



PLANNING AND COMPULSORY PURCHASE ACT 2004

**TOWN AND COUNTRY PLANNING
(LOCAL PLANNING) (ENGLAND) REGULATIONS 2012**

**DRAFT CUMBRIA MINERALS AND WASTE LOCAL PLAN
2015 to 2030**

**PROPOSED MAIN MODIFICATIONS
TO THE
PUBLICATION (REGULATION 19) PLAN
POST HEARING SESSIONS**

MARCH 2017

Introduction

In response to comments submitted during the Regulation 19 consultation on the Local Plan (May to July 2016), a number of modifications were proposed when the Plan was submitted to the Planning Inspectorate for examination. Following the Hearing sessions of the Plan's examination (November/December 2016), further modifications are proposed, in order to ensure consistency with national policy, to make factual changes or to add clarity to the Plan.

1. A table of proposed **Main Modifications** is set out in paragraph and policy order:
 - deleted text is shown as red, with a line through the words, e.g. ~~strikethrough~~
 - new text is shown in green
2. An **Annex 1** is provided, to illustrate map and table additions or amendments – this is cross referenced to the table of proposed Main Modifications

Ref No.	Page No.	Paragraph/Policy/Figure/Table/Map/Box	Proposed Main Modification	Reason for Proposed Modification
MM1a	1	Paragraph 1.5	<p>Insert new sentence</p> <p>“.....consultations in 2009 to 2011. For a list of all the superseded MWDF policies, and the MWLP policy replacements, see Appendix 1.”</p>	To provide clarity regarding superseded policies
MM1b	203	Appendix 1	<p>Insert new Appendix 1, listing the superseded and replacement policies. (see Annex 1 to this Table of Main Modifications for new Appendix)</p>	To provide clarity regarding superseded policies
MM2a	1	Following paragraph 1.6	<p>Insert new paragraphs 1.7, 1.8 and 1.9, to read:</p> <p><i>“New National Park designations</i></p> <p>1.7 Extensions to the Yorkshire Dales and Lake District National Parks, by Variation Order, were confirmed in writing by the Secretary of State on 23 October 2015. The extension areas are shown on the map in Appendix 2; apart from a small area of land between Kirkby Lonsdale and Ingleton on Leck Fell, which lies in Lancashire, all of the extension areas fall within the county of Cumbria.</p> <p>1.8 Following the transfer of functions on 1 August 2016, the respective National Park Authorities became the Local Planning Authority for the newly designated areas, with responsibility for determining all applications for planning permission and Listed Buildings consent, as well as the responsibility for preparing a Local Plan, which would include minerals and waste planning policy. Both the Lake District National Park Authority (LDNPA) and Yorkshire Dales National Park Authority (YDNPA) will use existing, adopted development plan policies in the extension areas, i.e. the adopted policies of South Lakeland District Council, Cumbria County Council, Lancaster City Council and Lancashire County Council, as appropriate. However, the National Parks have indicated that the statutory implications of National Park designation, as outlined in the NPPF, will be a material consideration in their determination of applications in these areas.</p> <p>1.9 Whilst the National Park Authorities are now the minerals and waste planning authorities in the extension areas, the adopted development plan document for Cumbria County Council will remain the extant minerals and waste policy for those new areas that fall in Cumbria. This will continue until either: a) the YDNPA and LDNPA choose to adopt the Cumbria Minerals</p>	To provide clarity regarding minerals and waste planning in the National Park extension areas

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			<p>and Waste Local Plan for the relevant extensions or b) the YDNPA and LDNPA review their own Local Plans, to include the extension areas.”</p> <p>There will be consequent changes to the Policies Map Part 1, and to Insert maps E and F; these will identify the new areas designated as National Park.</p>	
MM2b	203	Appendix 2	<p>Insert new Appendix 2, showing the new areas designated as National Park on a map. (see Annex 1 for new Appendix)</p>	To provide clarity regarding minerals and waste planning in the National Park extension areas
MM3	9	Box 2.2 overall strategy	<p>Insert new bullet points at the end of the Box, to read:</p> <ul style="list-style-type: none"> As for conventional wastes, radioactive waste arisings in the county will be minimised, as will its unnecessary import, ensuring that the right facilities are built in the right place at the right time; the full range of the radioactive waste industry’s management, movements and facilities will be supported, as long as they do not have any significant adverse environmental, social or economic impacts in the county. The appropriate long term, safe storage facilities for higher activity radioactive wastes are provided, until a suitable disposal route is available. 	To clarify the strategy approach to the radioactive waste industry in Cumbria
MM4	10, 11	Box 2.3 Strategic Objectives	<p>Add text into Objective 4, on the aim for net self-sufficiency in waste management.</p> <ul style="list-style-type: none"> that whilst aiming for net self-sufficiency in waste imports and exports, waste will be managed as near as practicable to where it is produced, without endangering people’s health and without harming the environment. 	To clarify the County Council’s aim for net self-sufficiency in waste management
MM5a	16	Paragraph 3.15	<p>Amend paragraph, to read:</p> <p>“It is evident that current waste tonnages were being accommodated in 2014, and there are no immediate capacity gaps for Cumbria; there could indeed be spare capacity in the existing Cumbria waste facilities. Table 3.3 provides details of known capacity (excluding landfill, which is provided in Table 3.7) at built facilities across Cumbria at the end of 2014; when available landfill capacity is added to this figure, the total capacity available</p>	To set the context for the new Table 3.3 on waste capacity

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			exceeds that required to manage all the waste that arose. Furthermore, the Waste Data Interrogator for calendar year 2015 indicates that there is a further 300,000 tonnes of capacity available ¹ . The potential need for additional waste facilities during the lifetime of the Local Plan was examined in terms of waste growth, changes in imports and exports, increased diversion from landfill and a corresponding need for new built facilities for recycling or recovery. Possible closures of facilities were also considered.”	
MM5b	16	Following paragraph 3.15	Insert new Table 3.3: Waste capacity (tonnes) in Cumbria by facility type – 2014 (see Annex 1 for new Table) There will be consequent changes to the numbering of the Tables that follow in chapter 3.	To illustrate the waste capacity at facilities in Cumbria
MM6a	18	Following paragraph 3.22	Insert new paragraph 3.23, to read: “The scenario taken forward by the needs assessment is the realistic scenario. All three scenarios use the same growth assumptions for LACW, C&I and hazardous wastes, with differing options for CD&E waste. The realistic scenario is considered the most appropriate, as this accounts for expected changes in the levels of Excavation waste and Construction & Demolition waste; the growth in excavation waste is closely linked to planned major infrastructure in the county. Although exact figures are not yet known, there is some indication that around 2.5 million cubic metres of excavation spoil may arise as a result of developments such as new nuclear build and the associated upgrade of the National Grid network; such forecasts and the estimated timescales for the projects are incorporated into the modelling for this WNA. In respect of C&D waste, the realistic scenario assumes some growth, but that materials are re-used, recycled or used onsite in place of primary aggregates, and thus assumes lower levels of waste generation. Table 3.4 shows projected arisings at 5 year intervals over the Plan period.” There will be consequent changes to the numbering of the paragraphs that follow in chapter 3.	To provide information on the scenario taken forward in the Waste Needs Assessment, and to show future waste arisings, in line with the National Planning Policy for Waste

