

Copeland Local Plan 2021-2038

Statement of Common Ground between Copeland Borough Council, Sellafield Ltd and the Nuclear Decommissioning Authority

Introduction

This joint Statement of Common Ground has been prepared jointly between Copeland Borough Council (CBC), Sellafield Ltd (SL) and the Nuclear Decommissioning Authority (NDA).

Sellafield Ltd and the Nuclear Decommissioning Authority have agreed to sign a joint Statement of Common Ground with Copeland Borough Council, given that they share the same viewpoints on the outstanding matters.

Sellafield Ltd and the NDA would like to acknowledge the good progress that has been made over the last two years with the development of the Local Plan and the value that has been added by continuing to work with CBC on the Local Plan's nuclear policies.

The purpose of a Statement of Common Ground is to set out the confirmed agreements and disagreements with regards to the proposed policies within the Copeland Local Plan. A previous Statement of Common Ground was signed by CBC and Sellafield Ltd in November 2022 which set out the many areas of agreement that had been reached during the development of the Local Plan. It also set out a small number of areas where agreement had not been reached. Discussions have continued during the period of the Examination in Public and so the purpose of this second Statement of Common Ground is to set out the additional points of agreement that have been reached since February 2023, along with the remaining outstanding points of disagreement.

The statement is intended to assist the Inspector's decision making, and to highlight the co-operation and agreement on key issues that have taken place following the hearing sessions. For more information on how Copeland Borough Council has engaged with Sellafield Ltd and the NDA throughout the Local Plan preparation process, please see the previous Duty to Co-operate statements.

- Appendix A) outlines the modifications proposed by CBC, the NDA and SL, and subsequent justification of positions.
- Appendix B) outlines the proposed planning boundary of Sellafield, and related actions, as considered by CBC, the NDA and SL.

Copeland Borough Council, the NDA and Sellafield Ltd have agreed the following:

1. Regarding Action 37, CBC have agreed to the wording proposed by SL and NDA except for the inclusion of the word “normally” within the proposed paragraph 10.9.3.
2. Regarding Action 38, all parties have agreed to move the text regarding pre-application advice from the policy NU3 into the supporting text.
3. Regarding Action 38, all parties have agreed to delete the reference to developments needing to leave a positive legacy.
4. Regarding Action 43, CBC have agreed to the wording proposed by SL and NDA.

Copeland Borough Council, the NDA and Sellafield Ltd disagree on the following:

1. Regarding Action 37 – The NDA and SL do not agree on the inclusion of the word “normally” in the proposed paragraph 10.9.3.
2. Regarding Action 38 – CBC, the NDA and SL do not agree on the wording, and function, of a replacement mechanism to the “Exceptional Needs Case”.
3. Regarding Action 40 - As above.
4. Regarding Action 39 – CBC, SL and NDA do not agree on the principle underlying a new Sellafield planning boundary. The proposed boundaries are mapped in Appendix B.
5. Regarding Action 171 – CBC, SL and NDA have failed to agree on the scope of NU3PU.
6. Regarding Action 41, Sellafield Ltd and the NDA welcome CBC’s suggested principle 1 as a step forward. However, they do not agree on the exceptions as proposed through principle 2.

Action Points

37	NU1PU: Final paragraph-clarify what is meant by 'proportionate and meaningful contribution'. Differentiate between 'contributions' under planning regime and Energy Act.	Action/MM
38	NU3PU: Clarify approach in terms of what constitutes 'justifiable exceptional need case'. Review terminology, avoiding use of 'exceptional need'. Approach could reference for example a proven need for that location or the operational/functional need for the devt in that location. Work collaboratively with Sellafield and NDA to review the wording. Also clarify what is meant by a 'positive legacy'. Remove reference to pre-application advice -potentially relocate to supporting text.	MM
39	Sellafield boundary: The Council is to work with Sellafield/NDA to identify potential agreed amendments to the boundary to address irregularities/tidying up. The agreed approach should be set out in a revised Statement of Common Ground. The rationale for the inclusion of the agreed areas should be set out in the SoCG. The SoCG should also clearly set out areas where there is disagreement as to whether to include land within the boundary. The parties respective positions should be clearly set out.	Action
40	Policy NU4PU: Criterion B: reconsider 'justifiable exceptional need case' as per action point 38 above.	MM
41	Action points 37-41 should be addressed by way of a SoCG between the Council/Sellafield/NDA. Ideally this should be available in advance of 9 March, particularly in respect of the boundary. 7 March would provide time for the inspector to review in advance of the site boundary. Plans should be made available to the inspector in hard copy. Please ensure the changes to the boundary and the existing boundary are clear.	Action
42	Sellafield to provide a summary/short business case to support the potential need for additional land taking account of the existing processes and buildings on site; the proposed decommissioning process; potential for rationalisation of land within the existing boundary; the land requirements arising from the decommissioning process; whether any additional land would need to be included within the boundary; or whether it could be utilised but outwith the boundary and considered through the planning process.	Action
43	Policy NU4PU: Criterion B: cross reference to Policies DS3PO/DS4PO-consider wording to reflect that some of the requirements in those policies may not necessarily apply given the unique nature of Sellafield (and remove PO suffix within criterion b)	MM
171	Matter 8 - (Consequential Action) NU3PU: Council to review the wording and scope of NU3PU in light of revised "Exceptional Needs Test" (AP-38)	Action/Matter

For ease of use, action points have been separated into distinct issues. This approach was taken as several action points intertwine with the same issues, likewise some action points contain a multitude of issues that are best addressed separately. Within the tables below – the original policy text has been edited with amendments highlighted in red text. Text that is struck through is proposed to be deleted.

Appendix A) outlines the position, and justification, of CBC, the NDA and SL on the following issues:

- 1) Clarification of ‘proportionate and meaningful contributions’, and differentiation between ‘contributions’ engendered through the planning regime and the Energy Act (AP-37).
- 2) The replacement of the “Exceptional Needs Test” (AP-38; AP-40).
- 3) The removal of reference to pre-application advice in NU3 (AP-38).
- 4) Relevant policy exemptions for Sellafield (AP-43).
- 5) The scope of NU3 (AP-171).

Appendix B) outlines the position, and justification, of CBC, SL, and the NDA on the proposed Sellafield planning boundary. This continues a proposals map provided by CBC and SL/NDA, alongside argumentation that focuses on specific land parcels.

