 **Impact on NAECI allowances**

2.3.3 A report authored by Mr Hodgkiss of Arcadis is appended at [\[Appendix 5\]](#). Arcadis has been instructed to oversee the delivery of the LL Development and Mr Hodgkiss' report has been produced as a working document to track progress made in implementing the scheme.

2.3.4 As part of his review, Mr Hodgkiss in the Arcadis report has provided an order of cost for the development which has been confirmed by L&L to meet with their budget aspirations to deliver the fully serviced provision based on the NAECI subsistence rates over a 5-year full occupancy programme. This objection is therefore not well-founded.

2.3.5 **Interaction between temporary and legacy uses being “non complimentary”**

As explained within Mr Suckley MRTPI’s evidence in the GVA HOW report [Appendix 2], this is incorrect. The housing to be provided as the legacy element of Kingsland includes a range of 2,3,4 and 5 bedoomed properties with 50% to be affordable housing. This was considered acceptable to the local planning authority when consent was granted and there is no reason to take a different view now. Indeed, HNP do not identify any change in circumstances which would warrant a finding that the IOACC was wrong to consider that this would be a meaningful boost to the local need for housing.

2.3.6 **Insufficient power or transport infrastructure**

Mr York’s evidence [Appendix 4] describes how the Cae Glas site is situated adjacent to the A55 trunk road network. Mr York goes on to explain that the nature of the road infrastructure delivered to support the Parc Cybi development (from which access to the Cae Glas site is gained) is designed to accommodate significant volumes of HGV traffic and is therefore sufficient to meet the needs of the Development.

Paragraph 6 of the Arcadis report [Appendix 5] identifies that L&L gave early consideration to the existing site services which would impact on the Development, as well as establishing what services would be required for operation of the sites. As part of this exercise, L&L has confirmed the location, capacity and feasibility of securing these services and has included the scope of works and costs within the master programme for the Development. HNP’s concerns are therefore unfounded.

A copy of an assessment of available services undertaken by L&L to inform detailed strategies for each site is attached at [Appendix 6]

2.3.7 **Insufficient space to accommodate 1500 workers at Kingsland**

Mr Suckley’s evidence [Appendix 2] explains how the units to be developed under the L&L’s scheme are to be configured during their proposed use as temporary worker accommodation so that 1500 workers can be satisfactorily accommodated. Following such use, the units are to be re-configured for use as permanent housing stock using the fund established by a requirement within the s.106 Agreement.

2.3.8 **Insufficient amenity space**

As discussed out in the report prepared by Mr Hodgkiss of Arcadis [Appendix 5] L&L is the only organisation that has a deliverable, planning consented scheme to provide workers accommodation in Anglesey. The proposed scheme has been assessed by IOACC and will provide practical efficient accommodation, recreational and social amenities for the workers. Furthermore, the location of the development in close proximity to Holyhead brings the further benefit of enabling occupants' convenient access to a wider variety of existing amenity space and services in the vicinity, a point that is also discussed by Mr Seaton in his report at [Appendix 7].

The scheme is to be designed and constructed in partnership with Sodexo [Appendix 8]. Sodexo has as wealth of experience in constructing high quality temporary accommodation for workers staying away from home in a range of climates and circumstances. IOACC in granting permission, L&L and their delivery partners are confident that the scheme delivers adequate amenity facilities for workers. Moreover, the Development is located in proximity to natural resources such as the Penrhos coastal path and nature reserves as well as the existing local facilities of Holyhead which are due to be improved following receipt of s.106 funds flowing from the Development.

2.3.9 No bus terminal at Cae Glas

As set out within the bullet points at paragraph 5.2 of Mr York's report [[Appendix 4](#)], the Park and Ride facility proposed at Cae Glas pursuant to L&L's Planning Permission includes infrastructure for coaches to arrive, collect workers, circulate and depart. Furthermore, as the Planning Permission is in outline only, opportunities exist for the delivery of further enhancements to those facilities in a straightforward manner through the reserved matters process as demonstrated in Arcadis report [[Appendix 5](#)]. This is a straightforward error of fact by HNP used to dismiss the L&L scheme.

2.3.10 Meandering Roads

Mr York concludes that the road network proposed is demonstrably acceptable for use by coach traffic as coaches will only utilise the initial (western) elements of the site where the coach terminus for worker collection and drop-off is located. Notwithstanding the above, Mr York also notes that the Planning Permission is in outline and may be subject to minor variations if required as demonstrated in Arcadis report [[Appendix 5](#)]. Again, this is a further error by HNP which does not give any proper basis for rejecting the Development.

2.3.11 Transport impacts of moving workers from L&L to WNDA.

Paragraph 4.6 of Mr York's evidence describes how as few as 21 coaches will make a return journey from Cae Glas to Wylfa during a typical network peak hour period. These coach journeys require no additional highway mitigation beyond that which is secured through the Planning Permission with the exception of the works proposed by HNP at the junction of the A5 and the A5025 at Valley. Moreover, the impacts have been assessed on a 'worst case' basis through the Environmental Statement submitted to inform the Planning Permission and were found to be acceptable through the grant of that consent.

3. PLANNING POLICY

- 3.1 As stated at paragraph 1.10 above, the second of HNP's stated reasons for choosing the Site Campus as a preferable location is its claim that planning policy gives "equal support to off-site and on-site worker accommodation".
- 3.2 The clear and comprehensive evidence of Mr Suckley MRTPI demonstrates that this reason for dismissing the L&L scheme is not sound and is based on a flawed interpretation of the relevant policies of the Anglesey and Gwynedd Joint Local Development Plan ("JLDP"). On a proper approach, the Site Campus is in fact in conflict with the JLDP. By contrast, Mr Suckley concludes that the L&L scheme complies with and derives considerable support from relevant local policies, as reflected by the fact that it is the only proposal for workforce accommodation that currently benefits from an extant planning permission.

