



CUMBRIA MINERALS AND WASTE DEVELOPMENT FRAMEWORK

SCHEDULES OF CUMBRIA COUNTY COUNCIL'S RECOMMENDED POST HEARING (Schedule 1) AND EARLIER POST-SUBMISSION (Schedule 2) CHANGES TO THE CORE STRATEGY AND GENERIC DEVELOPMENT CONTROL POLICIES AND THEIR APPENDICES

INCLUDING CHANGES DISCUSSED AT THE HEARING 11 – 21 NOVEMBER 2008

(The County Council does not consider that any of the changes are necessary to make the Core Strategy or Generic Development Control Policies "sound". The recommended changes are intended to update, clarify or improve the relevant parts of the text and policies).

NOVEMBER 2008

SAB/p334/021/002

SCHEDULE 1 Recommended Post Hearing Changes arising from discussion at the Hearing (11 to 21 November 2008)

Ref. HRC	Paragraph/ Policy	Recommended change	Comment
CORE STRATEGY			
1	1.2	Update last sentence re date of Site Allocations consultation, to read "Those other Documents are the Generic Development Control Policies, which are proposed to be adopted at the same time as the Core Strategy, and also the Site Allocations Policies and Proposals Map which will be published for consultation early 2009."	Update
2	1.8	Update last sentence re submission to the SoS, to read "Comments about those were taken into account in preparing the final draft version of the Core Strategy which was submitted to the Secretary of State."	
3	1.9	Update first sentence re Site Allocations, to read "Sites will be identified in the Preferred Options Site Allocations Policies and associated maps."	Update
4	Not used		
5	2.10	In last sentence, remove 'draft', to read "The vision of the Cumbria Economic Plan is that in twenty years time the Cumbrian economy will enjoy;"	Update
6	Not used		
7	Not used		
8	3.26	See RPC15 In last sentence, add cross reference to RSS policy DP4, to read "For the siting of waste management facilities, a sequential approach will be adopted, in accordance with Regional Spatial Strategy Policy DP 4, that gives preference to using existing buildings and previously developed land and employment land allocated in District Local Plans and Local Development Frameworks over green field and non-allocated sites."	For clarity.
9	3.28 (g)	Further to the changes identified in RPC18, delete 'mineral and', then add text at the end of the bullet, to read add "Require a proportion of decentralised and renewable/low-carbon energy generation in new waste management developments and carbon reduction measures in new mineral working proposals."	For clarity. Supersedes RPC18
10	3.31	Line 6, delete 'draft' before 'Joint Municipal Waste Management Strategy'	Update

11	Not used		
12	3.57	In first sentence, update re saved policies since the RSS was adopted, to read “Structure Plan Policies ST 12, E 34, 35, 36, 37, 38 and 39 (some of which have now been replaced by adopted RSS policies) were used as the basis for a Core Strategy policy that reflects the overall strategy and objectives.”	Update.
13	CS Policy 4	see also RPC28 In first set of bullet points, bullet number 2, remove ‘and’ to read “improve the settings of the features” In first set of bullet points, bullet number 3, add ‘improve’ to read “improve the linkages between them and buffer zones around them, where this is appropriate”	For clarity
14	3.60	Between paragraphs 3.60 and 3.61, add new title, to read “Afteruse and Restoration”.	For clarity
15	Not used		
16	Not used		
17	4.3	In ‘Note’ at end of paragraph, add cross references to Energy from Waste, to read “It now seems unlikely that a purpose built Energy from Waste plant within Cumbria will be needed for the preferred solution for managing municipal waste (see paragraphs 3.33 and 7.26).”	For clarity
18	4.4	Add two final sentences re landfill, to read “In accordance with Regional Spatial Strategy Policy EM 13, existing landfill facilities should be the first ones to be considered for additional capacity, subject to considerations of matters such as cumulative impact. The existing landfills are within the above strategic locations.”	For clarity
19	4.7	update that planning permissions have been granted for Overby and High House quarries. To read “The County Council has granted planning permission...”	Update
20	CS Policy 7	Amend first sentence to read “The Carlisle and the Workington/Whitehaven areas in the north, and the Barrow in Furness and Kendal areas in the south, are identified as the strategic locations for major new Mechanical and Biological Treatment plants or Transfer Stations, and the Penrith area for a Transfer Station for the Municipal Waste Management Strategy's preferred solution for managing municipal waste.”	For clarity
21	Not used		
22	4.12	Retain additional text (in RPC42) re fireclays and shallow coal, but replace notification from the Coal Authority, to read “Cumbria has extensive coal and associated fireclay resources, although the last deep mine closed several years ago and there are now no active opencast sites. There are no current proposals for further coal and fireclay	Supersedes RPC42

		mining, but the situation will need to be kept under review. The Coal Authority has now (October 2008) provided revised maps of the areas of coal working that it notifies to local planning authorities under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995 together with revised Standing Advice. There has also been interest in appraising Cumbria's oil and gas resources. A Minerals Core Strategy policy is proposed for coal bed methane and for oil and gas.”	
23	5.7	In second sentence, line 2, remove ‘draft’ after ‘Community Strategy’.	
24	Not used		
25	Table 6.2	Further to RPC46; in row 12, column 3, change ‘45%’ to ‘53%’ in row 12, column 5, change ‘n/a’ to ‘75%’ in row 18, column 3, delete ‘1%’	Updates to conform to RSS
26	6.19 RSS box	Bullet 3, line 1, change ‘meet’ to ‘meets’	
27	7.2	Retain updated reference to draft RSS (RPC50), but also update re 4NW study, to read “In preparation for the next review of the RSS, 4 North West has published research into the need, and broad locations, for regional waste management facilities. The work focused on the needs of the Greater Manchester and Merseyside conurbations because they are the ‘centres of gravity’ of the region's waste arisings.”	Supersedes RPC50
28	7.7	In last sentence, add ‘be’, to read “There may be insufficient quantities of such fuel from within Cumbria, and supplementary quantities may need to be brought into the county.”	
29	Not used		
30	7.23	Amend second sentence, adding reference to RSS policy DP4, and insert new third and fourth sentences, to read “For waste management facilities a sequential approach will be adopted, in accordance with Regional Spatial Strategy Policy DP4, which gives preference to the use of existing buildings and previously developed land and land allocated for employment use in District Local Plans and Local Development Frameworks. In accordance with Regional Spatial Strategy Policy EM 13, existing established waste management sites will be explored first for waste management facilities, including landfill. Proposed exceptions to such preferred types of site would have to demonstrate that no other sites earlier in the sequence have been able to be	Supersedes RPC60

		identified or that they would not accord with other site location criteria.”	
31	Not used		
32	7.32	Amend RSS landfill capacity figure to read “1.25 million”. Add new last sentence to cross reference RSS, to read “In accordance with Regional Spatial Strategy EM 13, the policy provides for the developments that are needed to deal with Cumbria's wastes.”	Update and clarification
33	Not used		
34	Not used		
35	Table 7.1 Site Location Criteria	Further to RPC65: Amend title of criterion 3 to “Sequential Approach” and insert characteristics, to read <ul style="list-style-type: none"> • Previously developed land (Brownfield) • Part brownfield • Allocated for waste management or employment use and at a town or key service centre • Allocated for waste management or employment use but not at a town or key service centre • Exceptions (see paragraph 7.23) Delete criterion 6 and its characteristics. Amend subsequent criterion numbers.	For clarity.
36	8.1	First sentence, line 1, replace ‘level’ to read “The UK has accumulated a substantial legacy of higher activity radioactive wastes and more radioactive material will become waste over the next century or so as nuclear facilities are decommissioned and cleaned up.” Add new second sentence “The categories of radioactive waste that are defined in the UK are set out in the Glossary.” A footnote sets out the document reference. Insert paragraph break at end of second sentence. Subsequent chapter 8 paragraph numbers to be amended.	Factual changes or for clarity.
37	Sub- heading for 8.3 to 8.17	Amend sub-heading to read “Higher Activity Wastes”. Amended in Contents list too.	Factual change
38	8.3	Delete previously recommended post-submission changes (RPC 68). Paragraph now	Supersedes RPC68

