

Copeland Local Plan 2021-2038

Statement of Common Ground between Copeland Borough Council and Sellafield Ltd

Introduction

This Statement of Common Ground has been prepared jointly between Copeland Borough Council (CBC) and Sellafield Ltd. Sellafield Ltd, as the Nuclear Site Licensee, is responsible for the safe operation of the Sellafield site. It is a wholly owned subsidiary of the Nuclear Decommissioning Authority (NDA), the owner of the Sellafield site, and is a publicly funded organisation. Sellafield Ltd operates within a heavily regulated environment and is subject to the Office for Nuclear Regulation (ONR) and Environment Agency (EA) regulatory controls which ensure that the site is managed safely with no unacceptable risks to people or the environment. The Sellafield Ltd mission is determined by Government policy and NDA Strategy 4 which has been consulted on at a national level. Sellafield Ltd's purpose is to *"create a safe environment for future generations by cleaning-up the site to a defined end state"* in accordance with the *Energy Act 2004*.

The purpose of a Statement of Common Ground is to set out the confirmed agreements and disagreements with regard to strategic and cross- boundary issues surrounding the Copeland Local Plan. This is the result of early, meaningful and continuous engagement between the Local Planning Authority and statutory consultees and key stakeholders in the Local Plan process.

The statement is intended to assist the Inspectors during the examination of the Copeland Local Plan to show where effective co-operation and agreement on key issues has taken place. For more information on how Copeland Borough Council has engaged with key stakeholders throughout the Local Plan preparation process, please see the Duty to Co-operate statement.

Appendix A provides a full breakdown of Sellafield's response to the Copeland Local Plan Publication Draft consultation and CBC's response to this. It also includes comments made by the Nuclear Decommissioning Authority (NDA) and Cumbria County Council (CCC) where they affect the Nuclear policies within the Local Plan, to show how we have addressed them and to increase transparency. This approach has been agreed by the two organisations.

Copeland Borough Council and Sellafield Ltd agree the following:

1. Consultation and engagement have been undertaken in accordance with the Statement of Community Involvement and has provided adequate opportunity for Sellafield Ltd to get involved with the development of the Plan.
2. Sellafield Ltd has a nationally important mission to support the UK's nuclear electricity generating capability and to safely, securely and cost effectively clean-up the nuclear legacy on the Sellafield site in accordance with Government policy and NDA Strategy.
3. Sellafield Ltd has an enduring obligation to manage the site and leave it in an agreed end state in accordance with relevant nuclear safety and environmental regulations and international best practice.

4. The clean-up mission at Sellafield will take many decades to complete and so Sellafield Ltd will continue to be the biggest employer in Copeland providing a significant contribution towards Copeland's economy. This is reflected through the Local Plan which seeks to enable the implementation of the Government's policy to clean-up the nuclear legacy in Copeland.
5. Sellafield Ltd is committed to working with its host community by delivering benefits and opportunities via its social impact work and delivering its mission in a way that is sensitive to the local area.
6. The Copeland Local Plan plays an important role in encouraging opportunities relating to the nuclear sector, including contributing towards the delivery of the Sellafield mission.
7. There are some changes proposed by Sellafield Ltd in their response to the Publication Draft of the Local Plan that CBC do not intend to make, which are highlighted in appendix A. These may need to be the focus of further consideration at the Local Plan examination.

Signed on behalf of CBC:

Name and Position: Chris Hoban, Strategic Planning Manager

Signature: 

Date: 15/11/2022

Signed on behalf of Sellafield Ltd:

Name and Position: 

Signature: 

Date:

30/11/2022

Development
Control Lead

Appendix A: Sellafield Ltd, NDA (c/o Avison Young) and CBC Responses to Copeland Local Plan Publication Draft Nuclear Chapter

Please note that whilst CBC can put forward suggested modifications to policies in the Publication Draft of the Local Plan at the time it is submitted to the Planning Inspectorate, these may or may not be taken forward by the Inspector. If they are taken forward, they will be subject to a public consultation during the Examination in Public.

It should be noted that whilst reference is made to the NDA's representations comments and responses in the table below – the NDA are in the process of preparing a separate Statement of Common Ground which will formally confirm their position on the various issues. Cumbria County Council comments which refer to the nuclear chapter have also been included for reference; these are also shown in the SoCG with Cumbria County Council.

Key: Proposed additional wording in bold, proposed deletion in ~~strikethrough~~, notes in *italics*

Respondent and Response		CBC Action
SL	Covering letter	<i>Contents noted</i>
NDA	Covering letter	<i>Contents noted</i>

Policy NU1				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Response 26 th September 2022
NU1, para 1, criterion a	CCC		<i>Main Modification proposed (MALP69) amendment to criterion a:</i> Proposals are will be in accordance with relevant National Policy and Government Guidance;	-
NU1, paras 3 and 4	NDA	The NDA request that the text within the third and fourth paragraphs be amended to reflect the much broader range of projects and proposals within the	<i>Main Modification proposed (MALP70), amendments to paragraph 3 as suggested:</i>	As noted above, the NDA are preparing a separate SOCG and

Policy NU1				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Response 26 th September 2022
		nuclear sector. That is, the policy should be explicit in its support for all projects which deliver the NDA's mission as set out in the NDA Strategy (2021) (a Government policy document) and not just those that deliver the "Sellafield mission". Similarly, the fourth paragraph should be amended to include reference to the NDA.	Proposals that deliver the Proposals that deliver the NDA's mission and the Sellafield mission will be supported where they meet the criteria in Policy NU4PU	that document will represent their formal position.
		The following amendments to the third and fourth paragraphs are proposed. "Proposals that deliver the NDA's mission will be supported. Proposals that deliver the Sellafield mission will also be supported where they meet the criteria in Policy NU4PU." "The Council will work proactively with the Nuclear Decommissioning Authority , Cumbria County Council and Sellafield site operators in the development and management of nuclear and associated facilities/infrastructure including offsite highway works and necessary areas of land required for construction of projects. "	The Council will work proactively with Cumbria County Council and Sellafield site operators in the development and management of nuclear and associated facilities/infrastructure. <i>Main Modification proposed (MALP71), deletion of paragraph 4 (as suggested by Cumbria County Council) as this is more of a statement than a policy requirement:</i>	
NU1, para 5	SL	"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."	<i>Minor Modification proposed (MILP146): addition of paragraph before Policy NU1</i> "Policy NU1 requires that all nuclear sector related development makes a proportionate and meaningful contribution to the local economic, social and environmental	Sellafield Ltd's response: Sellafield Ltd will meet its social economic obligations as set out in the Energy Act 2004. No further obligations should be required, over and above those which are necessary, reasonable
		While it is acknowledged that Policy NU1PU has been designed to apply to all potential nuclear		