Signed on behalf of Copeland Borough Council

Name and Position: Chris Hoban, Strategic Planning Manager

Signature:

Date: 9th May 2023

Signed on behalf of Sellafield Ltd

Name and Position: Dr Jean E Monteith, Development Control Lead

Signature:

Date: 10th May 2023

Signed on behalf of the NDA

Name and Position: Remediation Strategy Manager

Signature:

Date: 12th may 2023

Appendix A)

Action Point 37

Issues	CBC Proposal	SL and NDA Proposal
<p>Clarification of ‘proportionate and meaningful contributions’, and differentiations between ‘contributions’ engendered through planning regime and the Energy Act. (AP-37)</p>	<p>In agreement with the additional supporting text proposed by SL and NDA, except for:</p> <p>10.9.3 <i>“Such benefits are not normally a material planning consideration ...”</i></p> <p><u>Strategic Policy NU1PU: Supporting Development of the Nuclear Sector</u></p> <p>“...In applying this policy the Council will expect all nuclear sector-related development in the Borough to make a proportionate and meaningful contribution to local economic, social and environmental strategies/priorities”</p>	<p>10.9.1 Where proposals for large scale nuclear development are Nationally Significant Infrastructure Projects (NSIP’s) they will fall under the remit of the Planning Inspectorate. The Council as both the local Borough Council and the Local Planning Authority will be consulted on such applications and our starting position will be as set out in the nuclear Policies where relevant below.</p> <p>10.9.2 Planning Obligations will be secured where they are reasonable, necessary and directly related to the development.</p> <p>10.9.3 Policy NU1PU also encourages nuclear sector related development to provide community benefits by assisting the achievement of local economic, social and environmental strategies and priorities. Such benefits are not a material planning consideration in the determination of applications. It is noted that Sellafield Ltd and the NDA separately support social strategies when discharging obligations under Section 7 of the Energy Act 2004.</p> <p><u>Strategic Policy NU1PU: Supporting Development of the Nuclear Sector</u></p>

Issues	CBC Proposal	SL and NDA Proposal
		<p>“...Proposals that deliver the Sellafield mission and the NDA mission will be supported where they meet the criteria in Policy NU4PU.</p> <p>In applying this policy the Council will expect the benefits of nuclear sector-related development in the Borough to outweigh the disbenefits, encouraging developers to assist with the achievement of local economic, social and environmental strategies/priorities.”</p>

Justification of Position

CBC:

The wording proposed by Sellafield Ltd and the NDA provides the greater clarification required by AP-37. However, the Council maintains that the flexibility engendered by “normally” is necessary for a more robust policy. The nature of nuclear sector development is inherently broad and unpredictable. It is important that the Council retains control over planning processes that reflect this.

In addition, the Council believes that through the clarification provided by Sellafield Ltd’s and NDA's suggestion it would be more resonant with the requirements of the action to maintain the original policy wording, rather than deleting it.

Sellafield Ltd and NDA

The following amendments are proposed.

- Inclusion of a new paragraph 10.9.2 which clearly sets out the context for when Planning Obligations will be sought and secured.
- The former paragraph 10.9.2 has been amended to provide a correct and accurate summary of the position on Community Benefits. This includes the clarification that such benefits are not a material planning consideration in addition to clarifying that the NDA and Sellafield Ltd also have obligations under the Energy Act.

The NDA and Sellafield Ltd are of the position that the inclusion of the word “normally” as requested by the Council is not in line with the NPPF and NPPG guidance on Planning Obligations. Paragraph 57 of the NPPF clearly states that planning obligations must only be sought where they are necessary, reasonable and directly related to the development, for example those covered by policy DS5PU of the Local Plan. Requiring nuclear developers to contribute over and above what is required through the planning system, is therefore contrary to the NPPF.

We refer to the case of *R (on the application of Wright) (Respondent) v Resilient Energy Severndale Ltd and Forest of Dean District Council (Appellants) [2019]. UKSC 53*¹, which considered whether the Council was correct to treat the community donation as a material consideration. This referred to the case of *Newbury District Council v Secretary of State for the Environment [1981] AC 578*, where it was determined that the scope of a material consideration should be considered in the same way as a Local Authority’s power to impose a condition, setting out the “Newbury criteria”, namely that conditions must:

- Be for a planning purpose
- Fairly and reasonably relate to the permitted development; and
- Not be so unreasonable that no reasonable planning authority could have imposed them.

In this case, planning permission was quashed on the basis that the benefits proposed were not for any proper planning purpose but rather for providing general community benefits. They also did not fairly and reasonably relate to the development.

Given this, Sellafield Ltd and the NDA question the requirement for the word ‘normally’ to be incorporated into the proposed wording.

Sellafield and the NDA also disagree with Copeland’s proposal to retain the wording “...*In applying this policy the Council will expect all nuclear sector-related development in the Borough to make a proportionate and meaningful contribution to local economic, social and environmental strategies/priorities*” within policy NU1PU. The retention of this wording fails to address the Planning Inspector’s action to “clarify what is meant by ‘proportionate and meaningful contribution’ (AP 37). We welcome the agreement to amend the wording within the supporting text, however, we do not agree that the words ‘proportionate and meaningful contribution’ should be retained within the policy wording as it is ambiguous and fails to clearly set out what will be required. We would welcome either the wording proposed or wording which aligns to the proposed wording amendments at 10.9.3.

Action Points 38 and 40

¹ [R \(on the application of Wright\) \(Respondent\) v Resilient Energy Severndale Ltd and Forest of Dean District Council \(Appellants\) \(supremecourt.uk\)](https://www.supremecourt.uk/cases/201900011.html)

Issue	CBC Proposal	SL and NDA Proposal
<p>Reconsideration of the “Exceptional Needs Case” (AP38; AP40)</p>	<p>Strategic Policy NU3PU: General Nuclear Energy and Associated Development and Infrastructure</p> <p>The development of such sites will be supported where the following criteria are met:</p> <ul style="list-style-type: none"> a) The development is sited on a designated employment site or on a suitable site within an identified settlement boundary or otherwise be accompanied by a justifiable proven exceptional locational needs case test. b) Any new energy infrastructure The proposal will minimise potential impacts on the borough’s landscape and natural environment, and the health and amenity of its community and visitors; c) Sites The proposal must be located, developed and designed, to minimise any adverse impacts and where relevant must be capable of leaving a positive legacy for the borough and its communities. <p>Pre-application advice should be sought with the Council at an early stage of the proposal’s development.</p> <p>Where relevant, proposals should be developed in consultation with the community and other key stakeholders</p> <p>Footnote 43: Locational Needs Test</p> <p>“The proposal is supported by a justifiable proven requirement for that use or development in that specific</p>	<p>10.11.1 It is recognised that there are a broad range of activities related to the nuclear sector, not all of which are directly nuclear development for example activities (such as contractors’ accommodation and laydown/ storage facilities). Such supporting activities are often required to enable the work of the nuclear sector to be carried out including development on the Sellafield site. Policy NU3PU seeks to enable this as well as other general nuclear development and relates to development outside of the defined Sellafield site boundary as identified on the proposals map.</p> <p>The development of such sites will be supported where the following criteria are met:</p> <ul style="list-style-type: none"> A) The development is sited on a designated employment site or on a suitable site within settlement boundaries or is directly related to the functioning and operation of the Sellafield site as defined on the Proposals map. If these criteria are not met, the proposal must be accompanied by an acceptable Need Statement. 43 B) Any new energy infrastructure will minimise potential impacts on the borough’s