		to read “Liquid High Level Waste (HLW), mostly from reprocessing, is stored to cool at Sellafield and is then subject to a process of vitrification. Most of the UK’s Intermediate Level Waste (ILW), from operational activities, arises at Sellafield, where it is being made passively safe. Small amounts of ILW from other UK licenced sites are also transferred for storage at Sellafield. Future decommissioning of all NDA and British Energy sites may give rise to ILW. The destination for this is currently not determined.”	
39	8.4	First sentence delete “Government” and amend text to read “The regulators and the NDA require organisations that have responsibilities for radioactive wastes to develop plans for their management.” Further to RPC69, amend ‘MWDF’ to read “Minerals and Waste Development Scheme (MWDS) Annual Monitoring Reports.”	Factual change
40	insert text	Insert text as new paragraph 8.5 after sub-heading ‘Where we need to be’, to read “The Core Strategy has been prepared during a period when national policy for the long-term management of radioactive wastes has been evolving. The Government has now published White Papers on managing both higher activity and low level radioactive waste (references in footnotes). However, the detailed means of implementing these policies have not yet been determined. Also, the siting process for implementation of geological disposal of higher activity wastes is in its very early stages, and the extent of engagement with this process in Cumbria is not yet known. In these circumstances, the policies in the Core Strategy relating to the management of radioactive wastes can only be regarded as interim policies until the situation becomes clearer. Consequently, the policies will be subject to timely review if they are no longer consistent with, or reflect progress on the detailed implementation of, national policy. This will be identified through the Minerals and Waste Development Scheme (MWDS) Annual Monitoring Reports and included in a future MWDS.” Subsequent paragraph numbers changed.	Clarification.
41	8.6 8.7	Delete first sentence. End of third sentence insert “i.e. keeps open the option of retrievability for as long as is practicable.” After fifth sentence (ending ‘geology’), insert paragraph break. First sentence of new paragraph 8.7, delete ‘good’ and add new text, to read “Other	Supersedes RPC70

		<p>countries have already made progress towards implementing geological disposal and it should be possible to benefit from their experience.”</p> <p>Add new second and third sentences to read “The Waste Isolation Pilot Plant (WIPP) in New Mexico, USA, is the only geological disposal facility that is known to be operational; it is used for the disposal of ILW. No geological disposal facility for HLW or spent fuel has yet been built and operated.”</p>	
42	8.8	<p>Previously recommended changes (RPC71) retained. References to ‘deep repository’ changed to ‘geological disposal facility’, to read “Disposal would be preceded by safe and secure interim storage until a geological disposal facility can be developed. That storage period could be several decades. The Integrated Waste Strategy for Sellafield includes the Nuclear Decommissioning Authority’s assumptions of key dates, that the facility will be available by 2040, for Intermediate Level Waste, and 2075 for High Level. Managing Radioactive Waste Safely estimates that it will take until around 2120 for all Intermediate and High Level wastes to be available in packaged form for disposal, following the decommissioning of existing nuclear plants.”</p>	Supersedes RPC71
43	8.9	<p>Add references on the nature of a geological disposal facility, to read “With regard to the size of facility that would be needed, it is estimated that nearly 500,000 cubic metres of packaged wastes, from existing nuclear facilities could, possibly, require geological disposal. The inventory of wastes takes the prudent approach that some materials which are not currently classified as wastes, including spent fuel, could, possibly, come to be regarded as waste in the future. Government anticipates that if new nuclear power stations are built, their wastes and spent fuel could be accommodated in the same geological disposal facility(ies). It may be premature to assume this, and such co-disposal could alter the nature of a geological disposal facility and extend the timeline for its completion.</p> <p>New paragraph break inserted, subsequent paragraph numbers changed.</p>	Supersedes RPC72
	8.10	<p>The CoRWM proposals related to legacy wastes. The Committee stressed the uncertainties associated with new build and observed that the public assessment of any proposals should consider a range of issues and build on the CoRWM process. It estimates that extensions to the lives of some existing reactors, and a possible "new build" programme of ten new reactors (the size of any new programme has not yet</p>	

		been determined), would increase the total volume of material for disposal by about 8%, but total radioactivity by a factor of nearly three. The NDA advise Government that the 'footprint' (size) of a geological disposal facility is difficult to predict, but that the addition of new build waste to legacy waste could increase the size of a joint facility by around 50%, depending on design and site issues.”	
44	8.12	Changes further to RPC73 In point 1, amend 'repository', to “geological disposal facility”. To read “Facilities for storing vitrified High Level Waste for at least fifty years, until it is judged to have cooled sufficiently for emplacement in a geological disposal facility. Stores could be built with a 100-year lifetime.” In point 5, add 'geological', to read “Subject to satisfactory investigations, construction of surface facilities and an underground geological disposal facility(ies) that would remain open for at least 100 years, or longer if provision is made for waste retrieval.”	
45	8.13	Amend text in third sentence re geological disposal, to read “Whether this arrangement would apply for a geological disposal facility proposal is not yet clear.” Add final sentence re the consenting process, to read “There are different views about the consenting process for a geological disposal facility.”	Supersedes RPC74
46	8.14	Further to RPC75, amend text in first, second and third sentences re waste activity, to read “The uncertainties about national policy for managing the higher activity wastes, and about who would make the decision to grant or refuse planning permission for any proposed facilities, have been outlined above. In the light of such uncertainties, it has been necessary to consider the appropriateness of including detailed policies, in this plan, for the staged process that is likely to be involved for managing these higher activity wastes. It is likely that further planning applications will be submitted in connection with interim storage of the higher activity wastes at Sellafield.”	
47	CS Policy 10	Further to RPC76, in second set of bullets, bullet number 1, replace 'possible', to read “all practicable measures are taken to minimise the adverse effects of development and associated infrastructure;”	
48	CS Policy 11	First sentence, line 2, change 'will be expected' to 'may be expected'. In stage 2, line 4, insert 'geological' before 'disposal facility'.	
49	Table 8.1	Amend last bullet to read “Other sites previously owned by British Nuclear Group”.	Update
50	8.22	In first sentence, line 1, delete 'new', to read “The NDA’s strategy and plans, together with the proposals of the operator of the Repository, demonstrate that a very	Factual change

		substantial proportion of the wastes that would, in the past, have been consigned to the Repository will be managed elsewhere.”	
51	8.24	Further to RPC80, amend ‘MWDF’ to read “MWDS Annual Monitoring Reports.”	Factual change
52	8.25	In last sentence add ‘be’, to read “Its strategy for the optimal use of the Repository, in accordance with Government policy, is that it will only be used for those wastes with a higher intrinsic hazard that really have to be managed in this type of engineered facility.”	
53	8.27	In first sentence, insert clarification re VLLW, to read “The policy relates to Low Level Waste only, and not to its sub-category of Very Low Level Waste, and provides for the continued role of this Repository, but no other, within Cumbria.”	For clarity
54	CS Policy 12	Further to RPC81, in paragraph 2, first sentence, line 2, remove ‘new’, to read “The acceptance, by the County Council, of a national role for the Repository is on the basis of the NDA’s and the operator’s initiatives for reducing the proportions of waste that are consigned to it.”	Factual change
55	Insert new paragraph 8.28	Following CS Policy 12, insert new paragraph, to read “No policy for the Very Low Level Wastes that will arise in Cumbria is included. This is because of the uncertainties relating to their volumes, the way they may need to be managed and what off-site facilities may need to be provided. Any proposals for managing these wastes, in the interim, before a review of the Core Strategy, would be considered in the context of the relevant Core Strategy and Generic Development Control Policies. These would include CS Policies 1 and 2 and GDC Policies 1, 2, 3 and 4.”	For clarity
56	10.2	Additional sentences at end of paragraph regarding planning applications and phasing of Preferred Areas. To read “ The proposals for safeguarding are set out in Core Strategy Policies 13 and 14 which can also be relevant to the consideration of planning application proposals. With regard to Preferred Areas, the Site Allocations Policies will need to consider whether the release of these should be related to the landbanks and phased over the plan period.	For clarity
57	10.10	Third sentence to include reference to using the rolling three year annual average sales. To read “ Any upturn, in the rolling three year average annual sales, will be monitored by the RAWP and reflected in revised apportionment figures for Cumbria.”	