Policy NU1				
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		<p>proposals, Sellafield Ltd is concerned by the wording of the final paragraph which requires “all nuclear sector-related development [...] to make a proportionate and meaningful contribution to local economic, social and environmental strategies/priorities”. There is ambiguity in terms of what is being sought and how this would be measured and assessed by the Local Planning Authority. Indeed, the fundamental purpose of the planning system is to achieve sustainable development, whereby economic, social and environmental objectives need to be pursued in mutually supportive ways. This underpins the plan preparation process and future decision-taking on development proposals. As such, all nuclear-sector related development would need to take account of local economic, social and environmental strategies/priorities in order to achieve sustainable development and comply with national and local planning policy requirements. Thus, it is unclear how the developer should meet this requirement over and above the need to ensure any development proposal conforms with other relevant policies in the Development Plan and National Planning Policy Framework (NPPF) taken as a whole.</p> <p>In addition, the phrase ‘proportionate and meaningful contribution’ is ambiguous and could be interpreted in such a way that the developer is</p>	<p>strategies/priorities. This could be through the production of Social Impact Strategies and/or through S106 contributions where these are required to mitigate any negative impacts and make the proposal acceptable. Development by Sellafield Ltd within the Sellafield site boundary will be exempt from this requirement as existing provisions are already in place.”</p>	<p>and directly related to development. Therefore, the sentence highlighted in yellow should be deleted. Overall, the wording in this policy remains imprecise and unjustified. It is not clear what “a proportionate and meaningful contribution” means and how this can be justified through the planning system.</p>

Policy NU1				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Response 26th September 2022
		<p>expected to provide a monetary contribution to satisfy this policy requirement. While a monetary sum may be required where reasonable, necessary and directly related to the development, this is appropriately addressed at Policy DS5PU. Any additional monetary contribution being sought from nuclear-related development proposals through the planning process would be unjustified and unsound. As highlighted in our previous responses, there are other mechanisms in place to secure funding for the benefit of local community which should remain separate to the planning process. Sellafield Ltd delivers its Social Impact Programme in order to meet the Nuclear Decommissioning Authority's supplementary function under S.7 (1) (e) Energy Act 2004 in line with the NDA Strategy 2021 (a document subject to public consultation).</p> <p>Sellafield Ltd's Social Impact Programme has been developed in collaboration with other stakeholders, including Copeland Borough Council, and Sellafield Ltd are determined to deliver the maximum social impact from the c. £2bn of taxpayers' money spent at Sellafield every year. It is wholly inappropriate for a requirement within the Local Plan for Sellafield Ltd to contribute funds through the planning application process, unless it satisfies the planning obligations tests, and such a requirement could have the negative consequence of restricting delivery of the</p>		

Policy NU1				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Response 26 th September 2022
		<p>social agenda, leading to a fragmented approach and missed opportunities.</p> <p>For these reasons, the wording of this policy requirement is deemed imprecise and unjustified. It therefore fails the test of soundness and should be deleted and/or modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.</p>		
		<p>This criterion should be deleted and/or re-worded to ensure it is sufficiently precise and unambiguous. As a minimum, reference should be made to Policy DS5PU 'Planning Obligations' and clarification given in respect of how this requirement would not be applicable to new development on the Sellafield site (as existing arrangements already in place / secured).</p>		
NU1, para 5	NDA	<p>The NDA request that the text within the fifth paragraph also be amended The NDA are concerned that the policy refers to the requirement for all nuclear sector-related development to make a proportionate and meaningful contribution to local economic, social and environmental strategies/priorities. It is considered that this element of the policy's supporting text is unclear in terms of what is being sought and how this would be</p>		<p>As noted above, the NDA are preparing a separate SOCG and that document will represent their formal position.</p>

Policy NU1				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Response 26 th September 2022
		<p>measured and assessed by the Local Planning Authority.</p> <p>The phrase 'proportionate and meaningful contribution' is considered to be ambiguous and could be interpreted in such a way that the developer is expected to provide a monetary contribution to satisfy this policy requirement. While a monetary sum may be required where reasonable, necessary and directly related to the development, this is appropriately addressed at Policy DSSPU (Planning Obligations). Any additional monetary contribution being sought from nuclear related development proposals through the planning process would be unjustified and unsound.</p> <p>It is not appropriate for a requirement within the Local Plan to require applicants to contribute funds through the planning application process, unless it satisfies the planning obligations tests.</p> <p>For these reasons, the wording of this policy requirement is deemed imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.</p>		

Policy NU3				
Paragraph	Respondent	Response	CBC Comment/Action	
NU3, para 1	NDA	<p>In general terms the policy provides support for nuclear energy sector development and associated infrastructure projects and requires that development should be sited on a designated employment site or on a suitable sites within settlement boundaries or otherwise be accompanied by a “justifiable exceptional need case”. As currently worded the policy title refers to “General Nuclear Energy and Associated Development and Infrastructure”. The NDA request that the policy title be amended to include a broader range of projects which fully reflect the scope of the nuclear sector. The following amendment to the Policy title is proposed. “Policy NU3PU: General Nuclear Energy Sector and Associated Development and Infrastructure.”</p> <p>Similarly, the first paragraph should be amended as follows: “The Council will support nuclear energy sector development and associated infrastructure projects by working with potential developers to identify suitable sites for range of nuclear related support activities projects and activities including, production, decommissioning, innovation, storage, supply chain operations, research and development, worker accommodation, transport, logistics, provision of</p>	<p><i>Main Modification proposed (MALP72), policy title:</i></p> <p>Policy NU3PU: General Nuclear Energy Sector and Associated Development and Infrastructure</p> <p><i>Main Modification proposed (MALP73), paragraph 1:</i></p> <p>The Council will support nuclear energy sector development and associated infrastructure projects by working with potential developers to identify suitable sites for range of nuclear related support activities 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>Sellafield Ltd Comment 26th September 2022</p> <p>As noted above, the NDA are preparing a separate SOCG and that document will represent their formal position.</p>