¹ The 2015 WDI was released during the MWLP examination, but data in the Local Plan and Waste Needs Assessment are based on the 2014 WDI

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MM6b	18	Following new paragraph 3.23	Insert new Table 3.4: Predicted waste arisings in Cumbria 2015 to 2030 (tonnes) (see Annex 1 for new Table)	To illustrate the predicted future waste arisings in Cumbria
MM7	18	Table 3.3	Update Table 3.3 to show information from 2010 to 2014 for waste imports and exports to/from Cumbria. Table 3.3: Cumbria Recorded waste exports and imports (in tonnes) from Cumbria-20062010 to 2014 (excluding to Scotland) (see Annex 1 for updated Table)	To provide the reader with a better understanding of historical waste self-sufficiency in Cumbria
MM8	22	Following paragraph 3.38	Insert new paragraph 3.39, to read: “Bennett Bank will continue to accept non-inert waste until December 2017, after which, capacity will be reserved for inert waste for restoration purposes; this will cease by December 2018, when restoration should be complete. Additional inert voidspace of 850,000m ³ will be created at Goldmire, with landfilling due to commence during 2017. Capacity at Flusco is expected to come on stream later in the Plan period and will provide at least 240,000m ³ , following extraction of limestone. Further development at Roan Edge is currently subject to a planning application, which is due to be determined in 2017; if permitted, this would increase the existing voidspace to around 510,000m ³ .”	To provide information on sites likely to come forward during the Plan period and to ensure that the Plan is in line with the National Planning Policy for Waste in terms of future waste management
MM9a	24	Following paragraph 3.46	Insert new paragraph 3.47, to read: “In addition to waste managed at licensed sites, exemptions ² also play a role in managing Cumbria's waste. Information provided by the Environment Agency shows that there were over 23,000 simple waste management exemptions issued in the county in 2014; Table 3.10 provides details on reported exempt activity (by number) at sites across Cumbria. Almost two-thirds of the exemptions relate to agricultural activities only, which allow storage or disposal of wastes on the holding where the wastes arose and, therefore, do not need to be taken into account in the needs assessment. Although it is recognised that infrastructure provided at sites	To provide clarity on how exemptions have been taken into account in the Waste Needs Assessment

² Exemptions provide a simplified licensing structure for waste activities with limited environmental risk, occurring typically on a very small scale for specific purposes. Exemptions have to be renewed every 3 years, which also indicates that they tend to occur on a one-off basis or over a limited period.

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			that have been issued with exemptions make some contribution to local waste management capacity, it is not possible to identify this accurately. However, it is assumed that this route of waste management will continue and will provide capacity equivalent to existing levels.”	
MM9b	24	Following new paragraph 3.47	Insert new Table 3.10: Overview of principal waste exemptions (see <i>Annex 1 for new Table</i>)	To provide an overview of the principal waste exemptions
MM10	24	Paragraph 3.47	Replace paragraph with up-to-date information, to read: “The 2014 WNA report provided a summary of total capacity required 2013-2030 for the principal types of waste management functions³, a summary of additional built waste facilities that may be required, and estimates of landfill void capacity throughout the Plan period. Tables provided predictions under the “Best” case and “Pragmatic” case scenarios at 2015, 2020, 2025 and 2030. The capacity gaps estimated for the principal waste management functions were also detailed for both the Best and Pragmatic cases. Section 10 of the 2015 Waste Needs Assessment provides a summary of the capacity requirements over the Plan period. Appendix B, Tables B4 to B6 of the 2015 WNA, provide a detailed breakdown of waste growth and waste minimisation initiatives over the Plan period, and the requirements for managing waste that result from this. The needs assessment concludes that the capacity requirements identified are deliverable over the Plan period.”	To factually update the Plan
MM11	25	Paragraph 3.48	Amend the first sentence of this paragraph, to read: “The key conclusions from these tables in the 2014 2015 WNA are as follows:”	To factually update the Plan
MM12	25	Paragraph 3.48	Amend the fourth bullet of this paragraph, to read: <ul style="list-style-type: none"> • A need for additional composting facilities for C&I waste and LACW would arise in 2020 if a time extension were not to be granted for an existing facility. The existing consent would, however, automatically be extended if the adjacent landfill were to be granted a time extension. Should the consent not be extended, a capacity gap in the order of 	To provide clarity

³ ~~Evidence Base document reference LD267: Table 11.1, Cumbria County Council Waste Needs Assessment, Urban Vision, December 2014~~

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			57,000 tonnes would occur for treating compostable waste arising in Cumbria, increasing to up to 85,000 tonnes, if waste that is currently imported is also included.	
MM13	25	Paragraph 3.48	<p>Amend the final bullet of this paragraph, to read:</p> <ul style="list-style-type: none"> There is a current requirement for thermal waste treatment capacity in the county, which is likely to reach a maximum of almost 120,000tpa in 2020 and diminish thereafter. A permission was granted late 2016 which, when built, will provide for up to 195,000tpa, more than sufficient capacity to meet this need. 	To provide further information on waste management capacity that has emerged since the Plan was submitted
MM14 a	25	Paragraph 3.50	<p>Add new sentence at the end of this paragraph, to read:</p> <p>“Table 3.11 provides details of the anticipated tonnages and voidspace for the realistic scenario, which the Plan is seeking to deliver.”</p>	To provide context for new Table 3.11 regarding non-inert landfill requirements
MM14 b	25	Following paragraph 3.50	<p>Insert new Table 3.11: Non-inert landfill requirements in Cumbria 2015 to 2030 (see Annex 1 for new Table)</p>	To illustrate predicted future non-inert landfill requirements in Cumbria
MM15 a	26	Paragraph 3.56	<p>Add new text and split this paragraph into two, to read:</p> <p>“3.56 Ongoing provision for inert landfill at Roan Edge would require a time extension early in the Plan period; an application for a 15 year time extension to 2031 was submitted in October 2016. Although still awaiting supporting data, a further application is expected for a physical extension at Roan Edge, which together with the current voidspace will provide around 510,000m³ capacity. but there is an additional 1,413,000m³ of inert capacity with planning consent for inert landfill capacity at Flusco (at least 240,000m³) and at Goldmire Quarry (850,000m³); they are both reliant on mineral extraction to provide the voidspace, though inert material for bunding has begun import at Goldmire. After some years of prior extraction and engineering preparation, Goldmire will become operational in 2017; Flusco will come on stream later in the Plan period. Thackwood landfill is no longer operational, but recent pre-application talks indicate that it may be restored with inert material, though the volume would be very small. The operator of Derwent Howe inert landfill is currently developing a scheme to cap and landscape this site, which is also no longer operational.</p>	To provide an update and context on inert landfill requirements in Cumbria