58	10.15 and CS 13	Amend references, in 10.15 and fourth bullet point of CS 13, to high skid resistance roadstones to “high specification”. First sentence of 10.15 to read “ Although the total crushed rock landbank figure is very large, the plan considers the high specification (high skid resistance) roadstones separately from aggregates for general use.” Fourth bullet of CS 13 to read “ recognise that the high and very high specification roadstone quarries, gypsum resources and High Greenscoe brick making mudstone quarry are regionally or nationally important,”	For consistency
59	10.21	Amend reference to “production zones” to “production units”. Second sentence to read “It is now proposed that the Site Allocations Policies Development Plan Document should refine these and identify supply areas and the production units that serve them.”	For clarity
60	Not used		
61	10.29	Delete ‘Changes to the’ to update Site Allocations Policies document	Update
62	Not used		
63	10.39	Amend text re areas notified by Coal Authority To read “The Coal Authority has now (October 2008) renotified areas of shallow coal resources workings as Standing Advice and mineral consultation areas under the provisions of the Town and Country Planning (General Development Procedure) Order 1995. These are shown on the Key Diagram. Core Strategy Policy 14 proposes that Mineral Safeguarding Areas for coal will be identified in the Site Allocations Policies”,	For clarity and an update
64	10.40	Remove paragraph number, as this is just a sub heading. Subsequent paragraph numbers changed	
65	CS Policy 13/ Policy DC6	Third bullet point add reference to three year annual average sales and delete “/production” To read “identify areas sufficient to maintain landbanks of permitted reserves for supply areas equivalent to at least seven years sales (using the rolling three-year annual average sales figure) for sand and gravel and at least ten years for crushed rock for general aggregate use, throughout the plan period, and”	

		See also 56 above and 80 below.	
66	CS Policy 13	Fourth bullet point replace “skid resistance” with “specification”. To read “ recognise that the high and very high specification roadstone quarries,”	For consistency.
67	CS Policy 14	Add text to fifth bullet point re Areas of Search; High Specification Aggregates and shallow coal resources. To read “Mineral Safeguarding Areas and/or Areas of Search for the indicative sand and gravel and hard rock resources (including High Specification Aggregates), and shallow coal resources identified by the British Geological Survey.” Final bullet point to read “ Mineral Consultation Areas, which will include buffer zones around the Preferred Areas, Areas of Search and Mineral Safeguarding Areas.”	Supersedes RPC104 b)
68	CS Policy 14	First sentence to include reference to purpose of safeguarding. To read “ Mineral resources will be safeguarded from being unnecessarily sterilised by other developments by identifying :-“	
69	Not used		
70	11.9	First sentence, line 2, change ‘jn’ to ‘in’	Spelling correction
71	Monitoring matrix Table 11.1	Change NWRA to 4NW.	Update
72	Glossary	Added definitions for: Alpha Activity Areas of Coal Working Notified by the Coal Authority Becquerels Beta Activity Gamma Activity Ionisation Radioactive Wastes	Clarification
73	Glossary	update definitions for: Development Plan –RSS has replaced some JSP policies North West Regional Assembly – now 4NW Regional Spatial Strategy – update RTAB – update re Assembly	
74	Key	see also RPC106	

	Diagram	a) amend LDNPA boundary so that LLWR outside designated landscape b) add spatial representation of 'Area of coal working notified by the Coal Authority' c) add Hadrian's Wall designation d) amend chapter 7 reference to chapter 10	Factual changes
GENERIC DEVELOPMENT CONTROL POLICIES			
75	1.8	Second sentence, line 3, remove second 'and', to read "This balance is required to ensure that Cumbria's waste management and minerals needs are met, to support economic activity in appropriate locations and circumstances."	Punctuation
76	Policy DC2	Add new criterion " e. issues of ground stability have been addressed." At end of second bullet point under considerations insert a comma; at end of seventh bullet delete "and"; at the end of the eighth bullet insert a comma and "and"; at end of final bullet insert a full stop.	
77	3.1	Line 7 delete "towards the end of 2008" insert "in early 2009."	Update
78	Not used		
79	Not used		
80	4.2	Before last sentence insert new sentence re phasing of Preferred Areas. To read "The Site Allocations Policies will need to consider whether the release of identified Preferred Areas should be related to the landbanks and phased over the plan period.	For clarity
81	Policy DC6	Further to RPC114, amend text in b) to read "they do not conflict with other policies in this plan and to any relevant locational or site specific policies;"	Consistency
82	4.8	Additional text inserted to read "The Coal Authority has now (October 2008) provided revised maps of the areas of coal working that it notifies to local planning authorities under the provisions of Article 10 of the Town and Country Planning (General Development Procedure) Order 1995 together with revised Standing Advice."	Update
83	Not used		
84	5.12	First sentence, line 2, remove second 'the', to read "Core Strategy Policy 4 aims to protect, conserve and enhance the historic environment and the key elements of the historic environment are listed in its supporting text."	Correction
85	5.13	First sentence title should be 'Historic Environment Service'	Correction
86	Not used		

87	Not used		
88	5.32 - table	Further to RPC131, in row 2, column 2, second sentence, add 'be', to read "Long-lived woodland species could be planted on other suitable sites."	
89	Not used		
90	Monitoring matrix Table 6.1	Change NWRA to 4NW	Update
APPENDICES			
91	H	<p>See RPC 147</p> <p>Replace second and third paragraphs.</p> <p>Revised text to read "The Cumbria and the Lake District Joint Structure Plan 2001 – 2016 was adopted in April 2006. Thirty five of its policies have been replaced by North West Regional Spatial Strategy policies. The remaining Structure Plan policies have been extended and will continue to be saved until they are replaced by a future revision of the RSS. These saved policies are ST 4 and 5; EM 13, 14 and 16; H 19, 20, and 22; T 29, 30 and 31; E 35, 37 and 38 and R 44, 45 ,47,48,49,50 and 51.</p> <p>In accordance with paragraph 15.3 of the RSS, local authorities are encouraged to consider whether these saved Structure Plan policies can be expressed within the Local Development Frameworks. The most obvious Structure Plan policies that will need to be considered with regard to minerals and waste policies are ST 4; E, 35, 37 and 38; R 47, 48, 49, 50 and 51."</p>	Update.

SCHEDULE 2–POST SUBMISSION CHANGES RECOMMENDED BEFORE THE HEARING



CUMBRIA MINERALS AND WASTE DEVELOPMENT FRAMEWORK

SCHEDULE OF CUMBRIA COUNTY COUNCIL’S RECOMMENDED POST-SUBMISSION CHANGES TO THE CORE STRATEGY AND GENERIC DEVELOPMENT CONTROL POLICIES AND THEIR APPENDICES.

(These recommendations take account of the representations that were received during the consultation period, up to 30 May 2008, that followed the submission of these Development Plan Documents to the Secretary of State. The County Council does not consider that the changes are necessary to make the Core Strategy or Generic Development Control Policies “sound”. The recommended changes are intended to update, clarify or improve the relevant parts of the text and policies).

OCTOBER 2008

SAB/p.334/021/002

CORE STRATEGY

Ref. RPC	Paragraph/ Policy	Recommended change	Comment
			<i>The representor's reference number is given in ()</i>
1	Preface – paragraph 1	Replace text with “This document is the Core Strategy of the Cumbria Minerals and Waste Development Framework. The document sets out the County Council's policies for minerals and waste management developments up until 2020 and relate to those parts of Cumbria that are outside the Lake District and Yorkshire Dales National Parks. There will be further consultations in 2009.”	Update to text.
2	Preface – paragraph 2	Delete entire paragraph.	Update.
3	Preface – paragraph 3	Replace text with “A web-based version of this document is available on the web site www.cumbria.gov.uk ”.	Update to text.
4	1.3	Line 2, add a space between first and second sentences	For clarity
5	1.4	Add a bullet point “District Council Local Plans and Local Development Frameworks” to the list for the spatial context.	In response to Copeland BC comment (ref 256)
6	2.13	Line 1, remove second ‘that’.	For clarity.
7	3.2	Replace text with “Providing for an adequate supply of minerals is addressed in the Minerals Core Strategy, and providing for the new waste management facilities that will be needed is addressed in the Waste Core Strategy. The other three matters are considered below.”	For clarity.
8	3.3	Replace last sentence with “Defra has consulted about the priorities for the next round of Aggregates Levy Sustainability Fund projects 2008 to 2011. One of its themes is to reduce carbon emissions from quarries through specific measures.”	Update on DEFRA consultation.
9	3.18	Add final sentence re practicability for small scale proposals – “It is recognised that this may not be practicable for some small scale proposals.”	In response to Stephenson Halliday comment (ref 394).