Policy NU3			
Paragraph	Respondent	Response	CBC Comment/Action
		energy for existing assets and other relevant uses. The development of such sites will be supported where the following criteria are met:"	
		For these reasons, the wording of this policy requirement is deemed to be imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.	
NU3, criterion a	CCC		<p><i>Main Modification proposed (MALP74), criterion a:</i></p> <p>The development is sited on a designated employment site or on a suitable site within an identified settlement boundaries boundary or is justified as an otherwise be accompanied by a justifiable-exceptional need case</p>
NU3, criterion a	NDA	As currently worded criteria 'a' directs development towards either designated employment sites, suitable sites within settlement boundaries or if not within these areas to be justified through an "exceptional need case". The NDA are of the view that the "need" has already been established through the NDA Strategy (2021) which is a Government policy document and subject to extensive consultation prior to being published. As written the policy has the potential to add delay or further constraint to the NDA's	<p><i>No change proposed, there may be developments, such as office developments that don't need to be located on the Sellafeld site, that could and should be located within a settlement boundary or on an allocated employment site rather than on NDA land. This would ensure the development is as sustainable as possible in terms of access to public transport etc. It also provides add the on benefits such developments can bring to services within towns and villages through an increase in footfall.</i></p>
			As noted above, the NDA are preparing a separate SOCG and that document will represent their formal position.

Policy NU3			
Paragraph	Respondent	Response	CBC Comment/Action
		<p>ability to deliver its decommissioning and clean-up mission, making best use of NDA land in order to do this.</p> <p>The NDA Strategy (2021) is Government policy and was published after extensive consultation. The Strategy sets out how the NDA are required to ensure that the Site Licence Companies (SLCs) have the land and property they need to complete their mission. It also describes the NDA's role in helping promote opportunities for reuse of their land to stimulate progress in decommissioning and the release of land to support other government priorities such as national infrastructure projects. The policy should also recognise that the siting of infrastructure to support nuclear development (transports links, security, emergency services, construction logistics) should be sited in such a way as to enhance the attractiveness of the area to future developers. This applies regardless of whether the future development is nuclear or not, for example, a new rail head, or lay down areas in the identified development areas outside of the Sellafield site would benefit Sellafield Ltd now and would also benefit the development of the Clean Energy Park development in this location.</p> <p>It is therefore requested that criterion (a) be redrafted to include reference to NDA land and</p>	<p><i>Criterion A (alongside Policy DS4) recognises that nuclear related development may be required outside of such areas, for example on the Sellafield site, and both policies would support such uses where an exceptional need case can be made.</i></p>
			Sellafield Ltd Comment 26th September 2022

Policy NU3			
Paragraph	Respondent	Response	CBC Comment/Action
		also set out the precise assessment criteria to be adopted when considering proposals subject to the “exceptional need case” to ensure a clear and consistent approach to decision-taking is possible. “a) The development is sited on a designated employment site, land under the control of the Nuclear Decommissioning Authority , on suitable sites within settlement boundaries or otherwise be accompanied by a justifiable exceptional need case.” For these reasons, the wording of this policy requirement is deemed imprecise and unjustified. It therefore fails the test of soundness and should be modified in such a way that it serves a clear purpose and is sufficiently precise and unambiguous.	
NU3, criterion b	CCC		Main modification proposed (MALP75): 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:
NU3, criterion c	CCC		Main modification (MALP76) proposed: Sites must be The proposal is 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
			-
			-

*Sellafield Ltd Comment 26th
September 2022*

Policy NU4			
Paragraph	Respondent	Response	CBC Comment/Action
NU4, criterion a	NDA	<p>The NDA wishes to raise concerns with regard to the definition of ‘nuclear development’ and the extent of the ‘Sellafield site boundary’. Further clarification is required to ensure the policy wording is justified and effective in considering future planning applications. There are a broad range of activities carried out on the Sellafield site, not all of which can be categorised as “nuclear development”. For example, there are various supporting activities and construction works which are required alongside nuclear developments. The NDA is seeking clarity regarding the associated developments required on the site so that they are enabled and supported by the Local Plan. The following amendment to criterion a is proposed. “a) All Nuclear development (other than monitoring, maintenance and investigatory work necessarily done off-site) enabling works requiring planning permission shall be sited within the existing Sellafield [Nuclear Licensed Site] boundary unless Criterion b) applies.” This would serve to provide a ‘positively prepared’ strategy which would avoid the need to demonstrate and justify the requirement for “non-nuclear”</p>	<p><i>Main Modification (MALP77) proposed: Amendment to Policy title (CBC feel the phrase non-nuclear is not necessary and has therefore not added that as part of the modification)</i></p> <p>“Nuclear and associated development at Sellafield”</p> <p><i>Main Modification proposed (MALP78), criterion a (CBC feel the phrase non-nuclear is not necessary and has therefore not added that as part of the modification):</i></p> <p>All Nuclear development (other than monitoring, maintenance and investigatory work necessarily done off-site) and any associated development and enabling works requiring planning permission shall be...</p>
		<p>Sellafield Ltd’s response: the proposed changes are an improvement, noting that, upon reflection, perhaps this policy could have been simplified by calling it “Development at Sellafield”.</p> <p>However, it should also be noted that the Sellafield site is the most complex and congested nuclear site in the world. Very little spare land is available on which to build the new facilities that we need in order to deliver our clean-up mission and to safely decommission and demolish redundant facilities. This means that land constraints could lead to sub-optimal solutions having to be implemented which, in turn, could result in the inefficient use of public money and could lead to the clean-up mission taking longer. Therefore,</p>	<p>Sellafield Ltd Comment 26th September 2022</p> <p>As noted above, the NDA are preparing a separate SOCG and that document will represent their formal position.</p>

