

COPELAND BOROUGH COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/22/2282/OH1
2.	Proposed Development:	HAZARDOUS SUBSTANCES CONSENT
3.	Location:	SELLAFIELD, SEASCALE
4.	Parish:	Ponsonby, Seascale, Beckermest with Thornhill
5.	Constraints:	<p>ASC;Adverts - ASC;Adverts,</p> <p>Flood Area - Flood Zone 2, Flood Area - Flood Zone 3,</p> <p>Safeguard Zone - Safeguard Zone,</p> <p>Coal - Off Coalfield - Data Subject To Change,</p> <p>Key Species - Known Sites for Natterjack Toads,</p> <p>Key Species - Potential areas for Natterjack Toads,</p> <p>Gas Pipeline - Northern Gas Pipeline - 135m buffer,</p> <p>DEPZ Zone - DEPZ Zone,</p> <p>Preferred Route Corridor - Within Preferred Route Corridor,</p> <p>Outer Consultation Zone - Sellafield 10KM</p>
6.	Publicity Representations & Policy	See Report
7.	Report:	<p>Site and Location</p> <p>Sellafield is an existing licensed nuclear site situated on the west coast of Cumbria. It is highly industrialised covering an area of approximately 6km square and accommodating over 1300 buildings of varying sizes. Vehicular access is via the A595T at Blackbeck, Calderbridge and Seascale.</p> <p>Whilst the site does not benefit from any sensitive designations it is situated circa 3km away from the boundary of the Lake District National Park to the east which is a UNESCO World Heritage site.</p>

The Proposal

The applicant, Sellafield Ltd, operates a number of processes on the Sellafield Licensed nuclear site which involve the storage and use of hazardous substances.

The substances, which are the subject of the application, have been used on the Sellafield site for many years. This application seeks a variation of the existing HSC to include further hazardous substances and at the request of HSE includes all hazardous substances used at the Sellafield site.

In particular the HSC seeks consent for:

The storage of nitric acid on the site which is being used to support major hazard reduction activities across the Sellafield site, including:

- The MAGNOX Operating Programme (MOP) which covers the reprocessing of irradiated MAGNOX fuel from the first generation of UK civil nuclear power stations. This process converts the fuel into a safer and more manageable form suitable for long term storage.
- Conversion of highly active waste from a liquid form into solid vitrified glass, making the waste safer and more manageable in the long term.
- Post Operational Clean Out (POCO) of redundant plants and facilities, prior to them being put into safe care and maintenance or being decommissioned.
- An increase to the consent for the quantity of sodium hypochlorite held on the Sellafield Site. The material is predominantly used in the disinfection of cooling water systems and its use has increased due to improvements made to legionella management regimes across the site.
- An increase to the consent for the quantity of sodium nitrate held on the Sellafield Site. The material is used as an additive to cooling water systems as a corrosion inhibitor, and has seen an increased usage due to the commissioning of new plant which are required to support major hazard reduction programmes such as the processing and vitrification of highly active wastes.

Whilst it is recognised that these substances are hazardous in nature, they have been stored, managed and used safely on the Sellafield site for many years. They are essential for enabling major hazard reduction programmes and, in the case of sodium hypochlorite, for managing the risk of legionella to both persons on-site and off-site from cooling water systems in plants which are used to support major hazard reduction activities.

It is the role of the Local Planning Authority in such instances to assess the degree of risk the relocation, storage and use these substance poses to the surrounding community. The system is designed to ensure such a substance can be stored and used in significant amounts on the Sellafield site without posing a major off-site risk to the public/ local community.

Planning History

A previous application for HSC to regularise the storage of hazardous substances on the Sellafield Site was withdrawn earlier this year on the advice of HSE. This application comprises the resubmission

(4/21/2005/0H1).

A HSC was granted last year on the site for the relocation of diesel fuel tanks (4/21/2261/0H1).

Consultations

Seascale Parish Council

No objections.

Beckermeth with Thornhill Parish Council

No objections.

CCC Resilience

No comments

Environmental Health

No objections

ONR

Does not advise against this development and no conditions are recommended.

Public Representation

This application was advertised by way of site notice and press notice. No responses have been received to date as a result of these advertisements.

Planning Policy Context

Copeland Local Plan 2013 – 2028 (CLP) (Adopted December 2013)

The relevant Copeland Local Plan policies are identified below.

Core Strategy

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

Development Management Policies

Policy DM5 – Nuclear Sector Development at Sellafield and the LLWR at Drigg

The aforementioned policies and guidance generally support proposals related to the development of energy/ nuclear related infrastructure on the Sellafield site.

Emerging Copeland Local Plan (ECLP) 2021-2038

The emerging Copeland Local Plan has recently been the subject of a Publication Draft Consultation. The Publication Draft Consultation builds upon the previously completed Issues and Options and

	<p>Preferred Options consultations. Given the stage of preparation of the Copeland Local Plan 2017-2035 some weight can be attached to policies within the Publication Draft where no objections have been received. The Publication Draft provides an indication of the direction of travel of the emerging planning policies, which themselves have been developed in accordance with the provisions of the National Planning Policy Framework.</p> <p>The following ECLP policies are relevant:</p> <p>Strategic Policy DS1PU: Presumption in favour of Sustainable Development</p> <p>Strategic Policy DS2PU: Reducing the impacts of development on Climate Change</p> <p>Policy NU4PU: Nuclear Development at Sellafield</p> <p>However, it should be noted that the CLP currently carries the primary weight in relation to decision making.</p> <p>Other Material Planning Considerations</p> <p>National Planning Policy Framework (2019)</p> <p>Planning Policy Guidance (NPPG)</p> <p>Assessment/ Conclusion.</p> <p>Taking into account the above and in particular the key consultation response from ONR, it is considered that the safety risks to the surrounding community arising from the continued and proposed storage of the hazardous substances identified on the Sellafield licensed nuclear site are minimal and as such the proposal is considered acceptable in compliance with the Planning (Hazardous Substances) Regulations 2015 as amended. The proposal raises no material planning issues and generally accords with the policies of the Copeland Local Plan and national guidance contained in the NPPF.</p>
8.	<p>Recommendation:</p> <p>Approve Hazardous Substances</p>
9.	<p>Statement</p> <p>The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations and any representations that may have been received and subsequently determining to grant Hazardous Substances Consent in accordance with the Planning (Hazardous Substances) Regulations 2015 as amended and the guidance contained in the National Planning Policy Framework.</p>

Case Officer: H.S. Morrison	Date : 16/08/2022
Authorising Officer: N.J. Hayhurst	Date : 16/08/2022
Dedicated responses to:-	