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Infrastructure Planning - a new regime

Introduction

The Infrastructure Planning Commission is an independent body, established by the Planning Act 2008 to make decisions on applications for nationally significant infrastructure projects*. It came into being in October 2009 and will begin receiving applications on 1st March 2010.

CgMs is already involved in the new processes through its work for National Grid, assisting with the development of applications for 400kV overhead line projects, including the Bramford to Twinstead route in Suffolk and the Hinkley Point to Seabank route in Somerset. Both projects are required to provide connections to proposed nuclear power stations.

The IPC process places great emphasis on front-loading - making sure all the elements of the application are in place before a formal application is lodged. It is also keen to be involved in the pre-application process itself so that the applications which it receives are valid and the examination process can commence without delay. Applicants should not underestimate the effort required to prepare for an application - in particular, the requirements for public consultation are challenging and need to be fully documented.

In reaching its decision, the IPC will concentrate on site specific issues, rather than need (which is addressed in the emerging National Policy Statements). The Chair of the IPC, Sir Michael Pitt, has made it clear that the IPC will not hesitate to refuse applications where local impacts are considered to be significantly adverse, even if national need has been proven. The Environmental Statement will therefore be a key document in any submission.

Key issues

Some of the key issues to address are :

- National Policy - How does the proposal fit with the emerging National Policy Statements and, in the event that the NPS are not designated by time of decision, what other policy rationale exists?



- Assessment of alternatives - What alternatives have been considered and why were they rejected? Have different sites/routes/technological solutions been considered?
- Interested parties - Have all the parties with an interest in the case been identified? Have they been approached in a consistent manner?
- Consultation - Has the method of consultation been agreed with the local authorities and other key stakeholders? Has the public been provided with sufficient information and accorded sufficient opportunities to comment? Have the responses to consultees' concerns been properly addressed?
- Environmental Impact Assessment - Has screening and scoping been undertaken? Has there been consultation on preliminary environmental information? Have best practice methods of assessment been used? Has appropriate mitigation been identified?
- Local authorities - Has there been full and constructive engagement with the relevant authorities from the start of the process? How have members and officers been kept informed of progress? Are expectations in respect of planning obligations understood?
- Supporting documentation - Has a comprehensive set of documentation been developed in accordance with the Regulations? Are the documents consistent and comprehensible? Have summaries been provided in Plain English?

- Examinations - Has the case been presented effectively in written representations? Is all the evidence required to justify the case present? How have the objectors' cases been rebutted?

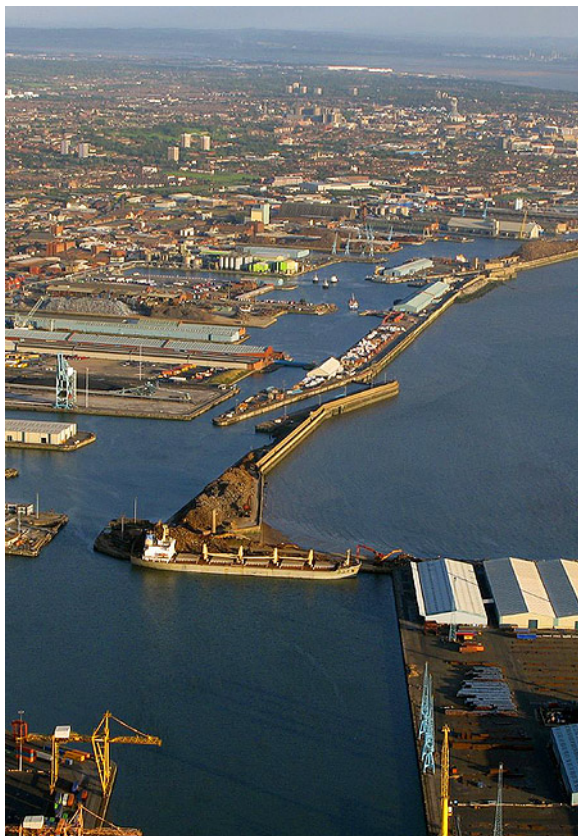
How can we help?

CgMs will work with the promoter's team and can operate in a number of areas :

- providing policy guidance;
- documenting strategic decisions, such as consideration of alternatives;
- assisting with consultation;
- preparing and reviewing supporting documentation;
- managing the environmental impact assessment process;
- providing specialist inputs on planning, archaeology and heritage issues;
- responding to the case prepared by interested parties;
- preparing written representations for examination and support at the hearing.

Contact

Richard Atkinson, BA (Hons) DMS MRTPI
 Director, Planning
 Tel: 01636 653 060
 Mobile: 07525 803343
 Email: richard.atkinson@cgms.co.uk



*Nationally significant infrastructure projects include (subject to certain thresholds summarised below) :

- Generating stations - onshore >50MW, offshore >100MW;
- Overhead electric lines - 132kV and above;
- Underground gas storage - capacity > 43m m3 or flow rate >4.5m m3/day;
- LNG facilities - capacity > 43m m3 or flow rate >4.5m m3/day;
- Gas reception facilities - flow rate >4.5m m3/day;
- Gas transporter pipelines - pressure >7 bar, >800mm dia and >40km length;
- Other pipelines - cross country
- Highways - trunk roads;
- Airports - passengers >10m/year, >10,000 cargo plane movements /year;
- Harbours - containers >500,000 units/year, ro-ro >250,000 units, other >5m tonnes;
- Railways - for an approved operator and not PD;
- Rail freight interchanges - area >60ha, >4 trains/day, includes warehousing;
- Dams/reservoirs - capacity > 10m m3
- Water transfer - flow > 100m m3 /year;
- Waste water treatment plant - population equivalent 500,000;
- Hazardous waste - landfill/deep storage >100,000 tonnes/year, other >30,000 tonnes/year

LONDON
 Tel: 020 7583 6767
 london@cgms.co.uk

CHELTENHAM
 Tel: 01242 259 290
 cheltenham@cgms.co.uk

NEWARK
 Tel : 01636 653 060
 newark@cgms.co.uk

KETTERING
 Tel: 01536 790 447
 kettering@cgms.co.uk

BIRMINGHAM
 Tel: 0121 616 4850
 birmingham@cgms.co.uk

www.cgms.co.uk