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26th September 2022
		<p>development at the Sellafield site at the planning application stage.</p> <p>The Local Plan should not unnecessarily constrain activities to the nuclear licensed site. As written the policy has the potential to add delay or further constraint to the NDA's ability to deliver its decommissioning and clean-up mission, making best use of NDA land (not simply licensed site areas of land) in order to do this. The NDA Strategy (2021) was published after extensive consultation and sets out the NDA's intention to ensure that Site Licence Companies (including Sellafield Ltd) have the land and property they need to complete their mission. It also describes the NDA's role in helping promote opportunities for reuse of their land to stimulate progress in decommissioning and the release of land to support other government priorities such as national infrastructure projects. With respect to the Sellafield site boundary, as currently drawn on the proposals map it appears to follow the Nuclear Licensed Site boundary which only relates to part of the Sellafield site. There are areas outside of this boundary which have been developed and it is necessary to recognise these. It is therefore requested that the proposed site boundary is reviewed in order to reflect the area that is currently</p>		<p>the use of land around the periphery of the site for non-nuclear support activities (which are not town centre uses) would be beneficial in terms of accelerating hazard reduction activities.</p>

Policy NU4			
Paragraph	Respondent	Response	CBC Comment/Action
		owned by the NDA, including that operated and controlled by Sellafield Ltd. And the NDA	Sellafield Ltd Comment 26 th September 2022
NU4, criterion a	SL	<p>"a) All nuclear development (other than monitoring, maintenance and investigatory work necessarily done off-site) shall be sited within the existing Sellafield site boundary unless Criterion b) applies."</p> <p>Sellafield Ltd does not necessarily object to the inclusion of this criterion but wishes to reiterate earlier concerns with regard to the interpretation of 'nuclear development' and the extent of the 'Sellafield site boundary'.</p> <p>Further clarification is required to ensure the policy wording is justified and effective in its intent when considering future planning applications pertaining to the Sellafield site. Interpretation of 'Nuclear Development' As previously advised, there are a broad range of activities carried out on the Sellafield site, not all of which can easily be defined as "nuclear development" requiring direct permission from the Office for Nuclear Regulation (ONR). For example, there are various support activities (including emergency response infrastructure, welfare facilities, offices and infrastructure upgrades) and construction works (including compound and laydown</p>	

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26th September 2022
		<p>areas) which are required alongside nuclear developments to continue the delivery of the Sellafield Ltd mission. The necessity for these non-nuclear facilities is founded upon the principle of safe, secure, sustainable site stewardship, as regulated by the ONR (e.g. Nuclear Site Licence Condition 11 requires appropriate Emergency Arrangements to be in place), and the requirements to meet the Nuclear Decommissioning Authority's (NDA) Strategy.</p> <p>Sellafield Ltd seeks clarity regarding the associated developments required on-site (such as infrastructure upgrades etc) so that they are enabled and supported by the Local Plan. Sellafield Ltd therefore requests the policy wording to be modified (via clarification) to enable all appropriate types of development on the Sellafield site. This would serve to provide a 'positively prepared' strategy which would the avoid the need for Sellafield Ltd to repeatedly demonstrate the requirement for "non-nuclear" development on the Sellafield site at the planning application stage. Sellafield Site Boundary Sellafield Ltd has previously advised that its Nuclear Licensed Site (NLS) boundary, security infrastructure, and other areas developed in support of the operation of the site do not have a common boundary</p>		

Policy NU4				
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		although they are all operated and controlled by the company. a) All Nuclear development (other than monitoring, maintenance and investigatory work necessarily done off-site) and associated non-nuclear development shall be sited within the existing Sellafield site boundary unless Criterion b) applies. A revised 'Sellafield Site Boundary' to include all land currently operated and controlled by Sellafield Ltd, as defined by the lease boundary on the appended site location plan.		
NU4, criterion b	CCC		<p><i>Main Modification (MALP79)</i> <i>Proposed, criterion b:</i></p> <p>Where any proposed development is proposed outside the Sellafield site it shall be sited on a designated employment site or on suitable sites within an identified settlement boundaries boundary in accordance with the principles set out in Policies DS3PO and DS4PO, unless or otherwise accompanied by a justifiable exceptional need case⁴³.</p>	-
NU4, criterion b	NDA	There is a requirement under criterion 'b' for supporting non-nuclear development to be sited in close proximity to the Sellafield site. However, it is considered unclear what is	No change proposed in relation to this comment. It would be impossible to refer to all potential examples of where a location outside the	As noted above, the NDA are preparing a separate SOCG and that document will represent their formal position.

Policy NU4			
Paragraph	Respondent	Response	CBC Comment/Action
		<p>required by the “justifiable exceptional need case”. The additional footnote (43) intended to help describe the “exceptional need case” does not establish the criteria against which any development proposal would be assessed. It is therefore suggested that criterion ‘b’ be redrafted to set out the precise assessment criteria to be adopted when considering proposals subject to the “exceptional need case” to ensure a clear and consistent approach to decision-taking is possible. The NDA are of the view 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.</p> <p>As written this policy has the potential to add delay or further constraint to the NDA’s ability to deliver its decommissioning and clean-up mission, restricting best use of NDA land. The NDA Strategy (2021) was published after extensive consultation and sets out the intention to ensure that the Site Licence Companies (SLCs) (including Sellafield Ltd) have the land and property they need to complete their mission. It also describes the NDA’s role in helping promote opportunities for reuse of their land to stimulate progress in</p>	<p><i>boundary may be required. The policy is flexible enough to allow such development where a case can be justified. There is no conflict with policy DS4 as the Sellafield site itself occupies an open countryside location.</i></p>
			<p>Sellafield Ltd Comment 26th September 2022</p> <p>Sellafield Ltd response: our suggested amendment of “allocated employment sites. Such circumstances are likely to include the rationalisation for non-nuclear support activities to be located off-site in order to deliver the Sellafield Ltd mission and the wider public benefits associated with high hazard reduction and site selection” does not appear to have been considered.</p> <p>The policy remains unclear and subjective, particularly noting that Sellafield Ltd is highly likely to need to use some land outside the current site boundary in order to deliver its clean-up mission as useable land within the site boundary is very limited.</p>

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26th September 2022
		decommissioning and the release of land. It is also noted that footnote (43) suggests that any proposed development outside of the defined Sellafield site would be considered an exception to established planning policies. This is in apparent contradiction to Policy DS4PU which offers support to “nuclear related development” and “essential infrastructure to support energy development and other infrastructure” outside settlement boundaries provided there is a proven need for an open countryside location. Following this logic, it should follow that future development outside of the defined Sellafield site – subject to adequately demonstrating the need for an open countryside location – would comply with Policy DS4PU and should not be deemed as an exception. Given the above, further guidance and clarification are required, either within Policy NU4PU or its supporting text, on the assessment criteria to be applied to future development proposals outside of the defined Sellafield site and subject to the “exceptional need case”.		
NU4, criterion b	SL	“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 DS3PO and DS4PO, or otherwise		See above

