



FAO Rachel Carrol  
Planning Officer  
Copeland Borough Council  
The Copeland Centre  
Catherine Street  
Whitehaven  
Cumbria  
CA28 7SJ

28<sup>th</sup> September 2012

Dear Rachel

**Development under Part 9, Schedule 2 of the Town and Country Planning (Permitted Development) Order 1995, as amended.**

I refer to our meeting on 23<sup>rd</sup> July, as you are aware NuGen was granted full planning permission (application reference: 4/11/2431/OF1 "the permission") on 11<sup>th</sup> November 2011 to undertake temporary site investigation and characterisation works on the land to the north and west of Sellafield, shown on Plan 008, enclosed with this letter.

As we discussed, the first phase of activity on site is non intrusive preliminary survey work which does not require planning permission. This will be followed by the next phase of intrusive works that will implement the permission as referred to above.

Work is programmed to commence shortly. In order to facilitate it existing private access tracks within the site boundary will be used to transport related plant and equipment. These private tracks are clearly defined and provide a suitable means of access for the proposed works. It will be necessary in some sections of the private track to undertake limited maintenance and improvement works, shown on the attached plan. This is to ensure that the site investigation and characterisation works are carried out in a careful, clean and considerate manner, as described in our 'Considerate Contractor Statement' submitted in support of our original planning application (see Section 5.4, Planning Statement).

Where necessary, the following repair works will be undertaken to the existing private tracks:

- Draining off of all standing water on worn areas of track.
- Removal of saturated soils from tracks and replacement with a selection of type 1, 2 & 3 graded stone from Tendley Quarry, to reflect original contours.

**NuGeneration Limited**  
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- In-filling of deep ruts with type 2 or 3 graded stone, topped with type 1 graded stone.
- Compacting of surfaces with vibrating roller.

The alignment and width of existing private access tracks will remain unchanged as a result of these works. No new tracks will be formed and it is not proposed to widen the existing tracks.

Part 9, Schedule 2 of the Town and Country Planning (Permitted Development) Order 1995 permits the carrying out on land, within the boundaries of a private way, works required for the maintenance or improvement of the way. We have carefully reviewed the scope of this work and consider that it falls within the meaning of 'maintenance or improvement' permitted under Part 9 of the Town and Country Planning (Permitted Development) Order 1995. As such planning permission is not required. This letter is to advise you of NuGen's intention to use Permitted Development Rights for this work.

If you would like to discuss this matter further please do not hesitate to contact me on [Fergus.McMorrow@nugeneration.com](mailto:Fergus.McMorrow@nugeneration.com) or 07792 442762

Yours sincerely

A handwritten signature in black ink, appearing to read "Fergus McMorrow".

**Fergus McMorrow**  
Cumbria Planning Lead  
NuGeneration Limited

cc. Pat Graham - Director of Services

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