

CUMBERLAND COUNCIL DELEGATED PLANNING DECISION

1.	Reference No:	4/24/2105/0F1
2.	Proposed Development:	INSTALLATION OF A SINGLE STOREY BUILDING WHICH WILL BE USED AS A TRANSFER FACILITY TO PROVIDE A SAFE AND SECURE OPERATING AREA FOR THE EXPORT OF MATERIALS ACROSS THE SELLAFIELD SITE
3.	Location:	SELLAFIELD, SEASCALE
4.	Parish:	Ponsonby
5.	Constraints:	ASC;Adverts - ASC;Adverts, Safeguard Zone - Safeguard Zone, Coal - Off Coalfield - Data Subject To Change, Key Species - Potential areas for Natterjack Toads, DEPZ Zone - DEPZ Zone, Outer Consultation Zone - Sellafield 10KM
6.	Publicity Representations &Policy	See Report
7.	Report: Site and Location <p>The site is situated within the central restricted area, known as the `separation area`, of the Sellafield site. It is level and bounded by an existing building and link corridor, a service trench, fences, and gates.</p> <p>Currently vacant it comprises a mix of a concrete, tarmac and gravelled areas. The adjacent buildings are clad in red/orange brickwork and range from single storey to several storeys in height.</p> Proposal <p>It is proposed to construct a single storey industrial type building which will be physically</p>	

linked to an adjacent larger building. This will have a pitched roof with a maximum ridge height of 6.5m but a proposed roof gantry and vents will increase the height of the building to some 8m. The building will be clad completely in aluminium standing seam cladding with a stucco embossed finish which will weather within the first two years. Ground and roof mounted gantry, and roof access ladder will be of a natural aluminium finish. It will cover an external floor area of 305 square metres.

The building is required to facilitate the export of packages from the adjoining buildings to elsewhere on site. This entails the storage of packages within the building before they are loaded into a truck and exported across the site. There is a need to transfer materials from existing facilities across the site to newer facilities. Currently, these material transfers are carried out on an intermittent and ad-hoc basis. In the future, there is a need to increase the number of transfers and, as such, a fit-for-purpose transfer facility is required in order to provide a safe and secure operating area in which the materials can be moved out of their current storage area and loaded into transport vehicles, ready to be moved across the site. The new North Transfer facility, as the building will be known, is accessed from the South and will connect directly into an existing link corridor between two existing buildings.

In terms of access, there is presently level access from the separation area into the site for both pedestrians and vehicles; this will be unchanged. The existing connection to the internal road network will remain and will be the only method of vehicles accessing the site. There will be no parking within the site with works vehicles only picking up and dropping off.

Consultation Responses

Seascale PC

No objections.

Gosforth PC

No objections.

Ponsonby and Calderbridge

No objections.

ONR

Does not advise against this development.

Local Highway Authority (LHA) and Lead Local Flood Authority (LLFA)

No objection to the proposed development as it is considered that it will not have a material effect on existing highway conditions, nor will it increase the flood risk on the site or elsewhere.



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Planning Policy

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

Development Plan

On 1st April 2023, Copeland Borough Council ceased to exist and was replaced by Cumberland Council as part of the Local Government Reorganisation of Cumbria.

Cumberland Council inherited the local development plan documents of each of the sovereign Councils including Copeland Borough Council, which combine to form a Consolidated Planning Policy Framework for Cumberland.

The inherited the local development plan documents continue to apply to the geographic area of their sovereign Councils only.

The Consolidated Planning Policy Framework for Cumberland comprises the Development Plan for Cumberland Council until replaced by a new Cumberland Local Plan.

Adopted Copeland Local Plan 2013-2028 (CLP)

Relevant policies comprise:

Policy ST1 – Strategic Development Principles

Policy ST2 – Spatial Development Strategy

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

Policy DM10 – Achieving Quality of Place

Policy DM11 – Sustainable Development Standards

Policy ENV1 Flood risk and risk management

Emerging Copeland Local Plan 2021-2038 (ELP)

Cumberland Council are continuing the preparation and progression to adoption of the ELP.

The Local Plan Examination Hearing Sessions were completed in March 2023.

The appointed Planning Inspector issued the post hearing letter in June 2023, which identified the next steps for the examination.

The Inspector has now considered all representations and the discussions that took place during the Local Plan Examination Hearing Sessions in 2023 and identified a number of amendments or 'modifications' that are required in order to ensure the ELP is sound i.e. positively prepared, justified, effective and consistent with national planning policy.

A six-week public consultation seeking views on the proposed modifications to the ELP closed on the 28th March 2024. The Planning Inspectors Report is awaited.

As set out in Paragraph 48 of the National Planning Policy Framework (NPPF), Local

Planning Authorities may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan; the extent to which objections to relevant policies have been resolved; and the degree to which emerging policies are consistent with the NPPF.

Given the advanced stage of preparation of the ELP it is considered that full weight can now be attached to policies where no objections have been received or objections have been resolved. Especially as the consultation on the main modifications to the ELP is now complete and just awaiting confirmation, also significant weight can now be afforded to the policies of the ELP where modifications are proposed.

The following ECLP policies (to which there have been no objections so it excludes nuclear policies) are relevant to this proposal:

Strategic Policy DS1PU: Presumption in favour of Sustainable Development

Strategic Policy DS6PU - Design and Development Standard

Strategic Policy DS2PU - Reducing the impacts of development on Climate Change

Strategic Policy DS7PU: Hard and Soft Landscaping

Strategic Policy DS8PU - Reducing Flood Risk

Strategic Policy DS9PU: Sustainable Drainage

Other Material Planning Considerations

National Planning Policy Framework (NPPF).

