



3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Direct line:
Help line: 44 303 444 5000
e-mail: environmentalservices@infrastructure.gsi.gov.uk

Dr Ursula Platzer-Schneider
Federal Ministry of Agriculture,
Forestry, Environment and Water
Management
A-1010 Wien
Stubenbastei 5

Your Ref: BMLFUW-UW.1.4.2/0079-V/1/2012

Our Ref: 120926_EN010001

Date: 8 October 2012

BY EMAIL & POST

Dear Dr Platzer-Schneider

HINKLEY POINT C NUCLEAR POWER STATION

Thank you for your letter dated 18 September 2012 addressed to the Department of Communities and Local Government (DCLG). This has been forwarded to the National Infrastructure Directorate of the Planning Inspectorate. We understand that, under the Espoo Convention, your State wishes to reserve the right to participate in the procedure and to seek further information about the procedure, including public participation requirements.

We thought it would be helpful first of all to explain the role of the Planning Inspectorate and the application procedure. We will then explain how to participate in the planning process and recommend to you how to pursue your concerns under the Espoo Convention and obtain further information on the Hinkley Point C proposals; before finally explaining how to be kept informed of other proposed development in the future.

Role of the Planning Inspectorate and the application procedure

The Planning Inspectorate is the agency responsible for operating the planning process for nationally significant infrastructure projects (NSIPs). NSIPs are usually large scale developments which are considered to be nationally significant and require development consent under procedures governed by the Planning Act 2008 (as amended by the Localism Act 2011). This type of development includes nuclear power stations such as Hinkley Point C.

In order to construct an NSIP, it is necessary to apply for a development consent order (DCO) through the Planning Inspectorate. All applications are screened for potential transboundary impacts as required under Regulation 24 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended).

Where an application is accepted for examination, the Planning Inspectorate examines the application and makes a recommendation to the relevant Secretary of State. A DCO can either be granted, with or without requirements (for example specifying the matters for

which detailed approval needs to be obtained before the development can be lawfully begun), or refused. There is a strict timetable set in UK law for the examination of applications for development consent.

The next stage, which can take up to three months, is for the inspectors who conducted the examination to prepare a report and make a recommendation to the Secretary of State. The Secretary of State then has another three months to reach a decision on whether to grant or refuse consent.

A detailed explanation of how the process works, including the consultation and publicity arrangements, may be found on the Planning Inspectorate's website:

<http://infrastructure.planningportal.gov.uk/>

Participating in the planning process and how to pursue your concerns

We note your general concerns and that you consider that:

'..... there is no convincing evidence that severe accidents with major releases of radionuclides can be excluded with certainty. This is also the case for new nuclear reactor designs which are currently being assessed in the framework of the Generic Design Assessment (GDA), performed by ONR.

Consequently, in case of certain beyond design based accidents Austria may be significantly affected by impacts of the NPP'.

EDF Energy's application for development consent for a new nuclear power station at Hinkley Point C was accepted for examination by the Secretary of State on 24 November 2011. The examination for Hinkley Point C began on 21 March 2012 and closed on 21 September 2012. The Planning Inspectorate complied with the legal requirements under UK Law including screening the Hinkley Point C proposals for transboundary impacts. It was concluded that:

Under Regulation 24 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (as amended) and on the basis of the current information available from the Developer, the Secretary of State is of the view that the proposed development is not likely to have a significant effect on the environment in another EEA State.

In reaching this view the Secretary of State has applied the precautionary approach (as explained in Secretary of State Advice Note 12 Transboundary Impacts Consultation); and taken into account the information currently supplied by the developer.

Accordingly the Inspectorate has not undertaken transboundary consultation under this legislation on behalf of the Secretary of State.

The full document can be viewed on our website at:

[http://infrastructure.planningportal.gov.uk/wp-content/uploads/projects/EN010001/2.%20Post-Submission/EIA/Regulation%2024/120522 EN010001 %20Hinkley Transboundary%20Screening.doc.pdf](http://infrastructure.planningportal.gov.uk/wp-content/uploads/projects/EN010001/2.%20Post-Submission/EIA/Regulation%2024/120522_EN010001_%20Hinkley%20Transboundary%20Screening.doc.pdf)

The Examination has now closed and the Planning Inspectorate has fulfilled its legal requirements under UK Law, however you may still be able to participate and raise your concerns under the Espoo Convention by providing comments to the relevant Secretary of State, in this case the Secretary of State for Energy and Climate Change. The contact details are:

Giles Scott
Head of National Infrastructure Consents
Department of Energy & Climate Change
3 Whitehall Place
London
SW1A 2AW
Tel: 44 300 0608 5770
Email: giles.scott@decc.gsi.gov.uk

We have also copied the Department into this letter for information and so that they are made aware.

You may also be aware that the proposed development at Hinkley Point C has been subject to a submission to the European Commission under Article 37 of the Euratom Treaty. The Commission's opinion was published in their Journal, and can be found at:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2012:033:0001:0002:EN:PDF>

Information about the proposed Hinkley Point C development

The application documents, information about the proposed development at Hinkley Point C and about its effects on the environment, together with all the examination material are available on the Planning Portal at the link below:

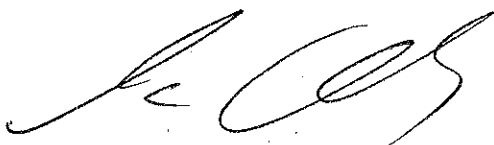
<http://infrastructure.planningportal.gov.uk/projects/south-west/hinkley-point-c-new-nuclear-power-station/>

Other proposed development in the future

All development notified to us is included on our website. Once an application is accepted for examination, all the application documents, correspondence and other related information can also be found on our website. Our website also includes advice notes explaining the process in more detail, including the way in which the public can become involved.

If you have any queries regarding any of the above, please contact us via the telephone number and email address in the header to this letter.

Yours sincerely



IAN GAMBLES
Director of National Infrastructure

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.