

Philip Matthews
Executive Director

By email to:
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10 March 2026

Dear Sir/Madam,

Draft National Planning Policy Framework Consultation

1. Introduction

This is an organisational response submitted on behalf of Nuleaf (the Nuclear Legacy Advisory Forum). We are the Local Government Association (LGA) representative body on legacy wastes and decommissioning. Nuleaf is directly supported by 100 local authorities and national park authorities across England and Wales and speak on these issues for the wider local government community. We have a remit encompassing all aspects of the management of the UK's nuclear waste legacy. Our primary objectives are:

- to provide a mechanism to identify, where possible, a common, local government viewpoint on nuclear legacy management issues;
- to represent that viewpoint, or the range of views of its member authorities, in discussion with national bodies, including Government, the NDA and the regulators;
- to seek to influence policy and strategy for nuclear legacy management in the interests of affected communities; and
- to develop the capacity of its member authorities to engage with nuclear legacy management at a local level.

In our response, we have provided comment on questions that are relevant to land use planning for nuclear decommissioning and the management of radioactive wastes and conventional wastes arising from nuclear decommissioning.



2. Response to consultation questions

Question 2

Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree

Please provide your reasons, particularly if you disagree.

The revised layout by theme including plan-making and decision-making policies, will make the document easier to use and update.

Question 6

Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree

Please provide your reasons, particularly if you disagree.

Policy PM1(2f) describes "The spatial development strategy should also make provision for infrastructure that is committed to in the 10 Year Infrastructure Strategy, sectoral spatial plans and any planned strategic infrastructure identified in local transport plans".

This would include the program to site and construct a Geological Disposal Facility (GDF) and nuclear decommissioning programs that are detailed in the National Infrastructure Pipeline which supports the 10 Year Infrastructure Strategy.

The drafted policy therefore implies the GDF and nuclear decommissioning site programs should be considered in the relevant SDS(s) but it is unclear what "more detailed issues" should be considered within the relevant local plan(s) in accordance with PM1(1) and PM2.

Regulations and planning guidance are needed to support NPPF implementation by strategic and local planning authorities in their assessment of "strategic development" and what that means in sub-regional areas.

Question 9



Do you agree with the role, purpose and content of local plans set out in policy PM2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Neither agree nor disagree

Please provide your reasons, particularly if you disagree.

Policy PM2(2) sets out the proposed timing for plan-making (policy PM3 setting out that this is applicable to waste plans) but the draft NPPF does not include planning policies for waste (other than those related to plan-making processes) – these are currently set out in the National Planning Policy for Waste (NPPW) published in 2014.

The NPPW is recognised to be in need of review and update to reflect current national waste policy and strategies, including policy and strategy for the management of radioactive waste

In the supporting consultation document MHCLG have committed to a consultation on the NPPW in 2026 but it is unclear how LPAs/WPAs should develop waste planning policies in local/waste plans and meet the 30 month timeframe in the absence of an updated NPPW.

Question 15

Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11? *Strongly agree, partly agree, neither agree nor disagree,*

Partly agree

Please provide your reasons, particularly if you disagree.

Policy PM10(1) includes reference to “other relevant” plan-making authorities in addition to “neighbouring” plan-making authorities. This reference is appropriate for Waste Planning Authorities as waste infrastructure catchments are often larger than plan-making and neighbouring authority boundaries. This is of particular relevance to facilities for the management of radioactive waste which may have national catchments.

A similar approach should be taken with the wording of policy PM11 (1a, 1b and 1c) to include reference to the “relevant” plan-making authority.

Question 21

Do you agree with the principles set out in policy DM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*



Partly agree

Please provide your reasons, particularly if you disagree.

Nuleaf support the commitment to early engagement with neighbours and the local community when preparing development proposals. This is important with proposed development to support the decommissioning of nuclear power stations and management of radioactive waste - these are matters of high public interest.