Issue	CBC Proposal	SL and NDA Proposal
	<p>location and a more sustainable outcome could not be achieved by another location or through maintaining the current use, as an exception to established planning policies."</p>	<p>landscape and natural environment, and the health and amenity of its community and visitors;</p> <p>C) Sites must be located, developed and designed, to minimise any adverse impacts.</p> <p>Pre-application advice should be sought with the Council at an early stage of the proposal's development.</p> <p>Where relevant, proposals should be developed in consultation with the community and other key stakeholders.</p> <p><u>Footnote 43: Acceptable Need Statement</u></p> <p>Where a proposed development does not meet the requirement of Criteria A, an Acceptable Need Statement shall be submitted which will consider the following:</p> <ol style="list-style-type: none"> 1) Whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposal. 2) Details of the `site specific` circumstances that demonstrate the need / reason for that development to be on that particular site (as opposed to elsewhere). 3) Confirms how the proposal meets the requirements of Government Nuclear policy, the NDA Strategy and other regulatory controls.

Issue	CBC Proposal	SL and NDA Proposal
	<p>10.12.4 Policy NU4PU relates to development both inside and outside of the defined Sellafield site boundary as identified on the proposals map.</p> <p>10.12.5 The unique considerations of the Sellafield mission, regarding safety, security, and other regulatory requirements, entail that certain policies (such as landscaping) may not be appropriate for all developments within the site.</p> <p>Policy NU4PU: Nuclear Development at Sellafield</p> <p>B) Where any proposed development is outside the Sellafield site it shall be sited on a designated employment site or on suitable sites within settlement boundaries in accordance with the principles set out in Policies DS3PQ and DS4PQ, or otherwise accompanied by a justifiable proven locational needs test. 44-exceptional-need-case</p> <p>Footnote 44: Locational Needs Test</p> <p>"The proposal is supported by a justifiable proven requirement for that use or development in that specific location and a more sustainable outcome could not be achieved by another location or through maintaining the current use, as an exception to established planning policies."</p>	<p>10.12 Nuclear and associated development at Sellafield</p> <p>10.12.4 Policy NU4PU relates to development both inside and outside of the defined Sellafield site boundary as identified on the proposals map. Development required off-site but in very close proximity to the site may include elements such as security features, spoil storage and environmental monitoring equipment as well as larger scale projects such as the provision of an off-site rail head.</p> <p>Proposals for development within the existing Sellafield site boundary shall not be subject to other policies contained in the Local Plan where these would compromise safety, security or other regulatory requirements.</p> <p>Policy NU4PU: Nuclear Development at Sellafield</p> <p>B) Where any development is proposed outside the Sellafield site it shall be sited on a designated employment site or on suitable sites within an identified settlement boundary in accordance with the principles set out in Policies DS3PQ and DS4PQ. Otherwise the development must be directly related to the</p>

Issue	CBC Proposal	SL and NDA Proposal
		functioning and operation of the Sellafield site as defined on the Proposals map. If these criteria are not met, the proposal must be accompanied by an acceptable Need Statement. 43

Justification of Position

CBC:

The Council has provided a “Locational Needs Test”, which prioritises the operational and functional need of a land parcel when considering an application. The Council believes that this wording provides sufficient flexibility to ensure that development is directed to the most sustainable location, while also ensuring that Sellafield and Copeland’s broader nuclear sector is able to develop in a manner with minimal impact to Copeland’s sustainability. The effectiveness of the “Locational Needs Test” is justified below.

The Council believes this modification is more robust than the proposition developed by Sellafield and the NDA. The Council doubts whether the proposed modification can secure sustainable development for these reasons:

- 1) The proposed modification by Sellafield and the NDA render the “Locational Needs Test” – or “Acceptable Need Statement” – subordinate to developments “directly related to the functioning and operation of the Sellafield site as defined on the Proposals map”. In effect, the proposed modification would entail that the “Acceptable Needs Test” was only a consideration for developments *not* directly related to the functioning and operation of the Sellafield site. As a general rule, this would entail that no development proposals would need to conform to the locational/need test mechanism as all proposed developments by Sellafield relate to the functioning and operation of the Sellafield site. As such, this modification would remove the Council’s ability to ensure that the needs of Sellafield are balanced with the requirement to secure sustainable development within Copeland.
- 2) In addition, the language of “related to the functioning and operation” of the Sellafield site is fundamentally vague and fails to provide a rigorous mechanism of testing.
- 3) The Council would also draw into question the wording suggested by the “Acceptable Need Statement” itself. The Council believes that the impetus of criterion 1) and 2) – e.g. of the planning balance and the locational reasoning – is provided with a greater degree of clarity within the

“Locational Needs Test”. Criterion 1) in the “Acceptable Need Statement” fails to provide clear criteria of how benefits ought to be measured. In contrast, the Council’s suggestion provides a clear guidance that the proposal must improve – or at least maintain – the sustainability of the location. Criterion 2) provides a less holistic version of the “Locational Needs Test”. However, more importantly, it reduces the locational requirement to a secondary criterion within a subordinate clause; as such, the functional need of a given location is not given the centrality it requires. As discussed in the hearing sessions, it is essential that the locational need for a development is central to decision making for any development beyond the Sellafield boundary. Criterion 3) while useful information to provide to the Council is largely redundant in planning terms. It is assumed that any proposals by Sellafield, and/or the NDA, accord with nuclear policy and the NDA strategy. As such, this requirement does little to illustrate the necessity of the location per se.

Sellafield Ltd and the NDA

Sellafield Ltd and the NDA welcomes the principle of a “needs test” as it allows for development outside of the existing Sellafield site boundary to be considered where appropriate. However, the NDA and Sellafield Ltd are not supportive of the Council’s proposed test, primarily due to it being too narrowly focussed on location and it not reflecting the range of matters which will be relevant to such proposals – i.e. acceptable levels of harm and demonstrable benefits, site specific circumstances, responding to Government nuclear policy, strategy and regulatory controls. Sellafield Ltd and the NDA considers that the exceptional “need” has already been established through the NDA Strategy 2021, which is a Government policy document having been subject to extensive consultation prior to being published.

In summary the following changes are proposed:

- Inclusion of a new sentence in paragraph 10.11.1 to clarify the spatial extent of where Policy NU3PU will be applied.
- Criteria A has been amended to provide clarification that sites immediately adjacent to the defined Sellafield site boundary should be considered acceptable locations for development proposals such as security measures and works directly related to the decommissioning process.
- Criteria A has also been amended to revise the requirements of the previously referred to 'justifiable exceptional need case'. The alternate approach proposed by Sellafield Ltd and the NDA uses core planning principles to require the applicant to submit a “Need Statement” which includes an assessment of:
 - Whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposal.
 - Details of the `site specific` circumstances that demonstrate the need / reason for that development to be on that particular site (as opposed to elsewhere).
 - How the proposal meets the requirements of Government Nuclear policy, the NDA Strategy and other regulatory controls.
- Reference to a 'positive legacy' in Criteria C has been removed as it is not considered to be a matter for the Local Plan.