Policy NU4				
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		<p>accompanied by a justifiable exceptional need case"</p> <p>A development proposal which is supported by a statement outlining the special `site specific` circumstances that demonstrate the need / reason for that development on planning grounds to be on that particular site (as opposed to elsewhere) and which justify the proposal in that location as an exception to established planning policies." As highlighted in previous consultation responses, there is a likely requirement for supporting non-nuclear development to be sited in close proximity to the Sellafield site to allow for the continued delivery of Sellafield Ltd's mission. While the inclusion and wording of criterion (b) is welcomed insofar as it provides an opportunity for such development to be considered, there remains a degree of uncertainty as to what is required by the "justifiable exceptional need case". The additional footnote (43) intended to help describe the "exceptional need case" fails to establish the basic parameters upon which any development proposal would be assessed. Noting that Sellafield Ltd is under an obligation to deliver value for money to the taxpayer [ref S.9 (2) (d) Energy Act 2004] and that the Local Planning Authority is under an obligation to approve sustainable development, the</p>		

Policy NU4				
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		<p>subjective interpretation of “exceptional need case” could prove problematic without further guidance on the required information to support future planning applications.</p> <p>Taking account of the fact Sellafield Ltd is a publicly funded body, there needs to be a degree of certainty within local planning policy to understand whether a project is likely to be ‘acceptable in principle’ prior to substantial investment into concept design. While it is acknowledged that any development proposal at the pre-planning stage carries an element of risk, it remains that the level of ambiguity surrounding the “exceptional need case” presents an unacceptable financial risk to Sellafield Ltd. Indeed, the lack of clarity surrounding the proposed approach has potential to jeopardise the delivery of projects at “best value for money” and could derail the site’s overarching mission contrary to the Nuclear Decommissioning Authority’s (NDA) Strategy (i.e. objective 4.1: to deliver site end state as soon as reasonably practicable with a progressive reduction of risk and hazard). Thus, criterion (b) should specify the precise assessment criteria to be adopted when considering proposals subject to the “exceptional need case” to ensure a consistent and deliverable approach to decision-taking.</p>		

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26th September 2022
		<p>Furthermore, footnote (43) implies that any proposed development outside the Sellafield site would be considered an exception to established planning policies. This is somewhat misleading as Policy DS4PU offers support to “nuclear related development” and “essential infrastructure to support energy development and other infrastructure” outside settlement boundaries provided there is a proven need for an open countryside location. Thus, it follows that future development outside the Sellafield site – subject to adequately demonstrating the need for an open countryside location – would comply with Policy DS4PU and should not be deemed an exception.</p> <p>Nevertheless, the assessment criteria for proving the need for an open countryside location is similarly ambiguous and ill-defined as the “exceptional need case”. It does not provide Sellafield Ltd with any certainty on the information required or how decision-takers at application stage will approach the assessment process. Indeed, the failure to quantify and substantiate the reason underpinning the “exceptional need case” has given rise to circular reasoning and it is not possible to differentiate the relevant planning policies to be applied to such proposals.</p>		

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26 th September 2022
		<p>Ultimately, forthcoming development proposals will emerge in response to the site requirements in order to enable the continued operation of the Sellafield site and the safe delivery of its mission. The absence of a clear assessment framework could impede the delivery of the Sellafield Ltd mission and clarity on this matter is deemed necessary in order to justify and guarantee the effective delivery of this policy criterion.</p> <p>Further guidance and clarification are required, either within Policy NU4PU or its supporting text, on the assessment criteria to be applied to future development proposals outside of the defined Sellafield site and subject to the “exceptional need case”.</p> <p>Additional wording to be inserted at footnote 43: A development proposal which is supported by a statement outlining the special ‘site specific’ circumstances that demonstrate the need / reason for that development on planning grounds to be on that particular site (as opposed to elsewhere) and which justify the proposal in that location as an exception to established planning policies allocated employment sites. Such circumstances are likely to include the rationalisation for non-nuclear support activities to be located off-site</p>		

Policy NUA			
Paragraph	Respondent	Response	CBC Comment/Action
		in order to deliver the Sellafield Ltd mission and the wider public benefits associated with high hazard reduction and site selection.	
NU4, criterion c	NDA	It is considered that criteria 'c' of the policy is not justified and should be deleted. The NDA Strategy requires that options for diverse radioactive waste management and disposal solutions are considered. A key principle for waste management, as described in the NDA Strategy, is that where appropriate, decisions should give greater integration across the NDA's estate and the supply chain, in particular by seeking opportunities to share treatment and interim storage assets. Decisions are made using the NDA's "Value Framework", "The Value Framework comprises factors that describe what the NDA values, recognising that value comes in many forms. These factors are considered when assessing options and identifying which option offers the greatest value.	Main Modification (MALP80) proposed: Deletion of Criteria C as it is no longer required With the exception of irradiated fuel and nuclear materials, no radioactive material is imported for treatment or storage on the Sellafield licensed site unless the proposal represents the best practical environmental option and is an interim proposal pending agreement on a national disposal route.
		The Value Framework incorporates the requirements of Strategic Environmental Assessment (SEA), and therefore sustainability and environmental considerations underpin strategy development and decision making. The consolidation of radioactive material is, therefore, in line with NDA Strategy (2021) and not in itself development requiring planning	Sellafield Ltd response: thank you.