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			<p>3.57 It is considered that an overly restrictive policy approach to new inert landfill should be avoided, whilst ensuring that inert landfill capacity to meet specific needs, if and when they arise, do not undermine the waste hierarchy. It is also important to recognise the role that non-inert landfill plays in managing inert waste; this is clear when looking at how inert waste to landfill was disposed of in 2014, which indicated that just 10% went to inert landfill with the remaining going to non-inert sites. In addition, the Environment Agency estimate that 25% of the capacity of non-inert sites will be taken up by inert waste; therefore, the capacity needs for inert waste disposal should not be considered in isolation. Table 3.12 provides details of the anticipated tonnages and voidspace for the realistic scenario, which the Plan is seeking to deliver.”</p>	
MM15b	27	Following paragraph 3.56	Insert new Table 3.12: Inert landfill requirements in Cumbria 2015 to 2030 (see Annex 1 for new Table)	To illustrate predicted future inert landfill requirements in Cumbria
MM16	27	Paragraph 3.59	<p>Amend paragraph, to read:</p> <p>“The need for composting sites identified in paragraph 3.48, arises from the potential closure of one 25,000tpa composting facility adjacent to the Thackwood landfill site, and one 75,000tpa facility that is adjacent to Hespian Wood landfill. The temporary planning consent for the latter development is directly linked to the continued operation of the Hespian Wood landfill site, which has a permission end date of 2020, and would automatically be extended if a time extension for the landfill site were to be granted. If it were granted, no further composting sites would be required in the Plan period. If not, one additional site of 75,000tpa capacity would be sufficient.”</p>	To link back to the Waste Needs Assessment conclusions
MM17	29	Paragraph 3.66	<p>Amend this paragraph and split into two, to read:</p> <p>“3.66 The 2014 WNA did not identify any current or predicted gaps in provision for agricultural waste. Data is no longer specifically collected on agricultural waste by the Environment Agency; thus all arisings that leave farms and enter the Waste Data system, are recorded and managed as C&I waste. Any requirement would, therefore, be addressed by those facilities in place to deal with the C&I waste stream.</p>	To provide clarification on agricultural waste data, and to update the Plan on sewage waste

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			<p>3.67 The WNA did not identify any or significant gaps in provision for sewage waste (wastewater treatment). United Utilities (UU), the statutory undertaker for wastewater in Cumbria, confirms that their latest 5-year Asset Management Programme (AMP6) identifies the need for a new wastewater treatment works (WwTW) as part of a major capital scheme to upgrade the West Cumbria water supply network. The entire scheme gained planning permission in November 2016, and the proposed WwTW at Bridekirk would will connect a new clean water transfer main from Thirlmere and a new treated water transfer main to an existing service reservoir. However, there will be associated decommissioning of a number of WwTWs and pumping stations, so the amount of wastewater needing treatment will not increase significantly. Capacity requirements Progress will be kept under review, but currently, all requirements are fulfilled.”</p>	
MM18	31	Policy SP3 Waste capacity	<p>Amend the Landfill section of this policy, to read:</p> <p>“Landfill</p> <p>Time extensions for existing landfill facilities will be considered favourably if they are necessary:</p> <ul style="list-style-type: none"> • to meet a capacity need identified in this Plan; or • to achieve acceptable restoration contours; or • to maintain an integrated network of a range of appropriate and necessary waste management facilities across the county. <p>Proposals for additional inert or non-inert landfill capacity will be considered if they are necessary to meet a capacity need identified in this Plan, or if it can be demonstrated that there is a need for the development and that it would not undermine the waste hierarchy.</p> <p>Time extensions for existing landfill facilities will be considered if they are necessary:</p> <ul style="list-style-type: none"> • to meet a capacity need identified in this Plan; or • to achieve acceptable restoration contours; or • to maintain an integrated network of a range of appropriate and necessary waste management facilities across the county. 	To provide clarity and priority on the approach to planning applications for landfill in the county

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MM19	39	Paragraph 4.14	<p>Amend the text on Sellafield in this paragraph, to read:</p> <p>“Sellafield: 1,770m³ HLW (100% of UK total), in 5,626 packages 69,600m³ ILW (73% of UK total), in 47,569 packages conditioned and unconditioned⁴ 3,450m³ LLW (5% of UK total) 1,080m³ VLLW (92% of UK total)”</p>	Factual amendment
MM20	39	Following paragraph 4.18	<p>Insert new paragraphs 4.19 to 4.24, to read:</p> <p><i>“Capacity to manage the volumes of radioactive waste</i></p> <p>4.19 Unlike conventional wastes (discussed in chapter 3), the County Council cannot aim for net sufficiency in the management of radioactive wastes, other than for HLW; this arises only at Sellafield, from the reprocessing of foreign and domestic spent fuel, and is repatriated or safely stored on site, awaiting a disposal route circa 2089. Assuming all HLW from overseas spent fuel has been exported, a total of around 7,500 HLW containers are expected to be stored in an engineered facility on the Sellafield site; storage capacity in this Vitrified Product Store is 7,960 containers.</p> <p>4.20 The majority of the ILW safely stored at Sellafield is generated internally, with additional, smaller volumes of wastes from Harwell and Winfrith; altogether over the Plan period, it is anticipated that these will amount to approximately 17,000m³. There may also be a few hundred cubic metres of waste generated during the decommissioning of storage vaults at LLWR, and the potential for around 1,000m³ of plutonium contaminated material (PCM) generated at Aldermaston. There are a range of engineered ILW stores at Sellafield, designed specifically for the different waste types (e.g. PCM, beta gamma) and packaging (e.g. drums, concrete boxes); both the current and future planned stores have adequate capacity for ILW management until a disposal route is available circa 2089.</p> <p>4.21 Sellafield currently has the capacity to manage all of its LLW arisings,</p>	To provide context on the capacity to manage radioactive waste in the county

⁴ The UK total number of conditioned ILW packages is 54,129, of which 47,569 (88%) are at Sellafield

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			<p>which are forecast to be around 80,000m³. On site capabilities include handling, segregation and measurement; metals recycling; and a supercompaction plant. Off-site capabilities include metals recycling (both within and outside the county), incineration (outside the county) and disposal to the LLWR. The Repository has planning permission for disposal of LLW until 2055, in the current vaults (8, 9) as well as future vaults (9a, 10, 11); excluding the waste already emplaced in vaults 8 and 9, this provides an overall capacity of around 263,000m³. Imports of LLW into the county over the Plan period are estimated to be around 135,000m³; exports are estimated to be approximately 37,800 m³. This figure is based on extrapolation of current volumes of wastes transferred from Sellafield to alternative routes such as incineration, metal decontamination/melting and VLLW disposal. Therefore, there is sufficient capacity at the Repository over the Plan period.</p> <p>4.22 Sellafield Ltd anticipate generation of some 96,000m³ of VLLW over the Plan period; two thirds of this volume (61,000m³) is planned to be disposed of to its on-site landfill facility, Calder Landfill Extension Segregated Area (CLESA). The remaining 35,000m³ is expected to be consigned as VLLW for disposal at an authorised landfill, which is likely to be outside of the county. The CLESA facility at Sellafield, which can only accept the site's own VLLW, has a total capacity of 120,000m³ and a remaining capacity of 63,000m³. It is estimated that the CLESA will be full by 2025, but it is planned that a successor will be developed.</p> <p>4.23 Large volumes of VLLW arise annually at nuclear sites, which are generally sent for disposal to permitted landfill, if suitable, at the earliest opportunity after they are generated. For example, in 2015/16 6092m³ VLLW from waste producers across the UK was disposed to suitably permitted landfill sites and, additionally, 3736m³ was disposed by Sellafield to the CLESA. There is one permitted commercial landfill site in the county that is able to accept VLLW – the FCC Environment site at Lillyhall. The planning permission allows disposal of VLLW at the site until 2029, with a limit of 26,000m³ annually; to date, none has been disposed of to Lillyhall. It is difficult to forecast the volume of VLLW that might be imported into the county during the Plan period, since VLLW would only be imported if it was to be disposed of to the Lillyhall facility. It is considered that there is</p>	