4. THE POSITIVE CASE FOR BESPOKE OFF-SITE ACCOMMODATION

4.1 L&L's evidence also presents the positive case for rejecting the Site Campus as an environmentally acceptable option given the identified negative effects of this development.

4.2 We include at [\[Appendix 9\]](#) a report authored by Mr MacLagan BSc MIOA of Waterman Infrastructure and Environment Limited. Mr MacLagan concludes that HNP's methodology for the assessment of noise effects experienced by users of the Site Campus is flawed and that the proposed site is potentially constrained by existing noise and may not be capable of achieving WHO guideline levels. This would result in residents of the Campus being exposed to unacceptable living conditions.

4.3 A report prepared by Regeneris [\[Appendix 11\]](#) sets out a series of considerations to be taken into account when assessing the overall financial, economic and social benefits of both L&L's and HNP's worker accommodation proposals. The report identifies a number of serious impacts that would be likely to arise from HNP's proposals including impacts on local employment opportunities, public services, transport infrastructure, social cohesion, tourism and the local economy. This is in distinct contrast to L&L's proposals which present significant benefits and/or opportunities in each of these areas, as demonstrated in the report.

4.4 Mr Seaton's report [\[Appendix 7\]](#) discusses the challenges faced in delivering large scale workforce accommodation. Mr Seaton also identifies how such challenges are likely to be exacerbated through the delivery of accommodation in remote locations, in particular through the delivery of on-site campuses. Mr Seaton draws examples from his extensive experience working on similar projects where he has witnessed first hand the damaging effects living in an on-site campus in a remote location can have on worker morale and the likely outcomes, including difficulties retaining staff.

4.5 In contrast, there are a number of beneficial effects flowing from the L&L scheme as set out in detail in the reports accompanying this document and summarised below:

- 4.5.1 A report prepared by The Social Value Portal [\[Appendix 10\]](#) assesses the likely comparative social value of the worker accommodation proposals put forward by L&L against those that form part of the DCO application.
- 4.5.2 The report identifies an estimated social value add from L&L's proposed worker accommodation development of £94million over the construction period and the ensuing 10 years. The report further notes that the legacy benefits would continue beyond this ten year period with likely operational benefits of around £5 million per annum for the leisure development at Cae Glas and £7 million per annum in respect of Penrhos.
- 4.5.3 In contrast, none of these operational phase benefits are available under the worker accommodation proposals contained in the draft DCO. The report identifies that whilst it does not include a direct cost: benefit analysis between the two options, they are clearly not comparable in qualitative terms with the HNP's proposals being likely to put greater pressure on local services and have a negative environmental impact.
- 4.5.4 In addition to the above, the Section 106 Agreement secures a range of legacy benefits, including (but not limited to) the creation of a legacy fund and the delivery of public open space and affordable housing. A detailed discussion of the legacy benefits secured by the Section 106 agreement is included at [\[Appendix 3\]](#).

5. PROPOSALS

5.1 In light of the matters referred to above and discussed in detail in the attached reports, it is submitted that the worker accommodation proposals put forward by HNP pursuant to its DCO Application are fundamentally flawed.

5.2 We therefore respectfully request the Examining Authority to take the following actions:

5.2.1 Require the removal of Work 3 from the Draft DCO and its replacement with the following three requirements:

- (a) **to construct or provide 4000 temporary bed spaces upon a trigger to be agreed.**

The Worker Accommodation Strategy [APP-412] states at 9.4.10 that "*the delivery of the site campus will be subject to a requirement requiring its delivery prior to the workforce exceeding a fixed level*". It goes on to say that the level will be set through the SOCG process and to ensure that accommodation in the private rented and tourism sectors do not exceed 3000 as assessed in the ES. The trigger should naturally flow from the ES as suggested by HNP.
- (b) **that no more than 500 of the temporary bed spaces be located on the Wylfa Newydd Development Area; and**

500 was the figure promoted by HNP for the Site Campus up to and including PAC2 and provides sufficient accommodation for workers needing emergency access to the WNDA. The application may easily revert to this figure which has already been subject to assessment and consultation.
- (c) **That the development may not proceed beyond the trigger absent planning permission being granted by the local planning authority or the local planning authority providing a certificate of lawful development certifying that the proposed accommodation is permitted development for the purposes of the Town and Country Planning (General Permitted Development) Order 2015 (and successive development orders), in either case such permission or certificate must authorise the construction of temporary accommodation for up to 3500 workers.**

APPENDIX 1
BACKGROUND TO LAND AND LAKES' PROPOSALS

APPENDIX 2
GVA HOW PLANNING REPORT

APPENDIX 3
SECTION 106 AGREEMENT – SUMMARY

APPENDIX 4
TRANSPORT PLANNING

APPENDIX 5
DELIVERABILITY

APPENDIX 6
INFRASTRUCTURE OVERVIEW

APPENDIX 7

CHALLENGES IN DELIVERING LARGESCALE WORKER ACCOMMODATION

APPENDIX 8

SODEXO

APPENDIX 9
NOISE IMPACTS

APPENDIX 10

SOCIAL VALUE

APPENDIX 11
SOCIO-ECONOMICS