With respect to NU4PU:

- Inclusion of a new paragraph 10.12.14 which seeks to clarify what development will be caught by Policy NU4PU.
- In addition, clarification is provided in paragraph 10.12.14 on the matter of instances where Sellafield proposals will not be subject to other policies contained in the Local Plan where these would compromise safety, security or other regulatory requirements.
- Criteria B has also been amended to revise the requirements of the previously referred to 'justifiable exceptional need case'. This matches the approach taken above in Policy NU3PU. The alternate approach proposed by Sellafield Ltd and the NDA uses core planning principles to require the applicant to submit a "Need Statement" which includes an assessment of:
 - Whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposal.
 - Details of the `site specific` circumstances that demonstrate the need / reason for that development to be on that particular site (as opposed to elsewhere).
 - how the proposal meets the requirements of Government Nuclear policy, the NDA Strategy and other regulatory controls.

The requirement for developers to provide an 'exceptional needs case' is also not outlined in policy NU1PU, which encourages new nuclear missions. It is considered unjustified that development by Sellafield Ltd is required to meet an additional criterion compared to nuclear new build.

Action Point 38

Issue	CBC Proposal	SL and NDA Proposal
The removal of reference to pre-application advice in NU3 and replacement within supporting text (AP-38).	“...Pre-application advice should be sought with the Council at an early stage of the proposal’s development.” 10.11.2 Pre-application advice should be sought with the Council at an early stage of the proposal’s development.	“...Pre-application advice should be sought with the Council at an early stage of the proposal’s development.” 10.11.2 Pre-application advice should be sought with the Council at an early stage of the proposal’s development.

Justification of Position

CBC:

This sentence has been moved to the supporting text to provide greater clarity to prospective developers, without detracting from the effectiveness of the policy itself.

Sellafield Ltd and the NDA

Sellafield Ltd and the NDA agree with this approach.

Action Point 38

Issue	CBC Proposal	SL and NDA Proposal
Clarification of “positive legacy”	Sites must be located, developed and designed, to minimise any adverse impacts and where relevant must be capable of leaving a positive legacy for the borough and its communities.	Sites must be located, developed and designed, to minimise any adverse impacts and where relevant must be capable of leaving a positive legacy for the borough and its communities.

Justification of Position**CBC:**

This sentence has been removed. The Council believes that a positive legacy is sought innately from all forms of development within the borough. As such, the wording is unnecessary.

Sellafield Ltd and the NDA

Sellafield Ltd and the NDA agree with this approach

Action Point 43

Issue	CBC Proposal	SL and NDA Proposal
Relevant policy exemptions for Sellafield	10.12. 5 The unique considerations of the Sellafield mission, regarding safety, security, and other regulatory requirements, entail that certain policies (such as landscaping) may not be appropriate for all developments within the site.	10.12.4 Proposals for development within the existing Sellafield site boundary shall not be subject to other policies contained in the Local Plan where these would compromise safety, security or other regulatory requirements. Proposals should be considered on a case by case basis to determine where exemptions may be required.

Justification of Position

CBC:

The Council recognises that the unique requirements of the Sellafield site will entail that, at times, certain policies within the plan will not be applicable. However, it is important that the wording reflects that this is the exception, rather than the rule. It is essential that each proposal identifies and justifies any such exceptions to the Council. This is particularly relevant considering the proposal by Sellafield to expand the planning boundary – and, by extension, “the site” – into more open land with greater constraints and sensitivities.

Sellafield Ltd and the NDA

Sellafield Ltd and the NDA welcome the removal of specific policies from CBC’s previous suggested wording as this allows for greater flexibility with regards to policy exemptions. We are of the view that CBC’s proposed wording provides more clarity that development would be exempt from relevant policies where this would compromise safety, security and other regulatory requirements on site. However, Copeland’s proposed wording currently reads as a statement that these requirements may not be suitable rather than explicitly stating that development on site would be exempt from these requirements where necessary. We are willing to accept Copeland’s proposed wording if this point is clarified.

Action Point 171

Issue	CBC Proposal:	SL and NDA Proposal:
<p>The scope of NU3PU (AP-171)</p>	<p>Strategic Policy NU3PU: General Nuclear Energy and Associated Development and Infrastructure</p> <p>The Council will support new nuclear energy sector projects development, such as those detailed in Table 10, by working with potential developers to identify suitable sites for the essential Associated Development needed to deliver such projects. A range of Associated Developments may include supply chain operations, research and development, worker accommodation, and other relevant uses. The development of such sites will be supported where the following criteria are met:</p> <ul style="list-style-type: none"> a) The development is sited on a designated employment site or on a suitable site within an identified settlement boundary or otherwise be accompanied by a justifiable proven exceptional locational needs case test. b) Any new energy infrastructure The proposal will minimise potential impacts on the borough’s landscape and natural environment, and the health and amenity of its community and visitors; c) Sites The proposal must be located, developed and designed, to minimise any adverse impacts and where relevant must be capable of leaving a positive legacy for the borough and its communities. <p>Pre application advice should be sought with the Council at an early stage of the proposal’s development.</p>	<p>Strategic Policy NU3PU: Nuclear Sector and Associated Development</p> <p>The Council will support nuclear sector development and associated infrastructure projects by working with potential developers to identify suitable sites for a range of nuclear related projects and activities including, production, decommissioning, innovation, storage, supply chain operations, research and development, worker accommodation, transport, logistics, provision of energy for existing assets and other relevant uses.</p> <p>The development of such sites will be supported where the following criteria are met:</p> <ul style="list-style-type: none"> a) The development is sited on a designated employment site or on a suitable site within settlement boundaries or is directly related to the functioning and operation of the Sellafield site as defined on the Proposals map. If these criteria are not met, the proposal must be accompanied by an acceptable Need Statement. 43 b) Any new energy infrastructure will minimise potential impacts on the borough’s landscape and natural environment, and the health and amenity of its community and visitors;

Issue	CBC Proposal:	SL and NDA Proposal:
	<p>Where relevant, proposals should be developed in consultation with the community and other key stakeholders</p> <p>Footnote 43: Locational Needs Test</p> <p>"The proposal is supported by a justifiable proven requirement for that use or development in that specific location and a more sustainable outcome could not be achieved by another location or through maintaining the current use, as an exception to established planning policies."</p>	<p>d) Sites must be located, developed and designed, to minimise any adverse impacts. and where relevant must be capable of leaving a positive legacy for the borough and its communities.</p> <p>c)</p> <p>Pre-application advice should be sought with the Council at an early stage of the proposal's development.</p> <p>Where relevant, proposals should be developed in consultation with the community and other key stakeholders.</p> <p><u>Footnote 43: Acceptable Need Statement</u></p> <p>Where a proposed development does not meet the requirement of Criteria A, an acceptable Need Statement shall be submitted which will consider the following:</p> <ol style="list-style-type: none"> 1) Whether any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposal. 2) Details of the `site specific` circumstances that demonstrate the need / reason for that development to be on that particular site (as opposed to elsewhere). 3) Confirms how the proposal meets the requirements of Government Nuclear policy, the NDA Strategy and other regulatory controls.