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			<p>sufficient capacity to manage or dispose of VLLW in the county over the Plan period.</p> <p>4.24 Paragraph 17.7 considers the implementation and monitoring framework for the Local Plan, and expects that one of the main documents to be used to provide evidence on the Plan's performance will be the UK Radioactive Waste Inventory, which is updated every 3 years. The annual Authority Monitoring Report will also provide an opportunity to monitor radioactive waste facilities the capacity to manage the wastes and progress. The monitoring framework will include triggers concerning radioactive waste, which would indicate when a full or partial review of the Plan may be required."</p> <p>There will be consequent changes to the numbering of the paragraphs that follow in chapter 4.</p>	
MM21	42	Paragraph 4.28	<p>Insert new sentence at the beginning this paragraph, to read:</p> <p>"Proposals for the management of radioactive waste should also comply with national strategies for waste management and for radioactive waste management specifically, in the latter case including those produced by the Nuclear Decommissioning Authority. The County Council would...."</p>	To aid clarity
MM22	42	Policy SP4 Transparent decision making	<p>Add a new bullet at the end of policy SP4 as follows:</p> <ul style="list-style-type: none"> • "the proximity principle • the national strategy for managing radioactive wastes" 	To aid clarity
MM23	44	Paragraphs 4.35 and 4.36, new following paragraph	<p>Amend the final two sentences of paragraph 4.35, to read:</p> <p>"The CLESA has a remaining capacity of approximately 70,000m³, so it is expectedscheduled to be full around 2025. Sellafield Ltd is, therefore, already carrying out feasibility studies into where CLESA-2 may be located; this will be a future on or near site disposal facility."</p> <p>Amend paragraph 4.36, to read:</p> <p>"Sellafield Ltd is also working on a Development of Sellafield Decommissioning Strategy, which will set out a critical path of what activities</p>	To provide clarity on the policy approach to site CO32

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			<p>have to occur when and where, in order to carry out an effective and efficient decommissioning programme. The site currently has many spatial constraints, so the strategy will look at all the NDA-owned land adjacent to Sellafield, for its potential to accommodate the temporary clean waste storage of non-radioactive inert wastes, subject to any covenants or special provisions that would restrict this suggested use of the land. Non-radioactive inert wastes are generated from the such as construction, demolition or excavation activities on Sellafield, which fall under the legal definition of waste; they would be retained for restoration purposes on the Sellafield complex, rather than importing large volumes of inert wastes for this purpose, in the future. wastes. Both the CLESA-2 work and the decommissioning strategy work, tie in with the Local Plan's site allocation CO32 land adjacent to Sellafield (see chapter 18), and this will have to provide a more flexible approach for Sellafield's future needs than solely for the disposal or storage of radioactive wastes."</p> <p>Insert new paragraph 4.37, to read:</p> <p>"The Local Plan identifies site CO32, land adjacent to Sellafield, in Policy SAP3 (see chapter 18). This has been allocated to take account of the likely needs identified in paragraphs 4.35 and 4.36, to provide the opportunity for use of this land, in the event that Sellafield Ltd has demonstrated, after rigorous assessment, that it is not feasible to use land within the Sellafield site (allocation CO36), in accordance with Policy SP4, or that it is not feasible to utilise an existing disposal route."</p>	
MM24	44	Paragraph 4.39	<p>Amend the last sentence of this paragraph, to read:</p> <p>"The County Council recognises that the nuclear industry operators will undertake that rigorous assessment, in the form of the optioneering process to assess the available management options for radioactive waste, which is then reviewed by the regulators. Also part of the rigorous assessment, but the Council would wish to see clear evidence of how those management decisions are have been formulated, in order for the Council to safeguard, through planning decisions, the interests of Cumbria's communities and environmental assets."</p>	To provide clarity on the County Council's definition of rigorous assessment

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MM25	48	Policy SP6 Higher activity radioactive wastes	Add a new bullet at the beginning of Policy SP6 as follows: <ul style="list-style-type: none"> “that it conforms to national policies and strategies for HAW; and compliance with.....” 	To aid clarity and to ensure consistency with Policy SP5
MM26	53	Paragraph 5.18	Amend paragraph 5.18 as follows: <p>“...national policy requires landbanks of at least 10 years for crushed rock and at least 7 years for sand and gravel (calculated on 10-year rolling averages and other relevant local data) to be maintained throughout the Plan period.”</p>	To ensure consistency with the NPPF
MM27 a	53	Following paragraph 5.18 and Table 5.2	Insert new paragraph 5.19, to read: <p>“The Cumbria Local Aggregates Assessment (LAA) provides an annual assessment of the demand for, and supply of, aggregates. Chapter 3 of the 2015 LAA discusses options for forecasting future demand; the options presented were based on different ways of looking at past sales and forecasting future demands based on those past sales. Tables 5.3 to 5.5 provide a summary of the requirements based on the options considered. However, it should be noted that the LAA will be updated annually and these figures are likely to change in the future, in accordance with market demand and permitted reserves. Any planning application should be based on the most up-to-date LAA and not the figures presented here.”</p> <p>There will be consequent changes to the numbering of the paragraphs that follow in chapter 5.</p>	To provide context on the link between the Local Plan and the Local Aggregates Assessment
MM27 b	53	Following new paragraph 5.19	Insert three new Tables: <p>Table 5.3: Requirements for sand and gravel Table 5.4: Requirements for limestone Table 5.5: Requirements for High/Very High Specification Aggregates <i>(see Annex for new Tables)</i></p> <p>There will be consequent changes to the numbering of the Tables that follow in chapter 5.</p>	To provide an overview of current aggregates requirements in Cumbria
MM28	61	Paragraph 5.56	Amend paragraph 5.56 as follows: <p>“...are required to ensure that at least a 7-year landbank remains in place</p>	To ensure consistency with the NPPF

