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TOPIC PAPER 2

Proposed Additional Non-Inert Landfill Capacity



**CUMBRIA MINERALS AND WASTE DEVELOPMENT
FRAMEWORK**

**REPEATED SITE ALLOCATIONS POLICIES
AND
PROPOSALS MAP**

***This Topic Paper is in response to Issue 2 of the
Inspector's Issues and Questions (ED 81)***

HEARING SESSION 4

**WEDNESDAY 25 APRIL
(14.00 to 17.00)**

**Committee Room 1
County Offices, Kendal**

Policy 5: Proposed Additional Non-Inert Landfill Capacity

Whether the identification of Goldmire Quarry, Barrow, is justified, effective and consistent with national policy and the Core Strategy.

Questions

2.1 How, if at all, has the factual position recorded in paragraphs 60 to 67 of RSAP10 (my report on the examination of the previous DPD) altered.

1. There have been several material changes to the position in relation to non-inert landfill, these cover the following matters:-
 - Planning applications;
 - Other regulatory processes;
 - Revised estimates of existing landfill capacity;
 - Nuclear decommissioning wastes.

Goldmire

2. At Goldmire Quarry, planning application 6/11/9006 was submitted in February 2011, it has not yet been determined. The proposal is for an extended area for the disposal of inert wastes and for the relocation of construction waste recycling operations. The proposed scheme would provide 850,000 cubic metres of void space. Further information has recently been submitted about the sources of waste materials, lorry traffic, phasing and restoration.
3. References are made in the planning application statement and subsequent correspondence to a likely future planning application for the disposal of both non-inert and inert wastes, which would also allow continued limestone extraction. It is stated that substantial quantities of inert material would be needed to form and line the cells for non-inert wastes. It is also stated that it is likely, if the current planning application is approved, that the wastes deposited would be proposed to be reworked with clay in combination with HDPE for non-inert cell linings.
4. As the proposal for non-inert waste disposal has not yet been submitted, there is no information about the anticipated volumes of such wastes.

Hespin Wood

5. One of the Mechanical and Biological Treatment plants for the municipal waste contract is now operational at the Hespin Wood Waste Management Park near Carlisle. Cumbria Waste Management, which operates this site, has estimated that this has reduced the approved landfill void space by 480,000 m³. A redesigned landform within the footprint of the approved landfill has been discussed, which would reduce the loss of airspace to 92,000 m³; a new planning permission would be needed for this scheme.
6. Core Strategy policy was based on estimates of around 5 million m³ capacity remaining in approved landfills, which included 1.8 Mm³ at Hespin Wood. Site Allocations Policy 5 identifies 16 ha to the north of the existing landfill for additional landfill. Paragraph 5.62 explains that this land may not necessarily be needed for the additional capacity. In theory, an area that large could easily provide the whole of the 1.5 million m³ capacity now needed to meet the shortfall anticipated in the

Core Strategy. It is stressed that this is not the County Council's intention and would not be consistent with Core Strategy policies.

7. Another change in connection with Hespian Wood is that the Carlisle Northern Development Route is now fully open.

Lillyhall

8. The 1995 Lillyhall landfill planning permission gave the site a life for around a further 8 years, requiring that it is restored by 2014. Waste Recycling Group (WRG), the owners of the site since 2005, requested a Screening Opinion from the County Council for a proposal to extend this to 2024. In connection with this request, WRG provided an estimate that the remaining capacity in the approved non-inert part of the landfill was just under 1.4 million m³ (May 2011). Core Strategy policy had been based on an estimate at that time of around 1.5 million m³, which is not significantly different. WRG has stated that recent inputs to this landfill have comprised commercial, industrial and asbestos wastes at around 33,000 m³/year.
9. Another change is that, in April 2011, the Environment Agency granted an Environmental Permit (LD197) for the Lillyhall landfill to receive up to 582,000 m³ of Very Low Level Radioactive Waste. This could be at a permitted rate of up to 26,000 m³/year subject to it being part of a total of 67,000 m³/year of all wastes (i.e. approx 40%). That implies around 1.3 million m³ of total waste inputs over the additional 20 year life to 2031, which is anticipated in the Permit, but which does not have planning permission.
10. A further complication is that the Environment Agency has recently recategorised some wastes in connection with the Environmental Permitting Regulations. This involved assessing risks for specific radionuclides and relating these to regulatory requirements. An implication is that substantial volumes of what were previously (V)LLW are not now regarded as radioactive wastes of any type. These are referred to as "out of scope" wastes. The thresholds have also been changed for wastes with slightly higher activity levels, and which are still described as radioactive, but which are "exempt" from the radioactive waste provisions of the Environmental Permitting Regulations.
11. Core Strategy policy for landfilling was not based on any capacity being provided for nuclear decommissioning wastes. This is because significant volumes of these, requiring new facilities, are not anticipated to arise within Cumbria within the plan period. The Core Strategy's 2 million m³ estimated shortfall in landfill capacity does not, therefore, include the 582,000 m³ referred to in the Lillyhall Environmental Permit, which would be wastes from elsewhere. The County Council's policy is that those should be managed within the site where they arise or on adjacent land, unless rigorous assessments demonstrate that that is impracticable. The NDA has recently confirmed that the potential for such on-site/adjacent to site facilities at nuclear licensed sites is now going to be assessed (Nuclear Decommissioning Authority Low Level Waste Programme Delivery Group meeting, 8 February 2012).
12. The Lillyhall Environmental Permit is a generic one, based on the technical details of the facilities at the landfill. It appears to be mainly relevant in connection with proposals to send decommissioning wastes 80km or so to Lillyhall from the Chapelcross power station site in Scotland. The Environmental Permit application for that consigning site is still being considered by the Scottish Environmental Protection Agency (SEPA). The County Council has made representations against

that application, which is inconsistent with its policies, including Core Strategy Policy 1, with regard to waste miles.