Justification of Position

CBC:

The hearing sessions, and subsequent discussions, have highlighted that NU3 lacks precision. The *intention* of NU3 had originally been to provide a clear strategic direction for *new and substantive* nuclear developments, such as SMRs, and the ancillary developments necessary for delivery. However, this clarity has been lost following modifications to NU3 over the Local Plan process. In the publication draft, NU3 provides guidance for nuclear economic activity *in general*. The Council is proposing wording to resolve this, as such an approach is inappropriate. Copeland's economy is highly specialised within this sector, and NU3 currently jeopardises the strategic overview provided to this activity by economic policies; in particular, if the "locational needs test" or another replacement mechanism, was applied to extant form of NU3.

The Council does not agree with Sellafield and the NDA's suggestion of adding:

"...is directly related to the functioning and operation of the Sellafield site as defined on the Proposals map. If these criteria are not met, the proposal must be accompanied by an acceptable Need Statement"

Sellafield already has a specific policy that relates to development both within and beyond the site, it does not fall within the category of "new and substantive nuclear developments". This modification would reduce the clarity of the Local Plan.

Sellafield Ltd and NDA

With respect to the Council's proposal to make various amendments to the first paragraph of the policy where the range of nuclear related projects and activities is defined this is not an agreed change and undoes the changes set out by the Council in their Suggested Main Modifications to the Copeland Local Plan and Addendum Document (references MALP71 and MALP73). The NDA set out their position on this aspect of the policy in their response to the Publication Draft version of the Plan in March 2022, which was supported by Sellafield Ltd. In summary, the title of the policy and first paragraph of the text were requested to be changed to include a broader range of projects which fully reflect the scope of the nuclear sector. The Council agreed to these changes in modifications MALP71 and MALP73.

Appendix B)

Proposed Sellafield planning boundary overlaid with extant planning boundary.

Action Point 41

Issue	CBC Proposal	SL and NDA Proposal
The Sellafield planning boundary (AP-41)	<p>Principles of boundary setting:</p> <ol style="list-style-type: none">1) The planning boundary should be considered the nuclear licensed site <i>or</i> the Sellafield external fenceⁱ (based upon the Hearing Statement submission) <i>whichever has a greater extent</i>. This approach will remove any anomalies.2) However, the <i>exception</i> to this is the two substantive land parcels that would be brought within the boundary by principle 1); Areas 3 and 4a. In these areas the licence site boundary would continue to act as the planning boundary.	<p>Principles of boundary setting:</p> <p>Sellafield Ltd would welcome the full extent of its current (i.e. May 2023) operational land (as demarcated by the lease boundary) to be represented as the site boundary on the Local Plan Proposals Map</p>

Justification of Position

CBC:

The current planning boundary for Sellafield is contiguous with the “Nuclear Licensed Site Boundary”. Sellafield have argued that due to the changing position of the “Perimeter Fence”, which now stretches beyond the “Nuclear Licensed Site Boundary” in some places, several anomalies have been generated. Following the hearing session, the Council has approached the principle of the Sellafield planning boundary with two objectives in mind:

- 1) To clear up anomalies, which the Council defines as incongruence between the “Perimeter Fence” and the “Nuclear Licensed Boundary”.

- 2) To provide a clear, reasonable, rigorous, and effective, rationale for the new planning boundary, that balances the aspirations of Sellafield and the Council's obligation to secure sustainable development within the borough.

The Council has proposed the following boundary principles to secure these aims:

- 1) The planning boundary should be considered the nuclear licensed site *or* the Sellafield external fence (based upon location illustrated within the Hearing Statement submission) *whichever has a greater extent*. This approach will remove any genuine anomalies.
- 2) However, the *exception* to this principle should be the two substantive land parcels that would be brought within the boundary by principle 1); Calder Hall Farm (3) and CHP Screening Mound (4a). In these areas the licence site boundary should continue to act as the planning boundary. The Council believes these areas, due to the potential harms, that are detailed within this document, caused by inappropriate development, are better mediated through the proposed "Locational Needs Test" contained within the prospective NU4PU. This mechanism can enable development to be supported outside the planning boundary. Likewise, the scale of these land parcels entails that the definition of an "anomaly" is excessively stretched.

For the following reasons, the Council considers that the boundary proposed by Sellafield, that extends in accordance with the leaseholder agreement between Sellafield and the NDA, is not an appropriate principle for designating the Sellafield planning boundary:

- 1) The Council is of the opinion that the proposed Locational Needs Test is an effective mechanism for balancing the aspirations of Sellafield and the Council's obligation to secure sustainable development within Copeland. The proposal by Sellafield would remove substantive amounts of land from the remit of the Locational Needs Test, as such it increases the possibility of less sustainable outcomes around the Sellafield site. The Council believes that the Locational Needs Test has sufficient flexibility to consider the principle of development for the proposals outlined by Sellafield, while allowing the Council to maintain the degree of control required to direct development towards the most appropriate locations and, by extension, secure the sustainability of the area and the Borough more broadly. For example, there may be a more sustainable piece of land within, or adjacent to, the existing Sellafield site that could be a more appropriate location for development.
- 2) The NDA is one of the largest landowners in Copeland, as detailed within the Council's GIS. As such, the setting of the planning boundary in accordance with *current* leaseholder agreements sets a problematic precedent that could readily facilitate increasingly unsustainable boundary extensions. The Council is concerned that the NDA and Sellafield's fundamental institutional integration entails that further leaseholder agreements are extremely probable and, as such, utilising this boundary principle would legitimise perpetual extensions to Sellafield and the subsequent loss of control detailed in point 1).