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			throughout the Plan period.”	
MM29 a	62	Following paragraph 5.61	<p>Insert new paragraphs 5.62 and 5.63, to read:</p> <p>“5.62 The reserves at Birkshead mine can be split into three separate types, each with a separate product and use (see Table 5.10). The reserves of the mill rock and plaster grade gypsum have been estimated based on the results of exploratory boreholes and anticipated recovery factors (the pillar sizes and hence extraction rate is based on the depth of working). The reserves of mill rock were reassessed in 2016, following the decision to make significant capital investment of £6.5 million at Birkshead; new cutting equipment should enable access to areas of the mine with steeper gradients, to extract greater reserves than previously calculated.</p> <p>5.63 In the Table, the ‘sufficient until’ dates are based on projected outputs. This is a very broad indication of likely requirements over the Plan period, as any number of changes in circumstances could impact on these figures – for example, another recession or the under performance of the new equipment.”</p>	To provide the context for gypsum, as an industrial mineral, in Cumbria
MM29 b	62	Following new paragraph 5.62	<p>Insert new Table 5.10: Birkshead Mine gypsum reserves at 31 December 2015 (see Annex 1 for new Table)</p>	To provide the context for gypsum, as an industrial mineral, in Cumbria
MM30	63	Paragraph 5.64	<p>Add text to paragraph 5.64 and split into two paragraphs, to read:</p> <p>“5.64 National policy requires mineral planning authorities to plan for a 25-year landbank for brick clay; however, this is not a practical option in Cumbria. Output from High Greenscoe Quarry has significantly reduced due to the recession and a planning permission to extend the life of the permission to 2028 was approved in 2013. On current extraction rates and remaining permitted reserves, a very rough estimate of the landbank is 37 years. There is, however, a very varied extraction rate of mudstone year-on-year. In the 10-year period between 2007 and 2016, days worked have ranged from 12 to 41; at no point has it reached the permitted 66 days. If the quarry were to extract the maximum amount required to produce bricks at full capacity (10.5 million bricks), then on current reserves, the landbank may only last 12.5 years. If, however, production were to fall back to their lowest levels, the landbank could last for 82 years.</p>	To provide the context for brick-making mudstones in Cumbria

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			<p>5.65 Whilst it is difficult to predict the rate of extraction and life of existing or proposed resources, a strategic policy commitment to identify site(s) to enable continued extraction of brick-making mudstones, and to identify an area next to the existing quarry as a strategic area (policy SP98), have been included. Brick clay is included as a Mineral Safeguarding Area in policy SP87.”</p>	
MM31	63	Paragraph 5.65 and following new paragraph	<p>Amend paragraph 5.65, to read:</p> <p>“Some aggregate quarries also market high purity industrial grade limestone; but these are not included in the figures for sales of aggregates. Although currently inactive, the the most notable of these quarries is Shap Fell, which used to supplyies the steel industry’s lime kilns at the nearby Hardendale Works; there is a current planning application for a further 5.2 million tonnes of industrial limestone that would, if approved, provide around seven years stock of permitted reserves, which although a very low stock, would take advantage of the adjacent kilnsand may potentially be required for other associated industrial facilities. Stainton Quarry, near Barrow, has an international market for industrial limestones that are used in pharmaceuticals and paper-making; here, the industrial grade limestone lies below that extracted for aggregates. Two other quarries are known to dedicate a small percentage of their limestone reserves for industrial uses, in their case, agricultural purposes.—Policy SP10 aims to conserve industrial limestone resources for such purposes, to reflect current national policy.”</p> <p>Insert new paragraph 5.66, to read:</p> <p>“The broad estimate of the permitted reserves of industrial limestone, outside the National Park, is 1.85 million tonnes with all the quarries having an end date of 2042. Looking at sales for these four quarries, based on current sales levels, the 1.85 million tonnes could last around 140 years; based on both 3-year and 5-year rolling averages, it could last around 120 years. It is not considered that their scale of production warrants a Preferred Area or an Area of Search for industrial minerals alone; all these quarries are located within the general limestone Mineral Safeguarding Area</p>	<p>To ensure consistency with the NPPF</p> <p>To provide the context for industrial minerals in Cumbria</p>

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			and, therefore, the Mineral Consultation Area. Policy SP10 aims to maintain a steady and adequate supply of industrial limestone throughout the Plan period, to reflect current national policy.”	
MM32	65	Paragraph 5.72	<p>Insert new text at the end of this paragraph, to read:</p> <p>“...and limestone; the other nine quarries do not produce aggregates from their waste, as their waste rock is usually stored on site, for its future or progressive restoration.”</p>	To provide clarity on the uses of building stone waste
MM33 a	65	Following paragraph 5.72; paragraphs 5.73 and 5.74; following new paragraphs	<p>Insert new paragraph 5.73, to read:</p> <p>“5.73 The winning, working and processing of building stones make an important contribution to the minerals sector and the economy of Cumbria; they are also important for rural enterprise and diversification of small farms or other businesses. Building stones are used in existing buildings for restoration, conservation and extensions, as well as for new building, decorative and memorial work. Their use is integral to the distinctive character and historic environment of Cumbria and further afield. It is vital to ensure that a steady and adequate supply of building stones is available so that the local character of the county is maintained. The Plan provides a positive and flexible policy framework to support investment in appropriate sites, facilities and skills.”</p> <p>Amend paragraph 5.73 and split over two paragraphs; insert new paragraphs 5.75, 5.76 and 5.78:</p> <p>“5.735.74 Table 13 in Appendix 24 shows that 11 of the operational building stone quarries have planning consents that expire during the Plan period. Due to the often small scale, slow and intermittent nature of the building stone quarries in Cumbria, it is not anticipated that there will be a need for additional quarries during the Plan period. It is more likely that time extensions and small scale physical extensions will be sought, but all applications, for whatever use of the stone, will be considered on their own merits, in accordance with Policy DC2 and the criteria set out in Policy DC12.</p> <p>5.75 Policy SP9 identifies the Wray Castle slate formation around Kirkby</p>	To provide the context for building stones in Cumbria

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			<p>Slate Quarry, which has an international market and is of a much larger scale than all the other building stone quarries, as a strategic area for further supplies of slate, outside the National Park. However, the quarry was granted planning permission in November 2016, giving it a permitted area of 111 hectares, and reserves that now equate to around 1.4 million tonnes of workable stone/slate. Processing occurs at Kirkby Slate Quarry for all of Burlington's building stone quarries, whilst sales from all their quarries are quoted as 100,000 to 110,000 tonnes per annum, in the form of tiles, paving, walling, lintels, construction and landscaping materials, internal polished products and aggregates. To get an idea of scale, the next largest building stone quarry is 8.5 hectares, at Flinty Fell Quarry.</p> <p>5.76 Excluding Kirkby Slate, the average size of a building stone quarry in Cumbria, outside the National Parks, is 2 hectares. The volume of permitted reserves range from 5,000 to 1,000,000 tonnes, though this does not include calculation of waste rock that is often retained on site for restoration, which can range from 10 to 80% of the total extracted. Sales per annum also have a wide range; of the known sales figures, this is between 0 and 10,000 tonnes. For some building stone quarries, only the maximum permitted sales are known, but site monitoring often shows that these maximums are not reached. Of course, low sales can change and in most cases are shown to be rising since the recession, but because of this situation, the majority of planning permissions since 2007 for the building stone quarries have been time rather than physical extensions.</p> <p>5.77 Development control policy DC12 supports national planning policy to maintain supplies of building stone, whether required for the repair of national and, potentially, international heritage assets, and also to maintain Cumbria's local architectural distinctiveness, or for a wide range of other uses. All Pproposals at building stone quarries that are unrelated to historic assets or local vernacular, will be assessed using the criteria for non-energy minerals in policy DC12.</p> <p>5.78 Apart from slate, current building stone operations are located within the limestone and sandstone Mineral Safeguarding Areas; there are no operations using igneous rock for building stone purposes. The full range of building stones will be safeguarded from non-minerals development by the</p>	