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26 th September 2022
		<p>permission and would be controlled by other regulatory processes. The NDA undertakes extensive public consultation prior to the publication of its Strategy which establishes its position on the consolidation of nuclear material. The local planning process should seek to enable this delivery rather than introducing an additional requirement through the planning process which would conflict with the national strategy for nuclear low level waste management and the duties of other nuclear regulators (e.g. The Office for Nuclear Regulation (ONR) and Environment Agency (EA). It is therefore requested that criterion 'c' be deleted.</p>		
NU4, criterion c	SL	<p>"c) With the exception of irradiated fuel and nuclear materials, no radioactive material is imported for treatment or storage on the Sellafield licensed site unless the proposal represents the best practical environmental option and is an interim proposal pending agreement on a national disposal route."</p> <p>This criterion is not justified and should be deleted. The consolidation of radioactive material is in line with NDA Strategy 2021 and not in itself development requiring planning permission and would be controlled by other regulatory processes and regulators such as</p>		See above

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26th September 2022
		<p>the Office for Nuclear Regulation (ONR) and the Environment Agency (EA). Sellafield Ltd wishes to reiterate that this is not a matter for inclusion within the Local Plan nor should it be debated through the planning process.</p> <p>The NDA undertakes extensive public consultation prior to the publication of its Strategy which establishes its position on the consolidation of nuclear material. It is then the responsibility of Sellafield Ltd, as the Nuclear Site License Holder for the Sellafield site, to respond and deliver its mission in accordance with the NDA Strategy. The local planning process should seek to enable this delivery rather than introducing an additional requirement which is outside the planning scope and could conflict with the national strategy for nuclear waste management. Notwithstanding the above, the criterion also makes reference to outdated terminology (i.e. "best practical environmental option"), with Sellafield Ltd required to demonstrate Best Available Techniques (BAT) under environmental permits regulated by the EA. Irrespective of the wording used, it is not however reasonable or justified to include this requirement within the Local Plan as it unnecessarily duplicates another regulatory regime to no apparent benefit.</p>		

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26 th September 2022
NU4, criterion e	CCC	Criterion (c) should be deleted.	<p><i>Main Modification (MALP81) proposed, criterion e:</i></p> <p>Proposals include provision for necessary adequate infrastructure...</p>	-
NU4, criterion G	NDA	<p>In our previous representations we stated concerns that the criterion required “satisfactory” measures for carbon offsetting be secured via off site or other agreed compensatory means where it has been demonstrated that they cannot be achieved on site. As drafted the policy could not be supported as the word “satisfactory” provides no clarity as to the level of carbon offsetting required to be associated with proposals and planning applications. The removal of the word “satisfactory” has not dealt with our concerns on this point. The NDA is already taking a centralised approach to secure large-scale carbon offsetting to ensure consistency, good practice and best use of publicly funded resources. The NDA requires its’ operating companies (i.e. Sellafield Ltd) to continue with the primary task of carbon reduction and does not expect nor require individual projects to undertake carbon offsetting at scale. The NDA Strategy and sustainability policy stance on</p>	<p><i>Main Modification (MALP83) proposed: Deletion of criterion G. The requirements in this criterion go above and beyond those set within the NDA regulations and those that are applied to non-Sellafield development through the Local Plan. All development, including that at SL is covered by Policy DS2PU which encourages carbon offsetting.</i></p> <p>Proposals shall include measures for carbon offsetting via off site/other agreed compensatory means where it has been demonstrated that they cannot be achieved on site</p>	Sellafield Ltd response: thank you.

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26th September 2022
		<p>carbon reduction is for a hierarchy of measures to be considered and for this to be embedded in all of their projects and operations Carbon off-setting is at the bottom of this hierarchy. As such the wording of the requirement is inconsistent with the NDA Strategy which is based around the principles of carbon reduction as opposed to carbon offsetting. In addition, the intended purpose of the requirement is also unclear and there is no understanding of how carbon offsetting would be measured and applied in practice. There is also no link made in criteria G to Strategic Policy DS2PU (Reducing the impacts of development on Climate Change) where there is reference to "Measures to avoid fossil fuel usage for transport, heating and power generation and offsetting any carbon intensive energy usage over full lifetime of development". For the above reasons, the imposition of this criterion within Policy NU4PU would be inconsistent with the NDA Strategy for carbon management and offsetting. As such this element of the policy does not meet the tests of soundness on the basis it is unjustified, ineffective and inconsistent with national policy. It is therefore requested that criterion 'g' be deleted.</p>		

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26 th September 2022
NU4, criterion G	SL	<p>"g) Proposals shall include measures for carbon offsetting via off site / other agreed compensatory means where it has been demonstrated that they cannot be achieved on site."</p> <p>While appreciative of the borough's target to achieve net-zero status by 2037, Sellafield Ltd would like to take the opportunity to reiterate previous concerns in respect of this criterion. The site's core mission is high hazard and risk reduction. This means that sometimes carbon is not considered the biggest driver in decision-making as nuclear safety and security must be paramount. Nevertheless, Sellafield Ltd is implementing carbon reduction measures across the site, where feasible and appropriate, to accord with the requirements imposed by the Nuclear Decommissioning Authority (NDA). These align with the Government targets to achieve carbon net zero status by 2050. In achieving this target, the NDA is taking a centralised approach to secure large-scale carbon offsetting to ensure consistency, good practice and best use of publicly funded resources.</p> <p>The NDA requires the operating companies (i.e. Sellafield Ltd) to continue with the primary task of carbon reduction and does not expect</p>		See above

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26th September 2022
		<p>nor require individual projects to undertake carbon offsetting at scale. Notwithstanding the above, the intended purpose of the requirement is also unclear and there is no understanding of how carbon offsetting would be measured and applied in practice. For example, is carbon offsetting being sought against all development proposals, taking account of construction, operation and future decommissioning phases? How would the required carbon offsetting be measured and how/where could it be carried out? Has CBC allocated areas within the borough for delivery / implementation of carbon offsetting?</p> <p>In addition, no reference has been made to carbon reduction measures and how these would be considered alongside the measures for carbon offsetting. It follows that there is potential risk for this policy requirement to undermine the implementation of carbon reduction measures which would actively reduce the site's current emission levels. Indeed, the current wording is such that the cost of achieving carbon offsetting "via off site / other compensatory means" would divert the approach (and publicly funded resources) away from carbon reduction measures being delivered on-site. Similarly, no reference has been made to Strategic Policy DS2PU</p>		

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26 th September 2022
		‘Reducing the impacts of development on Climate Change’ which does not impose a requirement for carbon offsetting. There are clear inconsistencies within the Local Plan. For the aforementioned reasons, the imposition of this criterion within Policy NU4PU would be inconsistent with the NDA Strategy for carbon management and offsetting. It results in unnecessary duplication, which could give rise to double counting and the inefficient use of publicly funded resources, and therefore fails the tests of soundness on the basis it is unjustified, ineffective and inconsistent with national policy. It is respectfully requested that this criterion should be deleted.		
NU4 General	SL	It may not be possible nor appropriate for Sellafield Ltd to comply with other policies within the Local Plan, for instance biodiversity net gain, landscaping, flooding, SUDS and design requirements etc, due to constraints on the Sellafield site, safety and security reasons, mission delivery and value to the UK taxpayer. The insertion of words “where appropriate” within other policies is therefore welcomed and would allow the relevance of these policy requirements to be considered on a case by case basis at the planning application stage. Nevertheless, Sellafield Ltd considers it would	<i>No change proposed as the suggested criterion may cause confusion. It is for the Case Officer, as advised by the Policy Team, to determine whether a policy is relevant to an application or not.</i>	Sellafield Ltd response: We are seeking recognition that some planning policies may not be appropriate for implementing on a Nuclear Licence Site for safety and security reasons and hence that this should be reflected in the planning policies in order to provide clarity for all parties and to enable a more efficient planning process. The approach suggested appears to be subjective.