10	3.20	<p>Replace paragraph with text “There are examples of policies in development plans about new developments gaining a significant proportion of their energy needs from renewable sources in accordance with PPS 1. Policy EM 18 in the North West Regional Spatial Strategy (RSS), requires that non-residential developments over 1000 m² should secure at least 10% of their predicted energy requirements from decentralised and renewable or low-carbon sources, unless this is not feasible or viable.”</p>	<p>This is an update now that the RSS has been adopted. It relates to a post submission change to CS Policy 1, which had previously been recommended but would not now accord with RSS policy. The relevant part of the policy will now revert to its original wording.</p> <p>The background is that national and regional policies had appeared to be becoming less prescriptive about requiring new developments to secure a proportion of their energy from decentralised renewable/low carbon sources. However, Policy EM18 of the adopted RSS includes the requirement and sets thresholds for the scale of development.</p> <p>There is no evidence base relating to the use of such energy sources for waste management facilities. It is considered that a wider requirement for carbon reduction measures would be more appropriate and that had previously been recommended as a post submission change. Those measures could have included energy supply.</p>
11	3.21	<p>Replace paragraph with text “The policies in other development plans have been, understandably, worded more for the context of housing, industrial and commercial developments than for minerals and waste management proposals. With regard to proposed waste management developments, the County Council considers that it is more appropriate to take into account the purpose of a particular proposal and how it would fit into the overall integrated</p>	<p>For clarity</p>

		waste management process rather than just consider one particular building. Using just a simple threshold of the size of a proposed building would not have taken into account that one of its purposes could be to contribute to carbon reduction by managing waste more sustainably. Examples include re-use and recycling and that one of the end products of Mechanical and Biological Treatment is a fuel that can be used for energy generation.”	
12	3.22	Replace second sentence with text “A consequence of policies that require waste management facilities to meet a proportion of their energy needs from decentralised and renewable sources could be to steer them to sites where, for a long period of time, 100% of their energy supply can be seen to be, in effect, provided by on-site landfill gas powered electricity generators.”	For clarity
13	3.23	Replace first sentence with text “No information is available yet to suggest that this Framework should adopt local targets that are different from the proportion of 10% or the floor area threshold of 1000m ² .” Replace last sentence with text “A contingency would be to focus more on overall carbon reduction measures rather than just the use of renewable or low carbon energy supply.”	A post submission change had previously been recommended in relation to a change to CS Policy 1. These changes are no longer relevant because they would not accord with the adopted RSS Policy EM18.
14	3.24	Replace first sentence with text “For proposed mineral working and processing developments, it is considered that the whole life cycle of the product and its purpose will need to be taken into account rather than just a particular proposed development.” Add final sentence re quarry extension consideration, to read “One of the considerations may involve the respective merits of extending an existing quarry compared with the development of a new one.”	For clarity. In response to Aggregates Industries Ltd. comment (ref 44)
15	3.26	Line 1, amend spelling of ‘focuses’ Add final sentence re sequential approach for finding sites and to Local Plans and Local Development Frameworks, to read “For the siting of waste management facilities, a sequential approach will be adopted that gives preference to brownfield land and sites within District Local Plan and Local Development Frameworks over green field and non-allocated sites.”	Spelling correction In response to Copeland BC comments (ref 256).
16	3.27	Add sentence re the potential of different afteruses to function as carbon sinks, to read “Further information will be sought on the potential of different afteruses in restoration schemes to lock up carbon.”	In response to Natural England comments (ref 41).

17	3.28 e	Replace text with “Secure woodland planting as a long term source of bio-fuel and/or, where appropriate, as “carbon sinks” in mineral working and landfill site restoration schemes”, to indicate that this is not the only option	In response to Natural England comments (ref 41)
18	3.28 g	Replace text with “Require a proportion of decentralised and renewable/low-carbon energy generation in new mineral and waste management developments”	To conform with adopted RSS. Superseded by HRC9
19	CS Policy 1	a) Replace text in bullet 3 with “all proposed waste management developments with gross floor space of over 1000 square metres gain at least 10% of energy supply, annually or over the design life of the development, from decentralised and renewable or low carbon energy supplies. Any exceptions to this should demonstrate that this would not be feasible or viable for the specific development and that the development would form part of an integrated process for reducing greenhouse gas emissions or for carbon-offsetting measures.” b) Add new bullet 4, to read “where appropriate, the restoration proposals have a role in helping to combat climate change.” c) Replace text in following bullet (now 5) to read “mineral working proposals should demonstrate a life cycle ("cradle to grave") analysis of product and process carbon emissions.”	a) To conform with adopted RSS Policy EM18. b) In response to comments by Natural England (ref 41). c) For clarity.
20	3.41	Add final sentence re joint working, to read “The authorities will continue to work jointly on such matters.”	In response to Copeland BC comment (ref 256)
21	3.43	Add text in penultimate sentence re ecosystem services, to read “The health of the eco-system is of vital importance to everyone, it provides outputs or outcomes that directly and indirectly affect human well-being. These services that benefit people, which are provided by the natural environment, are known as ecosystem services.”	In response to comments by Cumbria Wildlife Trust (ref 187).
22	3.44	Add final sentence re wildlife sites overlapping county boundaries, to read “Some of these extend into adjacent counties; for example, nearly half of Moorhouse and Upper Teesdale SAC is within County Durham.”	In response to Durham CC comments (ref 476).
23	Box 4	Add new bullet point 6 to read “Cumbria Geodiversity Action Plan sites;” Add new bullet point 7 to read “Listed Buildings, Conservation Areas and their settings;”	In response to comments by Cumbria RIGS (ref 89) In response to comments by the National Trust (ref 102)

		Replace bullet point 8 to read “the settings of the Lake District, Yorkshire Dales and Northumberland National Parks, of the Areas of Outstanding Natural Beauty, of the World Heritage Site, of Heritage Coast, of Registered Historic Parks and Gardens and of Scheduled Ancient Monuments;”	In response to comments by the National Trust (ref 102)
24	3.45	In first and second sentences, update reference to the Biodiversity evidence base, to read “Work has recently (July 2008) been completed on a detailed representation of current knowledge of Cumbria's biodiversity. The Cumbria Biological Data Network (CBDN) has produced the Cumbria Biodiversity Evidence Base which includes species and habitat statements, habitat targets, planning considerations and enhancement opportunities.”	Update on Cumbria Biological Data Network.
25	3.49	Update re Supplementary Planning Documents, to read “The Generic Development Control Policies document includes policies relating to amenity issues. In relation to traffic impacts, the Highways Design Guide will provide guidance on highway and transport infrastructure. The Landscape Character Guidance will provide detailed advice, for all the Cumbria Local Development Frameworks, on applying the Cumbria Landscape Characterisation Assessment.”	Update on SPDs.
26	3.50	Delete reference to draft RSS in first, second and third sentences, to make one sentence reading “Regional Spatial Strategy Policy EM1 requires an integrated approach to conserving and enhancing the landscape, natural environment, historic environment and woodlands of the region.”	Update re adopted RSS.
27	3.51	Delete first word, ‘Draft’.	Update re adopted RSS.
28	CS Policy 4	<p>a) Amend wording re impacts, to read “Planning permission will not be granted for development that would have an unacceptable impact on these environmental assets, on its own or in combination with other developments, unless:-”</p> <p>b) Add reference to the biodiversity evidence base, to read “Guidance on implementing parts of this policy will be provided by the Landscape Character and Highway Design Guidance Documents and by the Cumbria Biodiversity Evidence Base.”</p>	<p>a) In response to English Heritage comments (ref 39)</p> <p>b) Update on SPDs and Cumbria Biological Data Network.</p>

29	3.60	Remove reference to SPDs, to read “The Annual Monitoring Reports can include details of measures that have been secured through planning permissions. If these identify failings in achieving the objectives of the policy it is considered that action would focus initially on improving guidance for applicants.”	Update on SPDs.
30	3.62	Add two sentences to the end re sustainability objectives and land instability, to read “The sustainability objectives referred to in the policy are set out in Section 5.3 and Tables 5.1 and 5.2 of the submitted Sustainability Appraisal Report. Appropriate and thorough restoration may also be needed for some sites in order to reduce future liability for public safety arising from previous mineral and waste developments and land instability.”	In response to comments by Stephenson Halliday (ref 394) and the Coal Authority (ref 427)
31	CS Policy 5	Amend wording re securing the potential of restoration schemes, to read “Restoration and aftercare schemes for mineral working and waste management sites should demonstrate that best practicable measures have been taken to secure full advantage.”	In response to comments by Cemex (ref 493)
32	3.64	Add final sentence re Circular 5/2005 and obligations being directly related to the proposed development, to read “This Circular sets out the Secretary of State’s five tests for a planning obligation, one of these is that it must be directly related to the proposed development.”	In response to comments by Cemex (ref 493)
33	3.69	Add text to final sentence re measures being directly related to the proposed development, to read “The following policy relates to the usual requirements for securing detailed mitigation measures for particular aspects of general minerals and waste management developments where these are directly related to the proposed development.”	In response to comments by Cemex (ref 493)
34	CS Policy 6	Amend point 3 re financial guarantees being for restoration works, to read “Provide financial guarantees where appropriate for restoration works, except where national industry guarantee fund is already in place.”	For clarity
35	3.70	In first sentence, add reference to benefits to local community, to read “Details of planning obligations and their benefits to the local community will be given in the Annual Monitoring reports, which will assess the performance of the policy.”	In response to comments by Allerdale BC (ref 486).