Planning Practice Guidance (PPG).

National Design Guide (NDG)

Wildlife and Countryside Act 1981

Assessment

Design and Visual Amenity

The design process for nuclear development is complex and goes far beyond aesthetic considerations as it is important to ensure that the buildings are safe and fit for their nuclear purpose. The proposed cladding for the building, aluminium standing seam cladding with a stucco embossed finish, whilst raising some initial concerns as it presents a bright stark finish, is not on consideration an issue. This is due to the fact it will weather within a two-year period to a more acceptable duller finish, as seen with similar materials used elsewhere on site. It is also extremely weather resistant and as such is suitable for such an exposed coastal environment. This coupled with the relatively minor scale of the building and its location within a dense built-up area of the site will help to reduce any potential visual harm to



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an acceptable level.

Flood Risk and Drainage

Flood risk to the existing site is considered low and would not increase due to proposed site development in respect of coastal and river, drainage network or groundwater flooding. However, assessment of surface water flooding predicts there may be some flood risk within the southwest corner of the North Transfers Facility site. To determine the final risk level the revised site layout will be incorporated into the site wide flood risk model during the detailed design phase. This flood risk model will be used to determine any change in the extent of localised flooding and confirm any additional or modified mitigation measures required to protect the North Transfers Facility and adjacent buildings. This aligns with Policies ENV1 of the CLP and DS8PU of the ELP.

Ecology

A Phase 1 Habitat Survey was undertaken for the site. This revealed that there is developing scrub habitat in the vicinity, especially the service trench, that would be suitable for reptiles. However, due to the built-up nature of the wider site and several fences which act as barriers there is no evidence of reptiles. Also due to the lack of water and soil the area is considered of low value for wildlife. Whilst there may be nesting potential for ground nesting birds the survey revealed no evidence. It is also not suitable for bats.

The only potential issue could be from transient birds using the surrounding buildings and the small number of trees/larger scrub vegetation present on the future North Transfer Facility site as potential nesting sites.

In view of the above, acceptable mitigations will be employed to ensure the risk of impacts on wildlife are as low as reasonably practicable. These are detailed in the ecological survey accompanying the application and include clearing vegetation from the site in the autumn before construction works start to reduce the likelihood of wildlife becoming established immediately prior to works commencing. Operatives will be provided with relevant toolbox talks throughout the project on identifying wildlife and actions to be taken and ground works to commence between 1st August and 28th February (outside the bird nesting season).

Land Contamination

The Contaminated Land Assessment summarises the potential land contamination and radiological risks that relate to the site and proposed development and provides recommendations for any future investigation and mitigation measures. As this is a confidential report no further information can be provided. Indications are, however, that it raises no issues.

Noise

Whilst there will inevitably be noise arising from the construction phase given the relative small-scale nature of the proposed works this is unlikely to create a noise issue outside the immediate environs and in view of its central location and surrounding buildings will not affect

	<p>any area outside the Sellafield site.</p> <p>During the operational phase the majority of the operations to be carried out internally and as such it will have minimal impact externally in terms of noise apart from the delivery vehicles.</p> <p>Planning Balance and Conclusion</p> <p>The application raises no material issues from a planning perspective. It has been demonstrated that the proposed development will not cause any undue harm to the environment in terms of visual amenity, flood risk, ecology, contamination or noise. Where mitigation measures are required i.e, ecology and surface water flooding they will reduce any risk to an acceptable level.</p> <p>On balance therefore, taking the above assessment into account, it is considered that the proposed new North Transfer Facility within the central area of the Sellafield site constitutes an acceptable form of development in accordance with the relevant policies of the existing adopted Copeland Local Plan and the emerging Copeland Local Plan as well as national policies and guidance.</p>
8.	<p>Recommendation:</p> <p>Approve (commence within 3 years)</p>
9.	<p>Conditions:</p> <ol style="list-style-type: none"> 1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. <p>Reason</p> <p>To comply with Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p> <ol style="list-style-type: none"> 2. Permission shall relate to the following plans and documents as received on the respective dates and development shall be carried out in accordance with them: - <p>Documents</p> <p>Cover Letter and Planning Statement by SL Ltd, ref. PLC/BCC/2084, dated 27 March</p>



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Design and Access Statement, prepared by: CS&A, Ref. RP/SNMN-GEN/CSA/00008 Rev A, dated 1 March 2024

Phase 1 Habitat Survey, Issue B, by SL Ltd. ref. NFR/SNMN-GEN/SAFE/00001, dated 13 February 2024

Desk Top Flood Risk Assessment by SL Ltd, dated 23/11/2023.

Official Contaminated Land Desk Study by SL Ltd, 2024, ref RP/GEN/CSA/00012/A.

Drawings/Plans

Location Plan, drawing no. BE3108837 Rev A, scale 1:5000.

Official Location Plan, drawing no. BE3108837 Rev A, scale 1:5000.

Site Plan as existing & as proposed, drawing no. BE3125731, scale 1:200.

Plans GA as proposed, drawing no. BE3125735 Rev A, scale 1:100.

Elevations as proposed, drawing no. BE3125736 Rev A. 1:100

Reason

To conform with the requirement of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

Statement

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received, and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development as set out in the National Planning Policy Framework.

Case Officer: H.S. Morrison

Date : 28/05/2024

Authorising Officer: N.J. Hayhurst

Date : 28/05/2024

Dedicated responses to:- N/A