Policy NU4				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26 th September 2022
		<p>be prudent to include an additional criterion within Policy NU4PU which takes account of the site-specific constraints and explicitly recognises that nuclear development proposals may not comply with other policies within the Local Plan. It would be preferable to acknowledge the acceptability of potential of noncompliance through the inclusion of an additional criterion, in the interest of clarity and future deliverability, as opposed to an 'exceptions' case needing to be presented alongside each proposal.</p> <p>Additional criterion to be inserted: Proposals for development within the existing Sellafield site boundary shall not be subject to other policies contained within the Local Plan where these would compromise nuclear safety and/or security requirements.</p>		

Policy NUS				
Paragraph	Respondent	Response	CBC Comment/Action	Sellafield Ltd Comment 26 th September 2022
NUS, general	SL	"Demolition of buildings or structures on the Sellafield site shall conform to the following principles: 1. Demonstrate an acceptable	<i>Main Modification proposed (MALP84): deletion of full policy as it is accepted that it goes beyond</i>	Sellafield Ltd response: thank you.

		<p>method of demolition. 2. Provide full details of a programme of restoration of the site and /or redevelopment. 3. Shall not adversely affect any ecological assets unless it can be demonstrated that appropriate mitigation or compensation (on or off site) can be provided. 4. Shall not give rise to other adverse impacts unless it can be demonstrated that they can be adequately mitigated.”</p> <p>Demolition is required in order to facilitate the clean-up and restoration of the Sellafield site. As per our covering letter, Sellafield Ltd’s overarching mission is to carry out decommissioning of the site, and in the context of this part of the plan, to reduce the hazard and risk presented by the nuclear legacy. Ultimately this includes remediation of the site which all provides strong environmental benefits [see S.3 Energy Act 2004 for NDA’s designated responsibilities, the Secretary of State Designation for the Sellafield site (number 2) which sets out the requirements for the Sellafield site, and NDA Strategy 2001 s.1.1 “The aim of our mission is simple: to complete the clean-up of our legacy sites and release them for beneficial reuse.”] As discussed in earlier consultation responses, Sellafield Ltd respectfully requests Policy NUSPU to be deleted as it fails the test of soundness on grounds of it being unjustified and non-complaint with government policy. Above all, it results in the unnecessary</p>	<p><i>what can be considered during the determination of a prior approval application. Criterion 3 also replicates requirements in other, non-sellafield or demolition specific policies in relation to environmental protection.</i></p> <p><u>Policy NUSPU: Nuclear demolition</u></p> <p>Demolition of buildings or structures on the Sellafield site shall conform to the following principles:</p> <ol style="list-style-type: none"> 1) Demonstrate an acceptable method of demolition. 2) Provide full details of a programme of restoration of the site and /or redevelopment. 3) Shall not adversely affect any ecological assets unless it can be demonstrated that appropriate mitigation or compensation (on or off site) can be provided. 4) Shall not give rise to other adverse impacts unless it can be demonstrated that 	
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		<p>duplication of Class B, Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) whereby the principle of demolition is deemed acceptable subject to certain prescribed matters. Indeed, the prior approval process serves to specifically consider the method of demolition and restoration of the site in order to minimise the impact of said activities on local amenity. It follows that the Local Planning Authority (LPA) is limited to considering only these specific prior approval matters when determining such applications. Planning Practice Guidance (PPG; Paragraph: 028 Reference ID: 13-028-20140306) is clear of the distinctions to be drawn between the statutory requirements relating to planning applications and the prior approval process; it is stated that LPAs should not impose unnecessarily onerous requirements on developers and should not seek to replicate the planning application system. Policy NU5PU introduces 'principles' for demolition which go beyond the permitted development / prior approval process contrary to government policy. It is unclear how these additional principles would be reasonably considered when taking account of the prescribed legislative framework for determining prior approval applications. It is also unclear as to why these additional principles are being sought purely in relation to demolition activities taking place on the Sellafeld site (and</p>	<p>they can be adequately mitigated:</p>	
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		<p>not other demolition projects taking place elsewhere within the borough) which are controlled by other means i.e. The Wildlife and Countryside Act 1981, Environment Agency CL:AIRE protocol and the Sellafield Ltd Travel Plan, as approved by Copeland Borough Council. Finally, Sellafield Ltd considers “principle 4” to be imprecise and ambiguous with regard to the meaning and intent of “other adverse impacts [to be] adequately mitigated”. Again, this is beyond the scope of the permitted development rights afforded to the site in respect of demolition activities and therefore conflicts with the legislative framework. For these reasons, Policy NUSPU should be deleted.</p>		
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Policy R7PU				
Paragraph	Respondent	Response	CBC Comment/Action	
RU7, General	SL	<p>**This policy does not apply to small scale rural development such as offices although it can be applied to proposals to create new unrestricted retail floorspace through conversion or the removal of restrictive goods conditions**.</p> <p>Sellafield Ltd has previously highlighted the likely requirement for “main town centre uses” on the Sellafield site. These uses, namely offices and welfare/canteen facilities, are</p>	<p><i>Minor Modification proposed (M1-LP163):</i></p> <p>Policies E3 (Westlakes Science and Technology park) and E4 (Cleator Moor Innovation Quarter) both allow for some small scale town centre uses where these are ancillary in nature and support the primary uses of the site. This could include restaurant/canteen</p>	<p>Sellafield Ltd response: we welcome this clarification – thank you.</p>