- 3) The leaseholder boundary fails to satisfy the Council's objectives regarding the Sellafield site boundary. Firstly, while it does clear up genuine anomalies, as defined by the Council, it does so in a manner that *also* substantively expands the Sellafield boundary. Secondly, from the perspective of rigorous boundary setting, a legal agreement between Sellafield and the NDA is less materially stable than either the physicality of the perimeter fence or the relatively fixed nature of the nuclear licenced site.
- 4) The Council's view is that Sellafield's proposal is less concerned with clearing up anomalies, as discussed in the hearing sessions, and appears to be more focused upon an extensive extension of the planning boundary. The Council's Development Management team are concerned that allowing such extensions will enable substantive amounts of unsustainable development, as contractor laydown areas are facilitated through PD. While Sellafield is an industrial site, it is situated in a sensitive landscape – an open coastal plain within the countryside, within influence of the views and setting of the Lake District National Park, and increasingly close to residential dwellings. Likewise, while the Sellafield site is relatively constrained, the Council is concerned that substantively relaxing the planning framework, as in Sellafield's proposition, would lower the impetus to rationalise the extant site itself, for instance; the redevelopment of substantive carpark allocations on site and the pursuit of the Sellafield Travel Plan would be given less priority. In a manner similar to point 1), the Council does not seek to stop justified development at Sellafield that requires a location outside the planning boundary, but rather considers it important to retain the degree of control provided through the Council's proposed boundary utilised in tandem with the Locational Needs Test.
- 5) Sellafield have sought to justify the inclusion of several land parcels on the ground of security requirements. However, if this land was required for evolving security requirements, the geographic nature of this form of development would likely be readily facilitated through the Council's proposed Locational Needs Test. As such, the Council doubts that this development intention is sufficient to justify a land parcels inclusion within the Sellafield boundary.

Sellafield Ltd and NDA :

The Sellafield site is the most complex and congested nuclear site in the world. There is very little spare land available on which to build the new facilities that we need to deliver our clean-up mission and to safely decommission and demolish redundant facilities [as required under NDA Strategy (2021)]. This means that land constraints could lead to sub-optimal solutions being implemented (in relation to high hazard reduction, safety and security) which, in turn, could result in the inefficient use of public money and could lead to the clean-up mission taking longer, in direct conflict with NDA Strategy 2021.

Sellafield is obligated by the NDA's strategic objectives to:

- Optimise the use of the existing licensed site for activities which need to take place on a nuclear licensed site; and
- Ensure that any opportunities to re-use part(s) of the licensed site for activities in support of the Site Mission or the broader NDA Mission are not unknowingly foreclosed

These obligations, in addition to the constraints of the Nuclear Licenced Site, requires non-nuclear development of the peripheral areas to enable us to maximise the potential for nuclear development in the optimal locations for safe operations and help us achieve our NDA objectives of high hazard reduction. A defined site boundary, which is consistent with the area operated and controlled by Sellafield Ltd, would serve to regularise minor inconsistencies and would offer the opportunity to make best use of the established operational land available in support of the site's overarching mission.

There are several developed land parcels adjacent to the Nuclear Site Licensed Boundary that the Nuclear Decommissioning Authority (NDA) has designated as operational land (in accordance with the Energy Act 2004) and leased to Sellafield Ltd. The Sellafield leased area has been established as a single planning unit and therefore it is considered that this should form the basis of the Sellafield site development boundary, including the main site, site security features, the former Visitors Centre area and ancillary access infrastructure (including Yottenfews car park). This approach is consistent with NDA Strategy 2021.

Sellafield Ltd has requirements and commitments to operate and develop sustainably leaving a clean and safe environment for future generations. This further ensures that Sellafield Ltd will continue to optimally use land within the nuclear licensed site, including the use of all non-nuclear land and car parks where safe to do so, whilst being cognisant of the importance of protecting the environment, surrounding landscape and local communities.

Sellafield Ltd and the NDA welcome principle 1 of Copeland's suggested boundary amendments. However, we do not consider that adequate justification has been provided for the exemption of the sites highlighted in criteria 2. The areas encompassed by criteria 2 are considered part of the operational area having been developed within the last 10 years e.g. access tracks and fencing. Any application perceived as resulting in the potential harm as outlined by the Council would be subject to planning conditions to control development, regardless of whether it was within or outside of the development boundary. We therefore consider that if a principle has been set for defining the boundary, this principle should remain consistent. The only exemption to principle 1 that Sellafield Ltd considers acceptable would be to include area 9, the small section between the Main Gate and the public highway (primarily for security reasons), within the development boundary.

For the reasons above, Sellafield Ltd would welcome the full extent of its operational land (as demarcated by the lease boundary) to be represented as the site boundary on the Local Plan Proposals Map.

Detailed Justification for the Proposed New Planning Boundary

The following table outlines in detail the areas that are being discussed when considering anomalies with the adopted Sellafield boundary following submission of a plan submitted by Sellafield Ltd.

Both parties outline their approach to the boundary in each location and then the alternatives for the proposed new planning boundary are shown in Map 1 (Copeland Council's proposal) and Map 2 (Sellafield/NDA proposal) at the end of this document.

Number on Plan	Name	SL and NDA Position	CBC Position
1	North Tip Extension	<p>Previously developed as spoil store, recent study identified area as having good potential for development as a construction support area to enable maximal and optimal use of NLS for nuclear activities. Spoil ultimately to be used for end-state capping.</p> <p>Land is within the operational lease area, contiguous with the main built area and is expected to be subject to future development. Therefore, we consider that the land should be included within the Sellafield development boundary.</p>	This land is not within the nuclear licence site boundary or the fence, as such the Council does not consider it to be an anomaly.
2	North Tip	<p>Small area of wooded riverbank.</p> <p>The land is within the operational lease area, contiguous with the main built area. There is no anticipated development potential.</p>	There are several minor discrepancies between the fence and the NLS in this area and the Council proposes to use the greater extent of fence and NLS in this area.
3	Calder Hall Farm Access	Identified as being key for development to support access to former Calder Hall Farm construction area (which is within the Nuclear Licensed Site) or as a future laydown area.	<p>This land is not within the nuclear licence site, but it is within the perimeter fence.</p> <p>However, the Council considers that this land should be kept outside the planning boundary due to the significant</p>

Number on Plan	Name	SL and NDA Position	CBC Position
		<p>Site fence will be subject to evolving security requirements which will necessitate development activities e.g. fence line changes and lighting or camera columns.</p> <p>The land is within the operational lease area, bounded by the Site security fence and contiguous with the main built area, it is expected to be subject to future development. Therefore, we consider that the land should be included within the Sellafield development boundary.</p> <p>In response to CBC's comments, we are aware of the noise sensitivities in this area. Any relevant development would be subject to noise assessments and mitigation as part of a planning submission. The addition of requiring a locational needs test for this area seems unnecessarily onerous given the limited scope of the potential development opportunities of an access track or laydown.</p> <p>The proposed uses of this area for laydown or an HGV access way to development land within the NLS would not be met by the development of CO32 in a locationally separate area. CO32 is designated for specific purposes within the Cumbria Minerals and Waste Plan.</p>	<p>concerns and potential for harm that development of this site would provide. In particular,</p> <ol style="list-style-type: none"> 1) This is a noise sensitive location. Any inappropriate development east of this land raises the pertinence of complaints received from residents, at Calder Hall Farm and other rural dwellings. 2) This area is close to CO32 – as identified in the Cumbria Mineral and Waste Plan – The Council views the development of this prior allocation to be a more sustainable development priority. <p>If this land was required for evolving security requirements, the geographic nature of this form of development would likely be readily facilitated through the Council's proposed Locational Needs Test. Likewise, the Locational Needs Test would allow other forms of justifiable development within this land, which may include that described by Sellafield when greater detail is provided at application stage, provided the harms are mitigated and/or its functional location justified.</p> <p>As such, the Council views Sellafield's proposed extension to the planning boundary in Area 3 as jeopardising the principle of sustainable development while providing no clear benefit for Sellafield or the Council.</p> <p>Consequently, the Council believes the planning boundary should remain the nuclear licenced site in Area 3.</p>
4a	CHP Screen Mound	Inert Spoil Store developed in 1993 as a visual and sound buffer for CHP. Development last consented in 2017 by	This land is not within the nuclear licence site, but it is within the perimeter fence.