We note there is no reference to the use of Planning Performance Agreements (PPAs) for applications that are particularly large or complex to determine - current policy provision set out in paragraph 41, page 14 of NPPF 2024. It is unclear why reference to PPAs has been removed from the draft NPPF 2025.

Question 22

Do you agree with the policy DM2 on information requirements for planning applications? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree

Please provide your reasons, particularly if you disagree.

Annex C does not include consideration of waste infrastructure safeguarding – this should be a national information requirement, to support NPPW policy 8.

This would support policy P4 which sets out the “agent of change” principle and now specifically references waste infrastructure.

Question 39

Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree

Please provide your reasons.

Policy S5 (1a) does not make provision for certain types of waste management infrastructure, that would be appropriate to locate at distance from residential and other sensitive receptors, for example landfills which are authorised to accept Low Level and very Low Level radioactive Waste.

Question 98



Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.

Context:

Annex B glossary entry for Renewable and Low Carbon Energy (page 110) includes a definition of low carbon energy that specifically references nuclear power and supporting infrastructure.

Comment:

Nuleaf supports policy W3(3) and the principal of applications for time limited energy generation development needing to set out proposals for decommissioning and site restoration. In the case of nuclear power, this should include details of any proposals for on-site, interim storage of spent fuel and radioactive waste, pending final disposal to ensure the full fuel lifecycle of the development is considered.

It is unclear if the policy requirements apply only to stand-alone renewable/low carbon developments or include on-site generation proposals that support other forms of economic development, such as data centres. This should be clarified in relevant policies within the framework.

Question 112

Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Agree

Please provide your reasons, particularly if you disagree.

Nuleaf supports the inclusion of policy L2(1c) making provision for temporary uses of previously developed land in situations where alternative uses of development is anticipated, subject to the temporary use not preventing or delaying the proposed long-term use of the land.



The temporary use of previously developed land could be considered at nuclear decommissioning sites as sites could enter a period of quiescence before final site remediation and restoration.

Question 147

Do you agree with the approach to design tools set out in policy

DP2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

Please provide your reasons, particularly if you disagree.

Nuleaf support the principle of masterplans being used, where appropriate, as a flexible tool for placemaking. We agree they should be informed by effective community engagement as described in policy DP2(1b).

Planning Practice Guidance for design: process and tools (Paragraphs 006 and 007, Reference ID: 26-006-20191001) states that masterplans can support the development of a vision and implementation strategy for sites developed over a long time period.

This could include the future use of land on or adjacent to nuclear decommissioning sites - we are aware of masterplans that have been recently developed for Chapelcross in Dumfries and Galloway and Winfrith in Dorset.

We note that the definition of masterplan included in the glossary (Appendix B, page 108) includes reference to a flexible, "place-making" rather than "design" tool. For consistency, a place-making rather than design reference should be included in relevant policies.

Question 165

Do you agree with policy P1 as a basis for identifying and addressing

relevant risks when preparing plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Agree

Please provide your reasons, particularly if you disagree.

We note that consultation zones for nuclear sites (including sites in defuelling and decommissioning operational status) are considered in the plan-making section (policy P1) as well as decision taking section (policy P5), with a link provided to the ONR's guidance on land use planning.



This should support greater awareness of their requirements as NPPF 2024 only considers this in relation to decision taking (paragraph 46 on page 14, and glossary entry for major hazard site on page 75).

Question 168

Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Agree

Please provide your reasons, particularly if you disagree.

Existing policy provision on the agent of change principle (NPPF 2024: paragraph 200) can provide support for waste infrastructure safeguarding principles and has been retained in the draft NPPF in policy P4.

We note the addition of a specific inclusion of reference to waste sites in policy P4(1) - this is a helpful addition and raises awareness of the need to consider the suitability of any development in the vicinity of waste management infrastructure, for example developments managing Low Level radioactive Waste (LLW).

I hope these comments are helpful.

Yours faithfully,

A handwritten signature in blue ink that reads "Philip Matthews".

Philip Matthews
Executive Director