36	4.1	Remove third sentence re regional work on locations, to read “The Core Strategy sets out how areas and sites will be identified that are suitable for the developments that are needed to deliver the strategy's vision. The proposed pattern of waste management facilities should accord with broad locations that have been identified in the Regional Spatial Strategy. There is less flexibility of locations for mineral workings because they can only be worked where they occur in viable quantities.”	Update re adopted RSS.
37	4.2	Add final sentence re the geological constraints for siting mineral developments, to read “For mineral developments, this can only be where it is practicable and feasible in terms of geology.”	In response to comments by Cemex (ref 493)
38	4.4	Replace ‘supercede’ with ‘supersede’.	Spelling correction
39	4.9	Amend wording of final sentence re high skid resistance roadstones, to read “The County Council has granted planning permission for a major extension to Roan Edge quarry.”	Update on planning application.
40	CS Policy 7	Add text re the national importance of very high specification roadstones, to read “The igneous rocks near Ghyll Scaur Quarry are identified as the only location for further supplies of nationally important very high specification roadstone.”	In response to comments by Aggregate Industries (ref 44)
41	4.11	Amend text re Site Allocations Policies document, to read “The strategic locations that are identified are for the preferred solution for the municipal waste contract. If that is not implemented then this policy will need to be reviewed. The County Council's specific preferred sites will be identified in the Site Allocations Policies, which are programmed for publication in early 2009. However, it is likely that planning applications for some of the new municipal waste management facilities will need to be submitted before then. If it is not possible to find and secure suitable sites then this Core Strategy policy will need to be reviewed, this may include further examination of the potential for larger, more centralised facilities.”	Update re Site Allocations Policies document.
42	4.12	Additional text re fireclays and shallow coal, to read “Cumbria has extensive coal and associated fireclay resources, although the last deep mine closed several years ago and there are now no active opencast sites. There are no current proposals for further coal and fireclay mining, but the situation will need to be kept under review. The Coal Authority has now (October 2008)	In response to Coal Authority (ref 427) and Kier Mining (ref 481) comments Superseded by HPC 22

		provided Revised Standing Advice for the Cumbria coalfields. Separately from this, the Coal Authority has provided a plan showing shallow coal resource data for use in development plans. There has also been interest in appraising Cumbria's oil and gas resources. A Minerals Core Strategy policy is proposed for coal bed methane and for oil and gas."	
43	5.10	<p>Update text re Cumbria Council Plan, to read</p> <p>“Cumbria County Council Plan 2008 - 2011</p> <p>The County Council, as the largest county-wide organisation, has a leading role in the delivery of the spatial planning framework of the Sub-regional Strategy. The way this is being done is set out in the Council Plan (this was previously called the Corporate Strategy). The council's priorities are presented in interrelated themes around:-</p> <ul style="list-style-type: none"> • Better • Wealthier • Healthier • Happier • Safer • Greener.” <p>Delete the Note at the end of the paragraph.</p>	Update re Cumbria Council Plan.
44	6.15	Delete reference to ‘draft’ JMWMS, to read “The Joint Municipal Waste Management Strategy sets out its Waste Prevention Policy and the actions for its waste prevention team; these relate not just to municipal waste but also to the commercial and industrial sectors. The initiatives include working with schools to try to ensure that future generations do not repeat our mistakes.”	Update re JMWMS.
45	6.17	In last sentence, delete reference to ‘draft’ JMWMS, to read “The Joint Municipal Waste Management Strategy includes a Commercial Waste Policy, which includes optimising commercial waste collection and investigating the potential for offering and promoting recycling services to commercial customers.”	Update re JMWMS

46	Table 6.2	In column 1, remove 'draft' x 8 in reference to the Regional Spatial Strategy and the Municipal Waste Management Strategy. In column 3, headed '2010', row 6, entitled 'Regional Spatial Strategy', amend 35% to 40%	Update re RSS and JMWMS. Update re RSS.
47	6.19	In the second sentence, amend the RSS paragraph reference from '11.22' to "9.24".	Update re RSS.
48	6.19 - Box re RSS	Amend title to read "Regional Spatial Strategy paragraph 9.24"	Update re RSS.
49	7.1	Remove reference to draft RSS, to read "In order to deliver this strategy, an expanded network of sustainable waste management and disposal facilities will be needed, that has sufficient capacity for the anticipated amounts of waste. The Waste Core Strategy enables this network of the right types of facilities to be provided in appropriate locations and at the right time. The Core Strategy sets out policies and proposals in line with the Regional Spatial Strategy (RSS) and looks forward to 2020, because that is the date for the RSS's forecasts of the estimated requirements for waste management and disposal facilities. Radioactive wastes are considered separately."	Update re RSS.
50	7.2	Update reference to draft RSS, to read "In preparation for the next review of the RSS, 4 North West has published research into the need, and broad locations, for regional waste management facilities. The work is nearly completed and has focused on the needs of the Greater Manchester and Merseyside conurbations because they are the 'centres of gravity' of the region's waste arisings."	Update re RSS Superseded by HRC 27
51	7.3	Update reference to RSS Panel Recommendations, to read "In connection with the regional research, it is generally agreed that it would be inappropriate to identify broad locations in Cumbria for regional facilities. It is more sensible that they are located nearer to the conurbations. In these circumstances it is not considered that providing for regional facilities in Cumbria is a viable or sustainable alternative for this plan."	Update re RSS.
52	CS Policy 8	Amend wording re net self sufficiency and add reference to nearest appropriate facility, to read "Provision will be made for the management of all of Cumbria's wastes within the county, with the acceptance of limited cross boundary movements (net self sufficiency). Any proposals to manage	For clarity and in response to comments by WRG (ref 38)

		significant volumes of wastes from outside the county would have to demonstrate that the local, social and economic benefits outweigh other sustainability criteria. These other criteria include the impacts of the additional "waste miles" and the principles of managing waste as close as possible to its source, with each community taking responsibility for its own wastes and taking account of the nearest appropriate facility. Any proposals would have to demonstrate that their environmental impacts are acceptable."	
53	7.10	Add final sentence re not every settlement having waste facilities, to read "With regard to communities taking responsibility for their own wastes, it should be made clear that it is not expected that every settlement would have its own facilities."	For clarity and in response to SLDC comments (ref 479)
54	7.12	Add final sentence re estimates of waste capacity requirements, to read "In working out how much waste we need to plan for, account was taken of the latest figures for waste arisings and of how they are managed, that are set out in the previous chapter. The amounts of waste will depend on how successful waste reduction measures are and how successful business is in decoupling growth in waste from economic growth. The estimates of waste management capacity requirements were included as Appendix E of the Preferred Options Core Strategy (Feb 2007). However, the adopted Regional Spatial Strategy (September 2008) now forecasts significantly lower amounts of commercial and industrial waste than those estimates."	For clarity and in response to Stephenson Halliday comments (ref 394)
55	7.13	Remove this paragraph completely.	Update re RSS.
56	7.14	Remove first sentence to read "Account has also been taken of other information, including revised figures for Cumbria's municipal waste arisings and the targets in the Cumbria Local Area Agreement and in Waste Strategy 2007."	Update re RSS.
57	7.18	Update re RSS, to read "For commercial and industrial wastes, Waste Strategy 2007 now forecasts an average annual growth of 2.6% for commercial waste and essentially zero growth for industrial wastes. For Cumbria these wastes could be between 659,000 and 750,000 tonnes by 2020. The Regional Spatial Strategy targets are that 35% of all commercial and industrial wastes should be recycled and that there should be recovery of value from at least 70% of these wastes by 2020."	Update re RSS.

58	7.20	In third sentence, remove reference to 'draft' RSS.	Update re RSS.
59	7.21 - Box re Reducing Landfill	Amend footnote number from 1 to 2 in the cell 'Household waste – re-use, recycling and composting/2010', to read "40% ² "	Update re RSS.
60	7.23	Add new second sentence re sequential site search, to read "For waste management facilities a sequential approach will be adopted which gives preference to brownfield sites and allocated land."	In response to Copeland BC comments (ref 256) Superseded by HRC 30
61 ?	7.25	Update re waste management contract, to read "Account has been taken of the details of the bids for the municipal waste management contract. Two alternative ways of managing municipal waste were proposed by the bidders for the contract. The County Council has chosen the bid based around Mechanical and Biological Treatment, but, to date (October 2008), is still keeping the bid based on Energy from Waste incineration in reserve."	Update re Cumbria's waste management contract.
62	7.27	In line 2, sentence 2, amend February to October.	Update re Cumbria's waste management contract.
63	7.29	Update text in first three sentences re RSS, to read "The RSS (paragraph 9.38) explains the inadequacies of baseline data about the facilities that are likely to be needed for commercial and industrial wastes. There are a number of drivers for change."	Update re RSS.
64	7.32	Update text re RSS, to read "The non-inert landfill sites in the county are estimated to have around 5 million cubic metres of remaining capacity with planning permission. This is concentrated in the north of the county. Whilst policies focus on diverting waste away from landfill, it is likely that there will always be residual wastes for which landfill capacity should be provided. The Regional Spatial Strategy (RSS) estimates that around 1.3 million cubic metres of landfill capacity, in addition the remaining capacity, will be needed by 2020. The actual required capacity may depend on the waste management technologies that are adopted before residual waste needs disposal. For the purposes of this plan it is assumed that landfilling of commercial and industrial wastes will reduce by 10% in each five period between 2010 and 2020, resulting in a need for an additional 2 million cubic metres, slightly higher than the RSS estimate. The NW regional survey of these wastes suggests the reduction may be greater than this."	For clarity and to update re RSS.