13. With regard to nuclear decommissioning wastes, a presentation by LLWR Ltd, at a NuLeAF seminar on 9 March 2012, included estimates of around 15 to 20,000 m³/year of Low Activity Low Level Wastes (LALLW) arisings within the UK over the next 15 years or so. These are wastes with activity levels below 200 becquerels/gram, which would not require the highly engineered facilities provided at the Low Level Waste Repository. Such lower activity level wastes are those which are likely to be able to go to conventional non-inert landfills.
14. Although more detailed assessment of the radioactive waste inventory is needed before a definite conclusion can be reached, it seems that around 50% of these LALLW wastes may now fall within the “out of scope” category. Such wastes would not have to go to a disposal facility that had an Environmental Permit, under the radioactive substances part of the Environmental Permitting Regulations. They would be able to be disposed at conventional non-inert landfills near to where they arise.

Thackwood

15. As far as the County Council is aware, the potential landfill capacity at Thackwood has not changed since the 2010 Examination of the Policies.

2.2 If the identified quantitative shortfall (RSAP10, paragraph 63) would still remain beyond 2017, would the DPD be consistent with the CS if Goldmire Quarry, or some other site, was not identified?

16. Core Strategy Policy 7 and paragraph 7.31 state that strategic areas for additional landfill provision will be in the south and in the north and west of the county, with priority being given to the south.
17. Core Strategy Policy 8 states that 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).
18. Core Strategy Policy 9 states that the plan will seek to identify 2 million cubic metres of landfill capacity in addition to the void space remaining in existing permitted sites.
19. Core Strategy Policy 1 states that proposals for waste management developments should demonstrate that their location will minimise, as far as practicable, “waste road miles” in managing the wastes, unless other environmental/sustainability considerations override this aim.
20. Paragraphs 5, 6, 7, 8 and 15 above, describe the current position at Hespin Wood, Lillyhall and Thackwood landfills, which are identified in Site Allocations Policy 5 for additional landfill capacity; these are in the north and west of the county.
21. The current planning application at Goldmire Quarry is described in paragraphs 2 and 3 above.
22. It is possible that the 1.5 million cubic metres of additional landfill capacity now required in connection with Core Strategy Policy 9 could be provided at Hespin Wood and Lillyhall. However, that would not be consistent with the Core Strategy policies of giving priority to the south of the county and of minimising waste miles.
23. In the south, the position is still that Bennett Bank is the only non-inert landfill site with capacity and its planning permission is until 2017. After that date there would

be no landfill available in the south. Further provision in the south does, therefore, need to be identified in order for the Site Allocations Policies to be consistent with the Core Strategy.

2.3 What prospect is there of another site coming forward?

24. In the early stages of preparing the MWDF, the County Council looked at a very wide range of potential sites for waste management facilities, including non-inert landfill. Apart from the existing Bennett Bank landfill, it was not able to identify any potential sites that should be considered in the south of the county.
25. There have, subsequently, been eleven rounds of consultations about the site policies and the only site in the south of the county that has been put forward is Goldmire Quarry. In the opinion of the County Council, it seems most unlikely that another site will be put forward for non-inert landfill at this late stage.
26. A possible alternative disposal option could be to recover energy from residual waste instead of landfilling it. The County Council has recently been consulted about an imminent application to the Major Infrastructure Planning Unit for a biomass power station at Roosecote. This would be a replacement for the existing gas powered station. The proposal is based on approximately 430,000 to 600,000 tonnes of biomass fuel being brought in by sea or by rail. This would comprise a mix of virgin wood chips and pellets with a proportion of recycled/waste wood chips. The County Council is not aware that the proposal anticipates any significant volumes of wastes being used as a fuel and it has not been put forward for consideration in the MWDF. On the basis of current information, it does not, therefore, appear to offer an alternative to landfill.

2.4 Is any further information available about the deliverability of the site within the plan period (see RSAP10, paragraph 66)?

27. The only further information that the County Council has, is that included for the current planning application at Goldmire Quarry, described in paragraphs 2 and 3 above.
28. The only conclusion that can be drawn from that information, is that Holker Estates is still intending to develop a proposal for a future planning application and Environmental Permit application. No timescale has been put forward for those applications.
29. The County Council remains to be convinced about the feasibility of landfilling this quarry but no 'show-stoppers' have been identified. There has been nothing on which to consult the Environment Agency, other than the inert waste proposal. In addition to technical feasibility, Site Allocations Policy 5 also refers to access improvements.