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			<p>igneous, limestone and sandstone Mineral Safeguarding Areas, and thus the Mineral Consultation Area. Table 5.11 overleaf, provides an overview of the current building stone quarries in Cumbria, outside the National Parks; Part 2 of the Policies Map, Mineral Safeguarding Areas, identifies their locations.</p> <p>5.74 No need for additional building stone quarries is anticipated, due to the often slow and intermittent use of such quarries. However, policy SP8 identifies the Wray Castle slate formation around Kirkby Slate Quarry, which has an international market, as a strategic area for further supplies of slate, outside the National Park."</p> <p>There will be consequent changes to the Policies Map Part 2, Mineral Safeguarding Areas, to add identification of current building stone quarries.</p>	
MM33 b	66	New Table in Building Stones section	Insert new Table 5.11: Building Stone Quarries in Cumbria (outside the National Parks) (see Annex 1 for new Table)	To provide the context for building stone in Cumbria
MM34	67	Paragraph 5.78	<p>Amend the first sentence of this paragraph, to read:</p> <p>"The Mineral Safeguarding Areas, identified in policy SP8⁷ and on the Policies Map, are for: sand and gravel, hard rock (including aggregates, high specification aggregates, industrial minerals and building stones), shallow coal and fire clay, brick clay, gypsum and slate resources."</p>	To provide clarity on the range of minerals encompassed by hard rock
MM35	77	Policy SP7 Minerals provision and safeguarding	<p>Amend and add text in Policy SP7; split policy into two policies.</p> <p>"Policy SP7 Minerals provision-and-safeguarding"</p> <p>Provision for potential further mineral working will be made by identifying Preferred Areas and/or Areas of Search:-</p> <ul style="list-style-type: none"> to enable a landbank at the Local Aggregates Assessment level of at least seven years sales for sand and gravel and at least ten years for crushed rock to be maintained throughout the Plan period; for continued quarrying a steady and adequate supply of nationally important very high specification roadstone and regionally important high specification roadstone; 	To ensure consistency with the NPPF

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			<ul style="list-style-type: none"> for continued quarrying a steady and adequate supply of brickmaking mudstones; for continued quarrying a steady and adequate supply of slate; and for continued extraction a steady and adequate supply of gypsum; and for a steady and adequate supply of building stone. <p>Policy SP8 Minerals safeguarding</p> <p>Mineral resources, existing, planned and potential infrastructure and plant will be safeguarded from being unnecessarily sterilised by other developments by identifying:-</p> <ul style="list-style-type: none"> existing and potential railheads and wharves to be safeguarded; Mineral Safeguarding Areas for the indicative sand and gravel and hard rock resources (including aggregates, high specification aggregates, industrial minerals and building stones), shallow coal and fireclay resources; Mineral Safeguarding Area for identified resources of brick clay; Mineral Safeguarding Areas for the remaining gypsum resources; Mineral Safeguarding Area for identified resources of slate; Mineral Safeguarding Area for identified resources of secondary aggregates; Mineral Consultation Area, which covers the resources within all the Mineral Safeguarding Areas.” <p>All references in the Plan to Policy SP7 and new Policy SP8 will require amendment. There will be consequent changes to the numbering of the Policies that follow.</p>	
MM36	78	Policy SP10 Industrial limestones	<p>Amend the first sentence of this policy, to read:</p> <p>“To ensure a steady and adequate supply, Any proposal for the extraction of high purity limestone should demonstrate that it is primarily for non-aggregate uses.”</p>	To aid clarity and to ensure consistency with the NPPF
MM37	100, 101, 102	Policy SP14 Environmental assets	<p>Amend the final two sections of this policy, to read:</p> <p>“Heritage designations</p>	To aid clarity and ensure consistency with the NPPF

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			<p>Major In general, development proposals that adversely impact substantially harm or totally destroy the Outstanding Universal Value of a World Heritage Site, Scheduled Monuments, Registered Historic Battlefields, Registered Historic Parks and Gardens, Listed Buildings and Conservation Areas, or the significance of a designated heritage asset, or their settings, will only be granted planning permission in exceptional or wholly exceptional circumstances (in accordance with paragraph 132 of the National Planning Policy Framework) and where it can be demonstrated that there they are necessary to achieve substantial public benefits that outweigh the harm or loss (in accordance with NPPF paragraph 133).</p> <p>Where development proposals cause less than substantial harm to the Outstanding Universal Value of a World Heritage Site or the significance of a designated heritage asset, or their setting, the harm will be weighed against the public benefits of the proposals (in accordance with NPPF paragraph 134)."</p> <p>"Environmental assets not protected by national, European or international legislation</p> <p>Where not otherwise.....</p> <ul style="list-style-type: none"> •offsetting actions <p>Where not otherwise protected by national, European or international legislation, the effect of a development proposal on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect, directly or non-directly, non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset. Non-designated heritage assets of national importance are treated as designated assets."</p>	
MM38	103	Policy SP15 Restoration and afteruse	<p>Amend Policy SP15 as follows:</p> <p>"POLICY SP15 Restoration and afteruse aftercare"</p>	To aid clarity and ensure consistency with the NPPF

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			"....of this Plan. Where appropriate, this should include consideration...."	
MM39	105	Following paragraph 10.7	<p>Insert new paragraph 10.8, to read:</p> <p>"In accordance with chapter 27, paragraph 48 of PPG (ID:27-048-20140306), where an operator is contributing to an established mutual funding scheme, such as the Mineral Products Association Restoration Guarantee Fund or the British Aggregates Association Restoration Guarantee Fund, no financial guarantee, even in the exceptional circumstances set out in Policy SP16, will be sought."</p>	To aid clarity and ensure consistency with Planning Practice Guidance
MM40	105	Policy SP16 Section 106 planning obligations	<p>Amend policy, to read:</p> <p>"Where it is not possible to achieve the necessary control or outcome through the use of planning conditions, the County Council will require appropriate mitigation to be secured through Section 106 planning obligations that ensure that development proposals:-</p> <ol style="list-style-type: none"> 1. Secure long term management of relevant environmental assets. 2. Only where one of the following exceptional circumstances applies, provide financial guarantees, including with parent companies, where appropriate for restoration works, except where a national industry guarantee fund will remain in place: <ul style="list-style-type: none"> • very long-term new projects, where progressive reclamation is not practicable, such as an extremely large limestone quarry; or • where a novel approach or technique is to be used, but the minerals planning authority considers it is justifiable to give permission for the development; or • where there is reliable evidence of the likelihood of either financial or technical failure, but these concerns are not such as to justify refusal of permission. 3. Provide necessary infrastructure such as highway and transport improvements, flood and surface water management schemes and green infrastructure." 	To aid clarity and ensure consistency with the NPPF
MM41	117	Policy DC2 General criteria	<p>Amend policy to remove following text:</p> <p>"b. the cumulative effects of multiple impacts from individual sites and/or a</p>	To remove duplication across policies