65	Table 7.1	Add priority species/habitat to criterion 8 of the site selection criteria, to read "Not affecting an identified site with priority species or habitat."	In response to Carlisle City comments (ref 212)
66	7.35	Update text re changes, to read "Planning applications, for at least some of these, are likely to be submitted in the near future, probably before the Site Allocations Policies document is published for consultation."	Update re Site Allocations Policies document.
67	8.1	Sentence 2, line 5, add 'most' between 'and' and 'of', to read "The Nuclear Decommissioning Authority (NDA) is responsible for planning and delivering the management of the country's radioactive wastes and owns most of the nuclear sites and most of the waste." Add final sentence re local sea food eaters, to read "Representations have pointed out that radiation doses to local sea food eaters have increased."	For clarity In response to CORE comments (ref 449)
68	8.2	Amended and additional text re waste at Sellafield, to read "Liquid high level waste, mostly from reprocessing, is stored to cool at Sellafield and is then subject to a process of vitrification. Most of the UK's Intermediate Level Waste (ILW), from operational activities, arises at Sellafield, where it is being made passively safe. The Ministry of Defence sends small volumes of ILW to Sellafield for storage. Except for this, no ILW from other nuclear sites is sent to Sellafield. Future decommissioning of all Nuclear Decommissioning Authority and British Energy sites may give rise to ILW. The destination for this is currently not determined."	Updated factual details in response to Sellafield Ltd comments (ref 483) Superseded by HRC 38
69	8.3	Add acronym 'IWS' and add sentence re the MWDF Annual Monitoring Reports, to read "The Government requires organisations that have responsibilities for radioactive wastes to develop plans for their management. These "Integrated Waste Strategies" (IWSs) have to be prepared in a form and to a level of detail that is suitable for consideration by the regulatory bodies. They have implications for the policies in Local Development Frameworks and Regional Spatial Strategies throughout the country, including the Cumbria MWDF. Any need to review the Core Strategy, as a result of the Integrated Waste Strategies, would be identified in the MWDF Annual Monitoring Reports. Consultations were carried out in 2007 by Sellafield Ltd about its IWS."	In response to Greenpeace comments (ref 491)
70	8.4	Added reference to last sentence that no repository has been built and	For clarity and in response to Greenpeace

		operated, to read “Other countries have already made good progress towards implementing geological disposal and it should be possible to benefit from their experience, although a repository for these wastes has yet to be built and operated.”	comments (ref 491) Superseded by HRC 41
71	8.5	Add reference to the NDA’s assumptions about key dates for the development of a geological repository and update reference to MRWS, to read “Disposal would be preceded by safe and secure interim storage until a deep repository can be developed. That storage period could be several decades. The Integrated Waste Strategy for Sellafield includes the Nuclear Decommissioning Authority’s assumptions of key dates that the deep repository will be available by 2040, for Intermediate Level Waste, and 2075 for High Level. Managing Radioactive Waste Safely estimates that it will take until around 2120 for all Intermediate and High Level wastes to be available in packaged form for disposal, following the decommissioning of existing nuclear plants.”	For clarity in response to Sellafield Ltd comments (ref 483) Superseded by HRC 42
72	8.6	Add references on the nature of a geological repository, to read “With regard to the size of facility that would be needed, it is estimated that nearly 500,000 cubic metres of packaged wastes, from existing facilities could, possibly, require geological disposal. The inventory of wastes takes the prudent approach that some materials which are not currently classified as wastes, including spent fuel, could, possibly, come to be regarded as waste in the future. Government anticipates that if new nuclear power stations are built, their wastes and spent fuel could be accommodated in the same geological disposal facility(ies). It may be premature to assume this, and such co-disposal could alter the nature of a geological repository and extend the timeline for its completion. The CoRWM proposals related to legacy wastes. The Committee stressed the uncertainties associated with new build and observed that the public assessment of any proposals should consider a range of issues and build on the CoRWM process. It estimates that extensions to the lives of some existing reactors, and a possible "new build" programme of ten new reactors (the size of any new programme has not yet been determined), would increase the total volume of material for disposal by about 8%, but total radioactivity by a factor of nearly three. The NDA advise	For clarity and in response to comments by CORE (ref 449), Greenpeace (ref 491), Wilkinson (ref 490) and NWWA (ref 496) Superseded by HRC 43

		Government that the 'footprint' (size) of a geological repository is difficult to predict, but that the addition of new build waste to legacy waste could increase the size of a joint Repository by around 50%, depending on design and site issues."	
73	8.8	In point 1, add final sentence re store lifetime, to read "Stores could be built with a 100-year lifetime." Create new point 7 re community engagement, to read "Engagement with communities beyond the immediate locality about transport and other issues."	For clarity in response to Greenpeace comments (ref 491)
74	8.9	Add final sentence re the consenting process, to read "There are different views about the consenting process for a geological repository."	In response to Greenpeace comments (ref 491) Superseded by HRC 45
75	8.10	Add final sentence to cross reference with CS Policy 3, to read "With regard to community needs, Core Strategy Policy 3 on Community Benefits is also relevant."	In response to Copeland BC comments (ref 256)
76	CS Policy 10	In bullet point 2, add references to international standards and public review, to read "compliance with national and international standards and best practice for environment, safety and security, which, if appropriate, are publicly and independently reviewed."	In response to Greenpeace comments (ref 491)
77	8.11	Add sentences re further research and particular concerns, plus update re MRWS, to read "This plan does not propose the development of a geological disposal facility within Cumbria for the higher level wastes. It is not even known if there are areas of the county where the geology is suitable for such a facility, further research is needed on this critical aspect. However, the Government has published the Managing Radioactive Waste Safely White Paper and commenced the siting programme by inviting expressions of interest. A policy is, therefore, included that relates to that programme and to the procedures that will be involved. The Generic Development Control Policies will also be relevant to the consideration of any proposals. It is recognised that considerable amounts of further research are still needed on issues relating to the geological disposal of radioactive wastes. One particular issue that has been raised in representations is how much radioactivity would dissolve underground and where the contaminated water would go."	In response to comments by Western (ref 457), Greenpeace (ref 491) and NWAA (ref 496)

78	8.13	Amend text to provide clarity on Regulators, to read “A substantial amount of work is being undertaken in conjunction with the other regulators and the Nuclear Decommissioning Authority in connection with geological disposal. Some of this work relates specifically to the permissioning process and may require the policy to be reviewed.”	For clarity and in response to Greenpeace comments (ref 491)
79	8.18	Update last sentence and add a new penultimate sentence re Defra policy, to read “The Defra policy promotes the search for new LLW disposal sites in the UK. The County Council is a member of the National Low Level Waste Strategy Group which will be looking at the options.”	For clarity in response to Sellafield Ltd comments (ref 483)
80	8.20	Add three sentences at the end of the paragraph re decommissioning wastes, to read “Wastes that do not require multi-barrier containment will continue to arise, including substantial quantities from nuclear decommissioning. The nature of these wastes, their quantities and how much of them will require off-site provision for disposal is not yet clear from the Integrated Waste Strategies. The matter will be kept under review in the MWDF Annual Monitoring Reports.”	For clarity in response to Sellafield Ltd comments (ref 483) and in response to Copeland Borough Council comments (ref 256)
81	CS Policy 12	In line 1, replace ‘fulfill’ with ‘fulfil’	Spelling correction
82	9.4	Add reference to coal resources in final sentence, to read “There are currently no active surface or underground coal mines in the county, but there are extensive deep and shallow coal resources.”	In response to Coal Authority (ref 427) and Kier Mining (ref 481) comments
83	9.12 - Box re Minerals Strategy	In bullet point 1, add reference to national and regional policies, to read “to make provision for a steady and adequate supply of minerals, in accordance with national and regional policies;” In bullet point 3, amend text to read “make provision to enhance the scope for using alternative re-used or recycled materials.”	In response to comments by Cemex (ref 493) For clarity.
84	10.2	In line 5, sentence 3, add text re energy minerals and need, to read “Except for energy minerals, for which “need” does not have to be established, this involves the sizes of "landbanks" of minerals planning permissions that will be maintained at any one time.”	In response to Kier Mining comments (ref 481)
85	10.3	In penultimate sentence, add cross reference to paragraph 10.13, to read	In response to comments by Stephenson

