

CNC Operational Unit

Planning Policy and Context

The Sellafield site is of national importance in its responsibility to ensure the safe and secure remediation and reprocessing of nuclear material. The site is also of critical importance to the Copeland, and wider Cumbrian, economic and social prosperity.

In relation to this proposed development, the following national and local planning policy provisions are relevant:

- National Planning Policy Framework (NPPF);
- Technical Guidance to the National Planning Policy Framework (NPPG);
- Copeland Local Plan – 2013 – 2028

National Planning Policy Framework (NPPF)

The NPPF was published in February 2019 and consolidates all national planning policy guidance. This latest publication replaces the first version of the NPPF which was published in 2012. The document is a material consideration in the determination of all planning applications.

At the heart of the Framework is the 'presumption in favour of sustainable development' which seeks to ensure that development is pursued in a positive way.

The NPPF defines 'sustainable development' and highlights that it has three overarching objectives; economic, social and environmental.

The NPPF states that these objectives need to be pursued in mutually supportive ways.

National Planning Practice Guidance

In March 2014 the Government released the National Planning Practice Guidance (NPPG) web-based resource to support the NPPF. This resource has been updated to reflect the latest version of the NPPF. The NPPG contains important information for users of the planning system that was previously published in separate documents and guidance notes. The NPPG expands and clarifies policy provisions within the NPPF and sets out explicit tests, criteria and procedures for delivering national planning policy.

Copeland Local Plan 2013 – 2028 (CLP)

Planning law requires that all planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan in relation to the proposal consists of policies within the Cumbria Minerals and Waste Local Plan 2015-2030, which was adopted on 6 September 2017, and the Copeland Local Plan 2013 – 2028, which was adopted in December 2013.

Copeland Borough Council has also commenced work on its new Local Plan which will contain strategic policies, site allocations and development management policies. The Plan will consider how much development should be supported over the plan period 2017-2035 and where such development should go, what it should look like and which areas should be protected from development. Public consultation was carried out in late 2020 on the Preferred Options Draft. As it is at an early stage in the plan making

process it carries very limited weight in planning decisions and therefore it does not form part of the following policy review.

The adopted Local Plan is currently 'Part 1' only consisting of a 'Core Strategy' of strategic policies and development management policies. It is considered the most relevant policies within the CLP in relation to this proposal are as follows:

- Policy ER1 – Planning for the Nuclear Sector;
- Policy DM1 – Nuclear related Development;
- Policy ENV1 – Flood Risk and Risk Management;
- Policy ENV2 – Coastal Management;
- Policy ENV3 – Biodiversity and Geodiversity;
- Policy ENV5 – Protecting and Enhancing the Borough's Landscapes;
- Policy DM10 – Achieving Quality of Place;
- Policy DM11 – Sustainable Development Standards;
- Policy DM22 – Accessible Developments;
- Policy DM24 – Development Proposals and Flood Risk;
- Policy DM26 – Landscaping.

Planning Policy Appraisal

Principle of Development

The Sellafield site is of national importance in its responsibility to ensure the safe and secure remediation and reprocessing of nuclear material. The site is also of critical importance to the Copeland, and wider Cumbrian, economic and social prosperity.

The Civil Nuclear Constabulary has a statutory duty to protect the UK by maintaining a 24/7-armed policing response at civil nuclear sites. This role includes having a significant presence at Sellafield to protect the Nuclear Licensed Site and the nuclear materials that are managed and stored on the site. Maintaining the safety and security of the Sellafield site is paramount. The Civil Nuclear Constabulary will be the end user of the proposed development.

In recognition of this significance the Local Plan has several specific planning policies relating to developments at Sellafield and the nuclear sector. The Local Plan states:

"Developments contributing to the continuing future of the nuclear industry in Copeland, and which fall to the Council to determine using its development management powers, will be supported, provided that they are not unacceptably detrimental to the environment or infrastructure of the Borough, or to the welfare of its people. The Council will use its planning powers to secure maximum mitigation of, and where appropriate, compensation for unfavorable impacts." (Paragraph 4.2.3)

The fundamental purpose of the proposed development is to protect the safety and security of the Sellafield site and therefore it is clear the principle of development is acceptable and fully in accordance with the requirements of the NPPF and the CLP policies.

Technical Issues and Considerations

Design, Layout and Materials

Policy DM10 (Achieving Quality of Place) sets out how the Council expect all new development to be designed to a high standard. Relevant to this proposal, the policy states:

“The Council will expect a high standard of design and the fostering of ‘quality places’. Development proposals will be required to:

- B Respond positive to the character of the site and the immediate and wider setting and enhance local distinctiveness through:**
 - i) An appropriate size and arrangement of development plots;**
 - ii) The appropriate provision, orientation, proportion, scale and massing of buildings;**
 - iii) Careful attention to the design of spaces between buildings, including provision for efficient and unobtrusive recycling and waste storage;**
 - iv) Careful selection and use of building materials which reflects local character and vernacular.**
- C Incorporate existing features of interest including landscape, topography, local vernacular styles and building materials; and in doing so, have regard to the maintenance of biodiversity.”**

Design and layout

The proposed development has been designed with the principle objectives of safe and secure functionality. The appearance of the buildings and the choice of materials, however, have been carefully considered to ensure they are as visually unobtrusive as possible, tidy and easily maintainable to ensure they remain in good order.

The proposed buildings have been arranged practically within the available space, allowing for appropriate operational functionality and associated traffic and pedestrian flows.

The immediate and wider setting of the proposal site is, by its very nature, heavily industrialized and in this respect the proposed buildings are in-keeping in character with the existing Sellafield site.

Materials

The buildings will be constructed using a combination of steel-frame, brickwork and steel coloured composite paneling.

The light-mid grey appearance is the required colour for buildings on the Sellafield site for security reasons, with the main design criteria being to blend in with other newly constructed facilities.

In the relation to all matters addressed above, it is considered that the design, layout and materials of the proposed building is sustainable, appropriate and in accordance with the requirements of Policy DM10 (Achieving Quality of Place).

Traffic and Accessibility

There will inevitably be an increased level of traffic associated with the construction of the proposed buildings. However, this will not have a significant impact, especially given the nature of the wider site. Furthermore, a Construction Environmental Management Plan has been prepared and submitted as part of the application pack.

In relation to operational traffic, the nature of the development proposed will not generate any significant adverse effects on network capacity either within the site or on the wider west Cumbria highway network.

The proposed development will include disabled access parking spaces. All other workers (operational and construction) will access the development using the existing Sellafield access protocols, including the Sellafield Ltd Travel Plan and the Sellafield Ltd Delivery Management System.

Paragraph 109 of the NPPF states that development should only be prevented or refused on transport grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network are severe.

It is therefore evident that the proposed development is acceptable in relation to traffic and accessibility.

Flood Risk and Drainage

Policy ENV1 (Flood Risk and Risk Management) of the CLP sets out how new development will be expected not to contribute to increased risk of flooding and have resilient and sustainable drainage solutions. Relevant to this proposal, the policy states:

"The Council will ensure that development in the Borough is not prejudiced by flood risk through:

- A Permitting new building development only on sites located outside areas at risk of flooding, with the exception of some key sites in Whitehaven;**
- C Ensuring that new development does not contribute to increased surface water run-off through measures such as Sustainable Drainage Systems, where these are practical. Where they are not this should be achieved by improvements to drainage capacity."**

The proposed development is located in an area categorised as Flood Zone 1 and is not at risk of flooding. Regardless of this, the building is designed to be resilient to any flood risk and ensure the safety and security of the property and personnel.

Surface and foul water from the proposed development will be discharged to the existing site drainage network.

The proposed development will generate a small net increase in discharge to the surface water drainage system and corresponding increases in water levels. The proposed development has been designed in consultation with the relevant Sellafield Ltd site drainage teams who are responsible for managing on-site resilience and capacity.

The proposed development poses no adverse issues in relation to flood risk or drainage and is therefore compliant with Policy ENV1 of the Local Plan.

Environmental Sustainability

Policy ST1 (Sustainable Development Principles) sets out a series of general sustainable environmental principles by which the Council will expect all new development to accord. In relation to this development the principles of energy efficiency, reuse of land, ecological and environmental protection are relevant.

Ecology

The Sellafield site is not within any area designated for ecological value or habitats of note. The proposed development is within an existing working site and predominately consists of existing hard standing. This area is considered to offer little or no intrinsic ecological value.

Ground Conditions, Emissions and Air Pollution

No significant aerial emissions are expected during the construction phase of the proposed development. Mitigation measures will be employed if required to reduce potential sources of dust, for example a wheel washing facility or Sellafield site road sweeping will be utilised to lessen the impacts of dust and debris. Vehicles engines will not be left running when the required.

Construction of the proposed development is expected to generate liquid emissions associated with standard construction site emission sources such as surface water run-off from rainfall events, wheel washing effluent and any groundwater encountered during excavation.

Suitable mitigation measures will be utilised to ensure sediment / particulates and other potential sources of pollution will be managed to protect water quality.

Construction liquid discharges will be subject to the standard Sellafield permitting regime, which requires an internal permit specifying limits on potential pollutants. Liquid emissions generated during construction related activities are not considered to have a significant adverse effect on the environment.

In respect of the above matters it is considered that the proposed development is in accordance with the requirements of Policy ST1 of the CLP.

Planning Policy Conclusion

The planning policy framework by which this application must be assessed sets out that nuclear related development in Copeland will be supported where it is demonstrated that:

- The development will contribute to the ongoing prosperity of the Cumbrian economy and promote Copeland as a centre of nuclear excellence (Policy ER1, Copeland Growth Strategy);
- The development contributes to the long-term strategy for future management of the Sellafield site (Policy DM1, Policy DM5);
- The development will cause no significant, or will seek to minimise, harmful impacts upon the environment (Policies EN3, EN5, DM5 and DM26).

The NPPF requires that Local Planning Authority implement the '*presumption in favour of sustainable development*' when determining planning applications. It states:

"For decision taking this means:

- **Approving development proposals that accord with the development plan without delay;"** (Paragraph 11).

In respect of all matters addressed within this planning application it is considered that the proposed development is fully in accordance with all relevant planning policies within the Local Plan and that planning permission should be granted.