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			number of sites in the locality have been taken into account;	
MM42	117	Policy DC2 General criteria	Insert new criterion b., to read: “b. the proposal would not give rise to significant adverse impacts upon local air quality, particularly within an Air Quality Management Area (AQMA) designated by the district authority;”	To provide clarity on the policy approach to air quality management
MM43	119	Policy DC4 Quarry blasting	Amend second paragraph of this policy, to read: “Generally, ground vibration attributable to quarry blasting shall not exceed peak particle velocities of 6mm/second in any direction at sensitive properties, unless robust justification is provided.”	To provide flexibility in the policy
MM44	121	Policy DC6 Cumulative environmental impacts	Amend first paragraph of this policy, to read: “Cumulative impacts of minerals and waste development proposals will be assessed in the light of other land-uses in the area. Where appropriate, considerations will include:”	To provide flexibility in the policy
MM45	124	Policy DC8 Renewable energy use and carbon reduction on existing minerals and waste sites	Insert a new bullet as bullet number 6, to read: <ul style="list-style-type: none"> in the case.....operations of the site: and proposals involving one or more wind turbine will need to demonstrate that: <ul style="list-style-type: none"> the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and, therefore, the proposal has their backing; and 	To ensure consistency with the June 2015 Ministerial Statement regarding wind turbines
MM46	125	Paragraph 14.5 and following new paragraph	Amend this paragraph, to read: “No requirements for additional The 2015 Waste Needs Assessment considers waste managed in Cumbria, rather than locally arising as was assessed in the 2014 WNA, and thus the identified need for hazardous waste management is low. capacity in Cumbria have been identified in the Waste Needs Assessment for this Local Plan, and, t Therefore, no Site Allocations are included in the Plan and no development control policies	To provide clarity on the policy approach to hazardous waste in the Plan

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			<p>specific to hazardous waste are proposed in the Plan.”</p> <p>Insert new paragraph 14.6, to read:</p> <p>“Hazardous waste facilities are considered specialist and tend to be larger than local in scale; therefore, it is more appropriate that they are developed in locations that are easily accessible from major road or rail networks. This would limit the areas in Cumbria where such facilities could be developed. Currently, hazardous waste tends to be exported over the county border to facilities in neighbouring areas; however, this does not mean that such facilities should not be developed locally. Policy DC9 provides the criteria by which hazardous waste development should be considered, if any proposals were forthcoming. Facility types a., b., d., e. and f. could handle all major waste streams including hazardous. The only additional criteria for hazardous waste would be the exclusion of sites located in areas of high flood risk; of the locations for waste management facilities identified in SAP2, those that would be suitable for processing hazardous waste are not located within such flood risk areas.”</p> <p>There will be consequent changes to the numbering of the paragraphs that follow in chapter 14.</p>	
MM47	125	Paragraph 14.6	<p>Amend the second sentence of this paragraph, to read:</p> <p>“No additional development control policies specific to these wastes are considered necessary, but if a proposal came forward on a nuclear site, all relevant development control policies would be used to determine the application; unlike conventional waste streams, no specific development control policy has been prepared for radioactive wastes.”</p>	To provide clarity
MM48	126, 127, 128	Policy DC9 Criteria for waste management facilities	<p>Amend first paragraph of this policy, to read:</p> <p>“Proposals for waste management facilities for all waste streams excluding radioactive, will be permitted subject to the locational and other criteria set out in the table below.”</p>	To provide clarity
MM49	126, 127, 128	Policy DC9 Criteria for waste	<p>Amend Policy DC9 as follows:</p> <p>Add “If no unacceptable impacts on housing, business uses or other</p>	To ensure consistency within the policy

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		management facilities	sensitive land uses ” into Key Criteria for facility types e. and g.	
MM50	129	Policy DC10 Criteria for landfill and landraise	Amend first paragraph of policy, to read: “Proposals for additional landfill capacity will only be permitted if they comply with Strategic Policy SP3 Waste capacity, and will be required to demonstrate the measures that have been taken to drive the wastes up the waste hierarchy, to reduce waste road miles, and to have comprehensive landfill gas management systems, including electricity generation where viable.”	To remove duplication
MM51	131	Paragraph 15.4	Amend paragraph, to read: “Policy DC12 relates to aggregates, industrial minerals , building stones, gypsum and any other non-energy producing minerals. ‘Building stone’ is used generically to cover all uses for building stones, whether for internal decoration, outside walling, etc.; the term ‘dimension’ stone’ is often used by the industry. As well as consideration under the criteria in the policy, building stone quarries are highlighted in the second part of the policy for particular, smaller scale roles. Cumbria represents an area of highly varied geology, and the various rock types present have been used extensively to construct its unique assemblage of vernacular stone buildings and, in some cases, have been exported to markets located much further afield (both national and international); this is reflected in the flexible approach in DC12, to the need for stone with very specific characteristics. Therefore, Cumbria’s building stone quarries have a unique role to play in the conservation and repair of heritage assets or in the matching of stone in local developments. This policy would equally apply to applications associated with the stone products/processing industry within Cumbria, outside the National Parks.”	To provide clarity on the approach to building stones
MM52	131	Policy DC12 Criteria for non-energy minerals development	Amend policy, to read: “Proposals for non-energy minerals development inside both the identified Preferred Areas and the identified Areas of Search , will be permitted if they do not conflict with other policies in this Plan. Proposals for non-energy minerals development outside both the Preferred	To remove duplication within policies To provide clarity on the policy approach to Areas of Search

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			<p>Areas and Areas of Search, whether a physical or time extension to an existing site or a new site, will be considered on their individual merits.</p> <p>Criteria to be considered are:</p> <ul style="list-style-type: none"> a. the need for the specific mineral; b. economic considerations; c. positive and negative environmental impacts (including a strategic approach); d. the cumulative impact of proposals in an area; ed. land stability.” 	
MM53	132	Paragraph 15.6	<p>Amend paragraph, to read:</p> <p>“The determination of planning applications for oil and gas minerals is based on NPPF paragraph 14, which is incorporated into this Local Plan as Strategic Policy SP1; it requires that consent is granted unless the adverse impacts significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the Plan taken as a whole development proposals that accord with the development plan are approved without delay. Only where there are no policies relevant to the application or where relevant policies are out of date, does the policy require that the Council grant permission, unless material considerations indicate otherwise. Such a decision would need to take into account whether any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or if specific policies in that Framework indicate that development should be restricted. The Government states that unconventional gas development can benefit the economy by “improving security of supply, creating jobs, growth and investment, and supporting the transition to a low carbon economy at the least cost”.”</p>	To ensure consistency with the NPPF
MM54	135, 136	Policy DC13 Criteria for energy minerals	<p>Amend Policy DC13, to read:</p> <p>“Proposals for energy minerals developments that conform to the Strategic and other Policies of this Local Plan will be supported subject to the following criteria:</p>	<p>To ensure consistency within the policy</p> <p>To ensure consistency with national policy</p>