Number on Plan	Name	SL and NDA Position	CBC Position
		<p>CCC as construction support area. Future development potential as construction support or further spoil storage. The Site fence will be subject to evolving security requirements which will necessitate development activities e.g. fence line changes and lighting or camera columns.</p> <p>The land is within the operational lease area, bounded by the Site security fence and contiguous with the main built area, it is expected to be subject to future development. Therefore, we consider that the land should be included within the Sellafeld development boundary.</p> <p>In response to CBC's comments, we are aware of the noise sensitivities in this area and it's primary function as a screening mound. Any relevant development would be subject to noise assessments and mitigation as part of a planning submission. The addition of requiring a locational needs test for this area seems unnecessarily onerous given the limited scope of the potential development and that development has been consented and commenced without a locational needs test on this area as recently as 2017.</p>	<p>However, the Council considers that this land should be kept outside the planning boundary due to the significant concerns and potential for harm that development of this site would provide. In particular,</p> <p>The Council would be opposed to the inclusion of this land parcel due to the following constraints:</p> <ol style="list-style-type: none"> 1) This land parcel is a screening mound, as such the Council is unsure of the benefits brought by bringing it within the planning boundary, that could not also threaten to jeopardise its important function of visual and sound screening. 2) As with Area 3) This is a noise sensitive location. Any inappropriate development east of this land raises the pertinence of complaints received from residents, at Calder Hall Farm and other rural dwellings. As such, it is important that the Council retains a degree of control of prospective development. <p>If this land was required for evolving security requirements, the geographic nature of this form of development would likely be readily facilitated through the Council's proposed Locational Needs Test. Likewise, the Locational Needs Test would allow other forms of justifiable development within this land, which may include that described by Sellafeld when greater detail is provided at application stage, provided the harms are mitigated and/or its functional location justified.</p>

Number on Plan	Name	SL and NDA Position	CBC Position
			<p>As such, the Council views Sellafield's proposed extension to the planning boundary in Area 4a as jeopardising the principle of sustainable development while providing no clear benefit for Sellafield or the Council.</p> <p>Consequently, the Council believes the planning boundary should remain the nuclear licenced site in Area 4a.</p>
4b	Landscaping Areas D1, 2 & 3	<p>Operational Inert Spoil store, 3 phased development area currently in phase 1, with consent from CCC to be used until 2027. It has been identified that capacity will remain beyond this date so further planning consent will be sought to extend the operational life.</p> <p>The land is within the operational lease area, bounded by a perimeter fence and access controlled by SL and is contiguous with the main built area. It is known that the existing development activities will continue beyond the existing planning consent. Therefore we consider that the land should be included within the Sellafield development boundary.</p> <p>Applying CBC's proposed boundary principle here will require an additional locational needs test for an application to extend the operational life of an existing development continuing the same function. We question whether this adds benefit to CBC or whether it demonstrates an appropriate use of taxpayers money.</p>	<p>This land is not within the nuclear licence site or the perimeter fence, as such the Council does not consider it to be an anomaly.</p>
5	Calder Gate Car Park	<p>This is an existing access-controlled car park development which at times is used as a valuable space for construction support e.g. at RBLA and Calder gate.</p>	<p>There is a discrepancy between the fence and the NLS in this area and the Council proposes to use the fence in this location as it provides the greater extent for the site.</p>

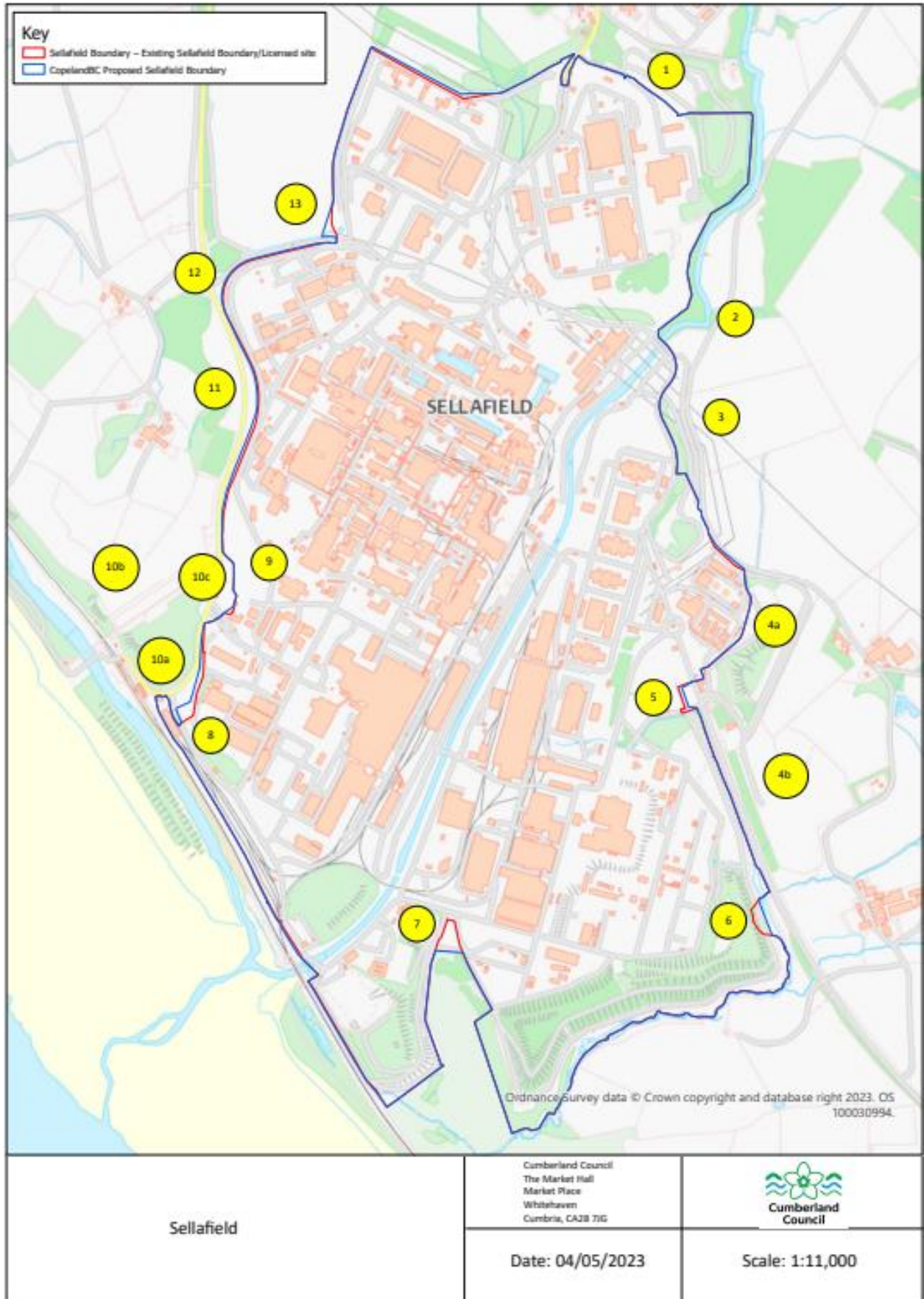
Number on Plan	Name	SL and NDA Position	CBC Position
		The land is within the operational lease area, contiguous with the main built area and is expected to be subject to future temporary development activities. Therefore, we consider that the land should be included within the Sellafield development boundary.	
6	Area H (Part)	Operational licenced spoil store, not developable for construction, however, the site fence will be subject to evolving security requirements which will necessitate development activities e.g. fence line changes and lighting or camera columns. The land is within the operational lease area, bounded by the Site security fence and contiguous with the main built area, it is expected to be subject to future development. Therefore, we consider that the land should be included within the Sellafield development boundary.	There is a discrepancy between the fence and the NLS in this area and the Council proposes to use the fence in this location as it provides the greater extent for the site.
7	Golf Course Corner	The land is contiguous with the operational site bounded by the outer security fence and would be reasonably considered as part of the Sellafield Site. Site fence will be subject to evolving security requirements which will necessitate development activities e.g. fence line changes and lighting or camera columns.	There is a discrepancy between the fence and the NLS in this area and the Council proposes to use the fence in this location as it provides the greater extent for the site.
8	Station Gate	The land within the operational site lease and incorporates the outer security fence. Site fence will be subject to evolving security requirements which will necessitate development activities e.g. fence line changes and lighting or camera columns. Therefore, we consider that the land should be included within the Sellafield development boundary.	There is a discrepancy between the fence and the NLS in this area and the Council proposes to use the fence in this location as it provides the greater extent for the site.

