

OUTCOME OF THE INSPECTOR'S EXAMINATION INTO THE CUMBRIA MINERALS AND WASTE DEVELOPMENT FRAMEWORK (MWDF)



Case Study 6 May 09

OUTCOME: Cumbria County Council has developed local planning policies on the management of radioactive wastes in the county. Subject to some minor changes, these policies have been found to be sound following independent examination. The policies have now been formally adopted by the County Council and are the starting point in considering planning applications for specific developments for the management of radioactive wastes.

BENEFIT TO THE COMMUNITY: Adoption of explicit local planning policies on the management of radioactive wastes, taking into account:

- national policies for managing radioactive wastes
- a strategic approach to waste management at local and regional levels
- local public consultation and
- independent examination

BACKGROUND: In 2008, Cumbria County Council's Core Strategy and Generic Development Control Policies were subject to examination by the Planning Inspectorate, involving Hearing in Public sessions between 11-21 November. The Inspectors' report on the examination was published in early February 2009 and is available on the Cumbria County Council website at [Inspectors' Report](#).

LOCAL POLICIES: The Core Strategy includes three policies on radioactive waste management (see [Core Strategy](#)). These set out:

- The criteria that developments associated with the interim storage of higher activity wastes at Sellafield must meet to be permitted (Policy 10).
- The stages at which the County Council may expect planning applications to be submitted if a site for a Geological Disposal Facility were to be pursued within the county (Policy 11).
- A continued role for the Low Level Waste Repository (LLWR) near Drigg, with the need for proposals for very long term storage or disposal to demonstrate feasibility in relation to the long-term integrity of the site, taking into account sea level rise, coastal erosion and its radiological capacity (Policy 12).

INSPECTORS' CONCLUSIONS: The Inspectors confirmed that the MWDF needs to contain policies that relate to anticipated developments for managing radioactive wastes, so far as these would be subject to control by the Waste Planning Authority.

They found that the proposed policies were sound, subject to changes including:

- additional text to explain that the policies can only be regarded as interim, until the detailed means of implementing national policies becomes clearer and the siting process for geological disposal of higher activity wastes has progressed further;
- the inclusion of a commitment to timely review if the policies are no longer consistent with the latest national and regional policies on managing radioactive wastes; and
- additional text which clarifies that policies for managing Very Low Level Wastes (VLLW) are not included and that proposals for managing these wastes will be assessed against the relevant Core Strategy and Development Control policies.

DEVELOPMENT OF NATIONAL POLICIES AND STRATEGIES: The Inspectors highlighted two areas where developments may impact on the need for timely review of planning policies. The first concerned the forthcoming development of the Nuclear Decommissioning Authority's Strategy for managing LLW and the second that the Government's siting process for geological disposal of higher activity wastes was in its very early stages.

The Inspectors accepted that Policy 12 should only address proposals for use of the LLWR and not make provision for the management of LLW elsewhere within the county, because of uncertainties surrounding forecasts of arisings of LLW and VLLW. They also concluded that the implications of potential new nuclear build could only be addressed when the detailed implications of emerging national policy have been clarified.

NEXT STEPS: The next main step in preparation of the MWDF will be consultation on proposed site allocation policies and maps. This is scheduled for October 2009.

For further information contact: The Minerals and Waste Development Team mwdf@cumbriacc.gov.uk.

NuLeAF encourages all waste planning authorities to develop local planning policy on managing radioactive wastes and has produced a briefing paper for planners to assist in this task [[Briefing Paper 13](#)].