		<p>“Because of this, the plan will not identify any Preferred Areas, only Mineral Safeguarding Areas to protect the crushed rock resources (see also paragraph 10.13).”</p> <p>In last sentence, update re Site Allocations, to read “Further resources of very high specification roadstone will be safeguarded adjacent to Ghyll Scaur Quarry in the Preferred Options Site Allocations Policies.”</p>	<p>Halliday (ref 394)</p> <p>Update.</p>
86	10.4	<p>Update paragraph re Site Allocations, to read “Sand and gravel resources will be considered in more detail in Preferred Options Site Allocations Policies document in 2009. Preferred Areas, Areas of Search and Mineral Safeguarding Areas will be identified to maintain at least a seven year landbank throughout the plan period. For gypsum, there are only two remaining resource areas identified on the geology maps; they will both be safeguarded. Preferred Options Site Allocations document will consider what type of safeguarding is appropriate for the Stamphill site and for the area of land that would be needed to work the other identified resource.”</p>	<p>Update.</p>
87	10.5	<p>Update re Site Allocations, to read “The present Mineral Consultation Areas maps were produced in 1982, and will be reviewed in the Preferred Options Site Allocations Policies document. This will also look in detail at Minerals Safeguarding Areas.”</p>	<p>Update.</p>
88	10.6	<p>Update last sentence re DEFRA consultation, to read “The Defra consultation about the priorities for the Aggregates Levy Sustainability Fund for 2008 to 2011, includes a theme of securing further diversion from lorries to rail and water transport.”</p>	<p>Update.</p>
89	10.7	<p>In first sentence, update RSS reference, to read “The Framework sets out policies and proposals in line with the Regional Spatial Strategy (RSS).”</p>	<p>Update re RSS.</p>
90	10.8	<p>In first sentence, update RSS reference, to read “There is a concern, expressed in the Sustainability Appraisal of the Regional Spatial Strategy and in some responses to the issues and options consultation, that the region's assessment of needs for aggregates may not be sufficient to meet the anticipated demand from new developments.”</p>	<p>Update re RSS.</p>
91	10.9	<p>In first and second sentences, update RSS references, to read “The forecasts</p>	<p>Update re RSS.</p>

		of demand in the draft Regional Spatial Strategy (RSS) were based on the North West Regional Aggregates Working Party's (RAWP) Annual Report 2003, which incorporated the 2002 aggregate monitoring statistics. Its sub-regional apportionments to Cumbria for the period 2001 to 2016 are 11.2 million tonnes of sand and gravel and 66 million tonnes of crushed rock.”	
92	10.10	In the last sentence, update re RAWP, to read “The RAWP 2007 Annual Report indicates, for Cumbria, an insignificant decline in crushed rock sales and a marginal increase for sand and gravel; it does not alter the apportionment figures.”	Update re RAWP report.
93	10.11	Update paragraph re national and regional guidelines, to read “The national and regional guidelines for aggregates provision are being rolled forward to 2020. The revised national forecasts indicate a continuing reduction in national demand for primary aggregates but marked contrasts between individual regions. For the North West the figures show only marginal changes in demand compared with the previous forecasts. The main changes are for other regions, with the South East and North East showing the largest decline and London showing a significant increase in demand.”	Update.
94	10.13	In the penultimate sentence, update re Site Allocations, to read “The County Council is not aware, at the moment, of such circumstances that would justify further provision but these matters will be taken into account in the Preferred Options Site Allocations document.”	Update.
95	10.15	In the third sentence, update re Roan Edge permission, to read “The County Council has subsequently granted a planning permission at Roan Edge quarry, which virtually doubles the permitted reserves figure.”	Update.
96	10.19	In the penultimate sentence, update re Site Allocations, to read “The Preferred Options Site Allocations Policies document will assess the remaining reserves and the supply areas for all of the quarries and examine if some of the more difficult problem areas can be resolved.”	Update.
97	10.26	In the last sentence, update re DEFRA consultation, to read “The consultation by Defra about the priorities for the Aggregates Levy Sustainability Fund for 2008 to 2011 includes the theme of reducing the environmental footprint of marine extraction.”	Update.
98	10.34	In the penultimate sentence, add reference to national policies, to read	In response to Natural England comments

		“National policies relating to developments within Areas of Outstanding Natural Beauty are relevant to any proposals at Hartley quarry.”	(ref 41).
99	10.38	Update paragraph re RSS and Site Allocations, to read “Policy 17 is in accordance with RSS policy EM7 which states that plans should identify and protect sources of building stone for use in repairing and maintaining historic buildings and public realm improvements. Work to identify potential sites will be undertaken as part of the Preferred Options Site Allocations Policies. Proposals will be considered under the Generic Development Control policies.”	Update.
100	10.39	Add references to fireclay and to shallow coal, to read “There are extensive coal and associated fireclay resources within West Cumbria but none of these are being worked. National energy policy and the need to mine coal will be kept under review. That could result in the need for a Core Strategy policy but, for the present time, the Generic Development Control Policies are considered to be adequate. The Coal Authority has now (October 2008) renotified areas of shallow coal resources as a mineral consultation area.”	In response to comments by Kier Mining (ref 481) and the Coal Authority (ref 427). See HRC 22
101	10.41	In line 4, sentence 4, add ‘to’ between ‘According’ and ‘the’; remove second ‘the’, to read “According to the British Geological Survey, the gas content, permeability and total thickness of coal within the West Cumbria coalfield suggests that it could rate amongst the best coalbed methane prospects in England.”	For clarity
102	10.42	Update last sentence re planning permissions, to read “Planning permissions for appraisal and production were granted near Longtown in March 2008.”	Update.
103	CS Policy 13	In bullet point 5, amend text to read “identify sites for the facilities that will be required to enable at least one quarter of the aggregates used within Cumbria to be met by secondary or recycled aggregates.”	In response to Cemex UK comments (ref 493)
104	CS Policy 14	a) In bullet point 2, add reference to nationally important very high specification roadstone, to read “A Preferred Area or Area of Search for extending Ghyll Scaur quarry for nationally important very high specification roadstone;” b) In bullet point 7, add reference to a consultation area for shallow coal, to read “Mineral Consultation Areas, which will include buffer zones around the Preferred Areas, Areas of Search, Mineral Safeguarding Areas and shallow	Both changes are in response to comments by Aggregate Industries (ref 44), Kier Mining (ref 481) and the Coal Authority (ref 427). b) superseded by HRC 67

		coal resources. "	
105	Monitoring matrix Table 11.1	Amend title of column 7 to read "Data Source/Responsible body" and add 'CCC' in rows 1, 3, 8, 10, 11, 12 and 13 of that column.	For clarity in response to GONW comments (ref 60).
106	Key Diagram	Recommend that coal and coal safeguarding areas are added.	In response to comments by David Brewer (ref 495), Kier Mining (ref 481) and the Coal Authority (ref 427).

GENERIC DEVELOPMENT CONTROL POLICIES

Ref. RPC	Paragraph/ Policy	Recommended change	Comment
			<i>The representor's reference number is given in ().</i>
107	1.1	Delete third sentence re submission of Core Strategy and GDC Policies.	Update.
108	1.2	Delete entire paragraph.	Update.
109	1.3	Delete reference to making representations, to read "A web-based version of this document is available on the web site www.cumbria.gov.uk"	Update.
110	1.6	Update text re RSS, to read" The overarching strategic context has, to date, been provided by the Cumbria and Lake District Joint Structure Plan 2001-2016, which was adopted April 2006. This has been superseded by the adopted North West Regional Spatial Strategy which saves 23 of the Structure Plan policies."	Update re RSS.
111	Policy DC 4	In line 1, add cross reference to CS Policy 2, to read "Waste management facilities that accord with Core Strategy Policies 2, 8 and 9, and which do not have adverse environmental impacts, will be permitted if they conform to the locational and other criteria below."	In response to comment by Barrow BC (ref 196)
112	3.7	Line 2, first sentence, add 'waste' between '(i.e. biodegradable)' and 'going', to read "Waste minimisation measures and diversionary technologies will reduce the amounts of non- inert (i.e. biodegradable) waste going into landfill, but the Core Strategy identifies the need for 2 million cubic metres of landfill capacity in addition to that in existing permitted sites."	For clarity
113	Policy DC 5	Paragraph 2, line 1, first sentence, change 'will be also' to 'will also be', to read, "All such proposals will also be assessed against environmental and community policies in this plan and, in addition, their proximity to sensitive receptors, including aerodromes."	For clarity
114	Policy DC 6	First paragraph, amend text re conformity with the plan, to read "Proposals for non-energy minerals development inside the identified Preferred Areas will be permitted if they do not conflict with other policies in this plan."	Correction in response to Cemex comments (ref 493).
115	4.3	Add final sentence to cross reference with CS Policy 5, to read "Core Strategy Policy 5 and its supporting text relate to the afteruse and restoration of sites."	For clarity in response to comments by the Coal Authority (ref 427).

116	4.5	Add final sentence re asset value and viability, to read "This is subject to the provisions of the Act, and in guidance, that the asset value and viability of the site should not be unduly affected."	In response to comment by Cemex (ref 493).
117	Policy DC 9	Amend final sentence text re extraction of minerals prior to development, to read "Where a development site overlies or would sterilise mineral resources their prior extraction will be permitted as long as it can be achieved:"	For clarity and in response to comment by QPA (ref 492)
118	4.8	Add two final sentences re a consultation area for shallow coal, to read "The Coal Authority has now (October 2008) provided Revised Standing Advice for the Cumbria coalfields. Separately from this, the Coal Authority has provided a plan showing shallow coal resource data for use in development plans."	In response to Coal Authority (ref 427) and Kier Mining (ref 481) comments Superseded by HRC 22
119	5.3	Remove references to 'draft' RSS, to read "Regional Spatial Strategy (RSS) Policy EM1(B) seeks a "step-change" increase in the region's biodiversity resources. This will involve protecting, enhancing, expanding and linking habitats using the functional ecological and green infrastructure networks that are proposed in the RSS and its Indicative Biodiversity Resource and Opportunities Diagram. These include the networks of natural habitats which are essential for migration, dispersal, genetic exchange and the general ecological fabric."	Update re RSS.
120	5.5	Update text re Cumbria Biodiversity, to read "Work has now (July 2008) been completed on a detailed representation of what is meant by Cumbria's biodiversity. As part of this process a list has been drawn up of Cumbria's Key Wildlife Species. These are species that have the status of being specifically protected or are UK Priority and/or Cumbria Biodiversity Action Plan species. Further work has been undertaken to relate species to appropriate habitat types, functional ecological networks and to geographic areas of the county. Key Species and Priority Habitat Statements have been prepared which provide further guidance for policy and for applicants. Twenty three of the species could, potentially, be the ones that are most likely to be at risk from minerals and waste developments within the Plan area; the list of these is included in the separate Appendices document."	Update.
121	5.9	In first and second sentences, add cross reference to CS Policy 4, to read "The policy derives from Core Strategy Policy 4 and its supporting text. It highlights the need not only to avoid significant harm to assets but to enhance	In response to comments by Natural England (ref 41).

		them where possible.”	
122	Policy DC 11	Move sentence re assessment of impacts to the bottom of the policy, to read “Proposals should be accompanied by an assessment of any impacts on the historic environment, including an appropriate level of field investigation if necessary.”	For clarity in response to comments by Carlisle City (ref 212) and QPA (ref 492).
123	5.14	Amend text of final sentence re SPDs, to read “The Landscape Character Guidance will include advice on applying the Cumbria Landscape Character Assessment.”	Update.
124	5.16	Remove reference to ‘draft’ RSS in last sentence, to read “The Joint Structure Plan (Policy E 37) and the Regional Spatial Strategy Policy EM1 (A) build on this concept.”	Update re RSS.
125	5.17	In first sentence, update text re SPD, to read “The Landscape Character Guidance will provide detailed advice on applying the Cumbria Landscape Characterisation Assessment.”	Update.
126	Policy DC 14	Amend text to read “Planning permission will only be granted for developments that would have no unacceptable quantitative or qualitative adverse effects on the water environment, surface waters and groundwater resources. Proposals that minimise water use and include sustainable water management will be favoured.”	In response to comments by the Environment Agency (ref 42).
127	5.27	Line 3, add space between ‘(paragraphs 12 to 15)’ and ‘states’	For clarity
128	5.27	Last bullet point, last line, remove spurious bracket	For clarity
129	5.31	In first sentence, remove reference to ‘draft’ RSS, to read “Whilst sites on the best and most versatile agricultural land should usually be restored to a similar standard, other uses will be encouraged that contribute to the "step-change" in biodiversity required by the Regional policy.” Line 12, penultimate sentence, replace ‘fulfill’ with ‘fulfil’	Update re RSS. Spelling correction
130	5.32	In the third sentence, line 8, replace ‘a established’ with ‘an established’, to read “Prospective developers may demonstrate how they propose to make provision for the proper reclamation of their sites either through membership of an established and properly funded industry guarantee scheme, or by the provision of a bond or other financial guarantee, prior to the commencement of development.” Add a space between penultimate and last sentences.	For clarity For clarity.

		Line 12, last sentence, change 'table below' to 'following table', to read "The following table suggests how specific strategic objectives could be met by different afteruses, in locations where they are compatible with other development plan policies, including District Councils' Local Development Frameworks."	For clarity.
131	5.32 - table	Row 1, column 1, add 'To' before 'optimise', to read "To optimise local economic benefit"	For clarity
132	Policy DC 16	Add new requirement (e) re best practice and public safety, to read "restoration will be undertaken using industry best practice."	In response to comments by the Coal Authority (ref 427)
133	6.3	In first sentence, update text re planning applications, to read "A new standard electronic application form for applications for planning permission became mandatory from 6 April 2008."	Update.
134	6.5	Add text re judging proposals on their merits and reference to the Aggregates Levy Sustainability Fund, to read "Core Strategy Policy 6 sets out that planning obligations may be needed when it is not possible to secure measures through the use of conditions on a planning permission. Such obligations would have to be in place before a planning permission is issued. Each proposal will be judged on its merits and Circular 5/2005 sets out advice on five tests for S.106 obligations that the local planning authority should have regard to in assessing their acceptability in policy terms. These tests are that the obligation is relevant to planning; necessary to make the development acceptable in planning terms; directly related to the proposed development; fairly and reasonably related in scale and kind to the proposed development reasonable in all other respects. For aggregate quarries, provisions in the Aggregates Levy Sustainability Fund relate to amenity impacts. The following development control policy lists some of the measures that may need to be included in obligations."	In response to comments by QPA (ref 492).
135	Policy DC 17	In point (b), add reference to environmental assets, to read "the implementation of long term monitoring, mitigation and enhancement measures for environmental assets before, during and after the development;"	For clarity and in response to comments by Cemex (ref 493).
136	6.6	Add text to cross reference with CS Policy 4, to read "Amenity purposes may include leisure and recreation uses and the conservation and enhancement of	In response to comments by Natural England (ref 41).

		biodiversity, geodiversity or the historic environment in accordance with Core Strategy Policy 4.”	
137	6.10	Line 3, replace ‘6.9 below’ with ‘6.1 overleaf’	For clarity
138	Monitoring matrix Table 6.1	Amend title of column 7 to read “Data Source/Responsible body” and add ‘CCC’ in rows 1, 3, 8, 10, 11, 12 and 13 of that column.	For clarity in response to GONW comments (ref 60).

APPENDICES FOR THE CORE STRATEGY AND GENERIC DEVELOPMENT CONTROL POLICIES

Ref. RPC	Appendix	Recommended change	Comment
139	Preface	Paragraph 1, sentence 1, line 1, remove 'new', to read "The Cumbria Minerals and Waste Development Framework is part of a development plan system that was introduced in 2004."	Update
Not used			Update.
141	Preface	Add text re new Appendix H, to read "Post- submission change Appendix H As part of the Development Plan Documents, the County Council is required to submit a statement about which of the current development plan policies would be superseded by the Minerals and Waste Development Framework's Core Strategy and Generic Development Control Policies. This Statement is now included as Appendix H."	Update.
142	Appendix B	Paragraph 1, line 2, add space between 'This' and 'isolation'	For clarity
143	Appendix C	Carlisle and Eden Community Strategy, paragraph 1, line 2, replace 'superceded' with 'superseded'	Spelling correction
144	Appendix C	Eden Action Plan, paragraph 2, last line, remove spurious full stop	For clarity
145	Appendix C	West Cumbria Partnership, paragraph 2, line 2, insert 'Spatial' between 'Cumbria' and 'Masterplan'	For clarity
146	Appendix G	A previous post-submission change referred to the Secretary of State's Proposed Changes to the draft Regional Spatial Strategy – this is now deleted. The final version of the RSS has now been adopted and the Appendix has been revised to take this into account – see document ED41 for full changes.	RSS update
147	Appendix H	The Regulation 13(5) Statement of saved development plan policies that would be superseded by the Core Strategy and Generic Development Control Policies is now included as an additional Appendix H – see document LD110	This was required to be formally submitted as part of the documents. See HRC 91