Number on Plan	Name	SL and NDA Position	CBC Position
9	Main Gate	The land is within the operational site lease, it is an essential part of site access controls contiguous with the operational site, bounded by the public highway. The area is subject to evolving security requirements which necessitate development activities e.g. welfare building, lighting and camera columns. Therefore, we consider that the land should be included within the Sellafield development boundary.	There are a number of minor discrepancies between the fence and the NLS in this area and the Council proposes to use the greater extent of fence and NLS in this area. The SL/NDA land lies outside of this boundary and has no rationale for inclusion.
10a	Main Gate Spoil Store	<p>Long term spoil store, ultimate spoil use will be for capping, the area currently supports SL borehole monitoring programme and Ministry of Defence observation points.</p> <p>Land is within the operational lease area, there is no additional development potential currently identified.</p>	This land is not within the nuclear licence site or the perimeter fence, as such the Council does not consider it to be an anomaly.
10b	Sealine Trench	Operational sealine trench and pipelines bounded by a security fence and within the operational lease area. Infrastructure and fence overtime will be subject repairs and upgrades some of which may be development activities. Therefore, we consider that the land should be included within the Sellafield development boundary.	This land is not within the nuclear licence site or the perimeter fence, as such the Council does not consider it to be an anomaly.
10c	Main Gate Car Park	This land is within the operational lease area it is an existing access-controlled developed area, formerly used as a car it remains a valuable space for construction support for works at main gate, sealines trenches or other near site support activities or access to operational infrastructure such as boreholes. Therefore, we consider that the land should be included within the Sellafield development boundary.	This land is not within the nuclear licence site or the perimeter fence, as such the Council does not consider it to be an anomaly.

Number on Plan	Name	SL and NDA Position	CBC Position
11	West Ring Road	The land is within the operational lease area, bounded by the Site security fence and contiguous with the main built area, The Site fence will be subject to evolving security requirements which will necessitate development activities e.g. fence line changes and lighting or camera columns it is expected to be subject to future development. Therefore, we consider that the land should be included within the Sellafeld development boundary.	There are a number of minor discrepancies between the fence and the NLS in this area and the Council proposes to use the greater extent of fence and NLS in this area.
12	WAMAC Corner	The land is within the Sellafeld operational leased area, although no development potential currently identified it may be subject to future security measures. Therefore, we consider that the land should be included within the Sellafeld development boundary.	There are a number of minor discrepancies between the fence and the NLS in this area and the Council proposes to use the greater extent of fence and NLS in this area.
13	WAMAC Gate	The land is part of the operational site and leased area bounded by the outer security fence and access gate. The Site fence and access gate will be subject to evolving security requirements which will necessitate development activities e.g. fence line/gate changes and lighting or camera columns. Therefore, we consider that the land should be included within the Sellafeld development boundary.	There are a number of minor discrepancies between the fence and the NLS in this area and the Council proposes to use the greater extent of fence and NLS in this area.
14	Former Visitors Centre & Yottenfews Farm	Visitors Centre demolition completed in 2019, concrete pads and all carparking and landscaping features remain. Yottenfews farmhouse and derelict barns remain. Area supported Covid Testing Centre for Site between 2020 and 2022. This is enclosed brownfield serviced land with access controlled by Sellafeld and is part of Sellafeld operational leased land. It is located in an area of nuclear	This land is not within the nuclear licence site or the perimeter fence, as such the Council does not consider it to be an anomaly.

Number on Plan	Name	SL and NDA Position	CBC Position
		<p>support buildings such as the neighbouring Civil Nuclear Constabulary facilities and contractor laydown on CBC land. Subject to appropriate planning process could be easily redeveloped to provide near-site support activities e.g. construction or operational support activities freeing up NLS land to be used optimally to support the national mission of high hazard reduction within the NLS. The site is essentially contiguous with the existing Sellafield development boundary with dedicated pedestrian crossing from this area over the North gate access road to the NLS. Therefore, we consider that the land should be included within the Sellafield development boundary.</p>	
15	Yottenfews Car Park, Crane testing and Heli Pad	<p>This area is part of our operational lease and is used to support staff and operations on NLS and the associated safety arrangements, however there are no current proposals to develop this area.</p>	<p>This land is not within the nuclear licence site or the perimeter fence, as such the Council does not consider it to be an anomaly.</p>

Map 1: Copeland Borough Council Proposed Boundary:



Map 2: Sellafield Ltd/NDA Proposed Boundary:

