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Miss Sadie Clarke  
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Your Ref:

Our Ref: EN010047

Date: 07 January 2015

Dear Miss Clarke

**Re: Proposed application for development consent by NuGen for a new nuclear power station at Moorside near Sellafield**

Thank you for your letter which arrived in this office on 7<sup>th</sup> January 2015. I am writing to you in my capacity as the Nuclear sector lead at the Planning Inspectorate. My role is to provide advice to applicants, the public and others about the development consent process.

The development consent process is relatively new and came into force in March 2010. The process is designed to handle applications for Nationally Significant Infrastructure Projects, like new nuclear power stations.

We have had a couple of meetings with NuGen about their proposals in West Cumbria and the notes of those meetings are published on our Moorside project web page which you can access via this web address:

<http://infrastructure.planningportal.gov.uk/>

*(Search for "Moorside" in the project search field, click on "go" and once there click on the "s.51 advice" tab.)*

More meetings are planned and I enclose a paper copy of the most recently published meeting note for ease of reference. All future meeting notes will be published on our Moorside project web page.

As things stand we are not expecting an application to be submitted by NuGen until 2017. Our focus at the present time is to advise NuGen about their legal duty to carry out pre application consultation. In due course NuGen will undertake community consultation to seek views on their proposals and how the construction and operational impacts of the proposed development should be mitigated or avoided. The purpose of the pre application consultation stage is to allow local communities and others the opportunity to influence the preparation of the application.

However, first NuGen must decide how they will consult with the local communities affected and seek the views of the relevant local authorities about their consultation plans. Once they are ready to do so, NuGen are required to publicise their consultation plans in a Statement of Community Consultation and you will be able to see how, where and when you will be able to put forward your views on the A595 road and any other potential impacts that you are concerned or interested in.

Once the application is submitted, and if it is accepted to proceed to be examined, there will be an opportunity for anyone who wishes to take part in the examination to register their interest to formally become an "Interested Party". Interested Parties are entitled to make representations in writing and verbally at hearings to the Examining Authority.

The Examining Authority will be appointed if and when the application is accepted to proceed to examination. The Examining Authority's duty will be to impartially examine the submitted application, considering the views of local people and others about the submitted application before making a recommendation to the Secretary of State for Energy and Climate Change about whether or not to grant development consent for the Moorside project. The Secretary of State will make the final decision.

As Mr Reed states in his letter to you of 18<sup>th</sup> December, the issue of any community benefits arising out the development will be a matter for on-going negotiation between NuGen, the local authorities and others. The Inspectorate must remain impartial and so cannot be party to these negotiations. Any planning obligation put forward by the applicant will considered by the Examining Authority as part of the wider package of mitigation proposed by the applicant when they make their report and recommendation to the Secretary of State.

In concluding, I just want to reassure you that in due course you will have an opportunity to put forward your views to NuGen in advance of the application being made. If your concerns are not dealt with to your satisfaction in the submitted application, you will then have the opportunity to put your views to the Examining Authority, which will be a Panel of up to five Examining Inspectors. The Examining Authority will consider any relevant or important matters, which is more than likely to include the impact of the development on local services such as schools and healthcare provision.

In the interests of openness and transparency I will publish a précis of your main points and this reply on our advice log, in the same place as the notes of the meetings we have with NuGen (see above web link). I also enclose one of our advice notes which provides an overview of the development consent process. Please contact us again using the details at the top of this letter if you have any further questions

Yours sincerely

*Mark Wilson*

**Infrastructure Planning Lead**

Cc Jamieson R. Reed MP

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.