Policy R7PU				
Paragraph	Respondent	Response	CBC Comment/Action	
		needed to support personnel required to work on the site in order to comply with the Office for Nuclear Regulation (ONR) Site Licence Conditions - for example Condition 11 (Emergency Arrangements), Condition 26 (Control and Supervision of Operations) and Condition 36 (Organisational Capability) – to safely deliver Sellafield Ltd’s mission.	facilities etc. Such uses could also be required at the Sellafield site and Clean Energy Park in the future to support their operations and reduce the need to travel. Such facilities may be permitted without requiring a sequential test to be submitted.	
		Policy R7PU does not provide an exemption from applying the sequential test for such development on the Sellafield site and future proposals would need to be assessed on a case by case basis. Despite assurances from Copeland Borough Council that the need for “main town centre uses” on-site have been acknowledged and could be adequately addressed through the planning application process, Sellafield Ltd does not consider this to constitute the most appropriate strategy, which could give rise to conflicts between Policy R7PU and the National Planning Policy Framework (NPPF). Thus, similar to the proposed policy exemption for small scale rural development, Sellafield Ltd requests that the wording of the final paragraph be amended as per the modification below.	<i>It is important that Sellafield development that could be located within a town centre is located there and that Sellafield demonstrates why any main town centre uses proposed have to be located on site. This requirement is not particularly onerous and the instances where town centre uses are required on site are likely to be few and far between.</i>	<p>Sellafield Ltd response: we disagree that “the instances where town centre uses are required on site are likely to be few and far between” given:</p> <ul style="list-style-type: none">• The significant scale of our mission which involves delivering ~ £2 billion worth of work annually.• That the Sellafield site is effectively an employment site which needs to have somewhere between 6,000 – 10,000 employees, contractors and construction workers on site delivering mission-critical activities.• That the Sellafield site is effectively the size of a small town and therefore needs all the associated infrastructure
		Additional text to be inserted: This policy does not apply to facilities required to be on the		

Policy R7PU				
Paragraph	Respondent	Response	CBC Comment/Action	
		Sellafield site (to support the proper operation of the site) or small scale rural development such as offices although it can be applied to proposals to create new unrestricted retail floorspace through conversion or the removal of restrictive goods conditions.		<p>to operate e.g. power supplies, water treatment facilities, sewage works, medical, canteen and welfare provisions, and transport infrastructure etc.</p> <p>It is unclear what the assessment criteria will be. Therefore, our proposal to include the following additional words “<i>facilities required to be on the Sellafield site (to support the proper operation of the site)</i>” is to provide clarity on this matter and to avoid the need for repetitive justifications.</p> <p>It may be helpful to note that Sellafield Ltd has its own drivers for moving non-nuclear support functions off the site to free-up land for future nuclear development, and that we have already moved a significant number of office workers off site and into town centre locations.</p>

Proposals Map				
Paragraph	Respondent	Response	CBC Comment/Action	
Proposals Map	NDA	The LLWR site is currently 'white land' in the adopted Local Plan an approach which is carried forward in this Publication draft stage Plan. The site is therefore comparable, in planning policy terms, with the open countryside. It is considered by the NDA that the proposals map should recognise all of the key NDA sites, i.e. Moorside, Sellafield and the LLWR. It is acknowledged that the majority of planning applications at the LLWR will be considered by Cumbria County Council as 'waste developments'. However, this does not eliminate the need for these sites to be given context and policy provision in the new Copeland Local Plan, given the significance and nature of the site and its importance to the local economy and nationally in terms of radioactive waste management. It is therefore requested that the LLWR site boundary be added to the proposals map. In addition, it is requested that in a similar approach taken for Moorside (section 10.4), Cumbria Clean Energy Park (section 10.5) and the Industrial Solutions Hub (section 10.6) that a contextual and descriptive overview be provided for the LLWR site.	<i>The Proposals Map is otherwise known in the regulations as a Policies Map. Sellafield has its own specific policy which justifies it being shown on the Proposals Map. The allocated part of the Industrial Solutions Hub (Cleator Moor Innovation Quarter) is also shown on the Proposals Map (Employment Allocation). The CMIQ Growth Area is shown on Figure 3 (Longer Term Growth Aspirations). Moorside is identified on the Key Diagram (Figure 2). As there are no Local Plan policies specific to LLWR, Moorside or the Clean Energy Park they do not need to be identified on the Proposals Map.</i>	As noted above, the NDA are preparing a separate SOCG and that document will represent their formal position.
Proposals Map	SL	The site boundary, as shown on the Local Plan Proposals Map, appears to follow the NLS boundary which only relates to part of the	<i>CBC feel the most appropriate boundary for planning purposes is the Sellafield Licensed boundary</i>	Sellafield Ltd response: by restricting all development to within the Nuclear Site Licence

		<p>Sellafield site. There are areas outside of this boundary which have been developed and it would seem logical to recognise these, such as the rail sidings and the former Visitor's Centre site, as being within the defined Sellafield site. Sellafield Ltd therefore requests the proposed site boundary to be reviewed in order to reflect the area that is currently operated and controlled by Sellafield Ltd. It is understood that CBC wish to keep the site boundary focused towards existing buildings and areas that need to be cleaned up as part of the Sellafield Ltd mission as opposed to adding additional areas into the site. However, Sellafield Ltd do not consider the regularisation of the area operated by Sellafield Ltd as detracting from or unduly expanding the site's clean-up operations. Instead, having 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 available land in support of the site's overarching mission.</p> <p>A site location plan has been appended to this representation which shows the operational land within Sellafield Ltd's control (leased from the NDA) and highlights the inconsistencies between the NLS and security fence boundaries. For the reasons above, Sellafield Ltd would welcome the full extent of its operational land (as demarcated by the lease boundary) to be</p>		<p>boundary, the clean-up mission at Sellafield will be severely constrained by the lack of available land on which to build the waste treatment and storage facilities that are needed to manage the nuclear legacy and hence reduce the hazards and risks which currently exist on the site. This approach will lead to a sub-optimal use of public funding and will prolong the remediation mission. It is, therefore, strongly recommended that Sellafield Ltd should be permitted to use all of the operational land that it leases from the Nuclear Decommissioning Authority (NDA) for non-nuclear support activities which need to be located close to the site. This approach is consistent with Government policy and NDA Strategy 4.</p>
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		represented as the site boundary on the Local Plan Proposals Map.		
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