

DISPOSAL OF LOW LEVEL RADIOACTIVE WASTE TO LANDFILL – KING’S CLIFFE, NORTHAMPTONSHIRE



Case Study 11 December 2010

OVERVIEW: A test case for the implementation of UK strategy for the management of low level radioactive waste (LLW) is being fought out in Northamptonshire. In March 2010, an application by Augean for planning permission to dispose of LLW to the East Northamptonshire Resource Management Facility (RMF) at King’s Cliffe was refused on various grounds, including inconsistency with local plans and perceptions of harm. The applicant appealed and a Public Inquiry began on 26 October, 2010. The Inquiry considered a range of issues relevant to the implementation of LLW strategy, including: consistency of the application with national policy and strategy; the question of need; the role of the proximity principle; public and stakeholder engagement; and perceptions of harm as a material consideration. It is anticipated that the Secretary of State will give his decision in Spring 2011.

UK STRATEGY FOR THE MANAGEMENT OF LLW: The strategy was published in August 2010 and is available on the NDA website at [UK LLW Strategy](#). The strategy aims to provide a framework which implements Government policy and allows decisions to “be taken flexibly to ensure safe, environmentally acceptable and cost-effective management solutions”. It highlights the need for more effective application of the waste hierarchy and a move away from the past focus on disposal. It also points to the need for new fit-for-purpose waste management routes, which could include disposal to existing landfill sites, subject to meeting the relevant safety and planning requirements. NuLeAF has published a high level commentary on the strategy which is available on its website at [Briefing Paper 19](#).

THE SITE AND THE APPLICATION: The RMF is a landfill site currently permitted for disposal of hazardous wastes, but due to be closed and restored by the end of August 2013. The application is for the disposal of LLW which is at the lower end of the range of radioactivity in the LLW category. The proposed development would not change the rate or volume of waste that can be deposited at the site, which is up to 250,000 tonnes per annum. The LLW proposed for disposal would typically consist of construction and demolition waste from nuclear sites undergoing decommissioning.

PUBLIC OPPOSITION: There is considerable local interest in the application both amongst the general public and in the media. A campaign group ‘Waste Watchers’ organised public meetings, set up a website giving sample reasons for objections and gave a presentation to the Development Control Committee. Over 150 letters of objection were received from the general public. Objections

were also raised by Peterborough Friends of the Earth, the Governors of King's Cliffe Middle and Oundle Schools. Six local Parish Councils objected, as did East Northamptonshire, Corby Borough and Peterborough City Councils.

CONSIDERATION BY THE DEVELOPMENT CONTROL COMMITTEE (DCC): The report to Committee on 16 March 2010 from the Chief Planning Officer recommended that the application be approved, subject to conditions and a Section 106 Agreement to secure a fund for local community benefits. The report is available on the Northamptonshire CC website at [Report to DCC](#). The DCC decided, however, to refuse the application on a number of grounds. The way the DCC reached its decision is explained in Councillor Ben Smith's evidence to the Public Inquiry¹. On 27 July 2010 the DCC re-considered the application following disclosure by the developer that it had started preparing an application for a further permission, with proposals to extend the area for landfill and the operational life of the site. As a result, the DCC approved additional reasons for refusal, including that the application is for piecemeal development of a project that should be subject to a comprehensive application.

APPEAL DOCUMENTS, EVIDENCE AND CLOSING STATEMENTS TO THE INQUIRY: Appeal statements and application documents are available on the Northamptonshire CC website at [Current appeals](#). In addition to the proof of evidence by Councillor Ben Smith, the County Council's main evidence is contained in two further proofs:

- Proof of Evidence by Simon Aumonier, NCC7.1, PINS Ref APP/K2800/A/10/2126938/NWF (covering need, proximity and alternatives)
- Proof of Evidence by Ray Kemp, NCC8.1, PINS Ref APP/K2800/A/10/2126938/NWF (covering definitions of risk, risk perception, and responding to perceived risk).

Proofs and closing statements by Northamptonshire CC, Augean and WasteWatchers are available from the Inquiry programme officer at idxemp@sky.com.

NEXT STEPS: The Inspector is scheduled to report by 21 February, 2011. The Secretary of State will give his decision by 24 May, 2011.

¹ Proof of Evidence by Councillor Ben Smith, NCC6.1, PINS Ref: APP/K2800/A/10/2126938/NWF. Proofs are available from the programme officer at idxemp@sky.com.