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			<p>Exploration and appraisal of hydrocarbons</p> <p>Planning permission will be granted for proposals for exploration and appraisal of oil and gas resources provided that:</p> <ul style="list-style-type: none"> a. the site and equipment is sited at a location where it can be demonstrated that it will not have any unacceptable social and environmental impacts; and b. the proposal provides for appropriate baseline monitoring prior to commencement of development; and c. the impacts of the development have been considered in relation to impact on climate change; and d. the timely restoration and subsequent aftercare of the site, whether or not oil or gas is found. <p>Commercial exploitation of hydrocarbons</p> <p>Planning permission will be granted for proposals for commercial exploitation of oil and gas, provided that:</p> <ul style="list-style-type: none"> a. a full appraisal programme for the oil or gas field has been completed; b. the proposed location is the most suitable, taking into account social, environmental, geological and technical factors; c. the cumulative impacts of the development of the gas field and essential associated infrastructure have been assessed; and d. appropriate provision is made for mitigation or compensation for significantly adverse impacts on the environmental and communities social impacts; and e. the impact of the development has been considered in terms of contributing to the mitigation of climate change. <p>Combined planning applications for more than one phase will only be considered if all relevant information, including environmental information, to support the full extent of the application is provided.</p> <p>Underground Coal Gasification</p> <p>The criteria set out above in this policy, for exploration and appraisal and</p>	

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			<p>commercial exploitation, will also apply to proposals for onshore surface works or ancillary development to support offshore Underground Coal Gasification (UCG). Where a UCG proposal follows a planning permission for coal extraction only, a separate planning application will be required for development related to UCG.</p> <p>Coal</p> <p>Planning applications for coal extraction will only be granted where;</p> <ul style="list-style-type: none"> the proposal would not have any unacceptable social or environmental impacts is environmentally acceptable; or, if not it can be made so by planning conditions or obligations; or, if not it provides national, local or community benefits which clearly outweigh the likely impacts to justify the grant of planning permission. <p>For underground coal mining, potential impacts to be considered and mitigated for will include the effects of subsidence including: the potential hazard of old mine workings; the treatment and pumping of underground water; monitoring and preventative measures for potential gas emissions; and the disposal of colliery spoil. Provision of sustainable transport will be encouraged, as will Coal Mine Methane capture and utilisation.”</p>	
MM55	137	Paragraph 15.26	<p>Add a final sentence to the end of this paragraph, to read:</p> <p>“Notwithstanding the fact that these environmental designations are, in effect, safeguarding these two slag banks, previous trials to use the slag as a secondary aggregate have shown them not to be economically viable.”</p>	To provide clarity on the policy approach to slag banks
MM56	137	Paragraph 15.27	<p>Amend the last sentence of this paragraph, to read:</p> <p>“In the meantime, it was decided to remove the specific building stone MSA; however, the resources from which building stones are or may be obtained in the future (igneous rock, limestone and sandstone), are safeguarded through the relevant Mineral Safeguarding Areas and, therefore, the Mineral Consultation Area.”</p>	To provide clarity
MM57	141	Following paragraph 16.5	<p>Insert new paragraphs 16.6 and 16.7, to read:</p>	To provide clarity on the policy approach to ecological networks

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			<p>“16.6 NPPF paragraph 117 requires planning policies to identify and map components of the local ecological networks. As set out in paragraph 8.11 of the Plan, within Cumbria, the detailed representation of current knowledge of the county's biodiversity is held by the Cumbria Biodiversity Data Centre (CBDC). Its evidence base includes species and habitat statements, habitat targets, planning considerations and enhancement opportunities. Further work for the biodiversity evidence base will include identifying the networks of natural habitats required by national policies, mapping biodiversity opportunities and defining the landscape features that are of major importance for migration, dispersal and genetic exchange. This is an iterative process that will continue to inform the policy and thus any necessary updates.</p> <p>16.7 In a two-tier authority area such as Cumbria, it is considered that the local ecological networks can be better mapped at the District scale; the CBDC data is available to all relevant Councils. For further information, reference should be made to all District and Borough Council draft or adopted Policies Maps.”</p> <p>There will be consequent changes to the numbering of the paragraphs that follow in chapter 16.</p>	
MM58	142	Policy DC16 Biodiversity and geodiversity	<p>Amend the first bullet of this policy, to read:</p> <p>“Proposals for minerals and waste developments, including ones for ROMP applications and time extensions, will be required to identify, where appropriate:-</p> <ul style="list-style-type: none"> • their likely any potential impacts on important biodiversity and geological conservation assets, as defined in the Strategic Policies, and on any functional ecological and green infrastructure networks; and” 	To provide flexibility in the policy
MM59	143, 144	Policy DC17 Historic environment	<p>Amend Policy DC17 as follows:</p> <p>“In accordance with NPPF paragraphs 126 to 141:</p> <p>Minerals and waste management developments, including restoration and afteruse, will, where necessary, preserve and, where appropriate, enhance Cumbria’s heritage assets and their settings. Any such pProposals for</p>	To ensure consistency with the NPPF

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			<p>waste management developments or mineral developments that would result in harm to, or total loss of, the significance of a designated heritage asset or its setting (or an un non-designated heritage asset of national significance, or its setting) that is demonstrably of equivalent importance to a designated heritage asset, or its setting, or the Outstanding Universal Value of a World Heritage Site, will only not be permitted unless where it can be clearly demonstrated that public benefits outweigh the harm, and that the harm is necessary to achieve those public benefits. , in cases of less than substantial harm to the significance of assets, or substantial public benefits, in cases of substantial harm to the significance of assets.</p> <p>Any proposals that cause substantial harm to the outstanding universal value of the Frontiers of the Roman Empire – Hadrian’s Wall World Heritage Site, a Scheduled Monument, a grade I or II* Listed Building, the Solway Moss Registered Battlefield or a grade I or II* Registered Park and Garden, will only be permitted in wholly exceptional circumstances. Proposals that cause substantial harm to a grade II Listed Building, a grade II Registered Park and Garden and a Conservation Area, will only be permitted in exceptional circumstances.</p> <p>Any proposals that affect a non-designated heritage asset or its setting will be judged on the significance of the heritage asset, and the scale of the harm and the public benefits of the proposal.</p> <p>Where a development proposal affecting archaeological sites is acceptable in principle, the preservation of the remains in situ will be the preferred solution. Where in situ preservation is not possible or justified, the development will be required to make adequate provision for excavation and recording before or during development.</p> <p>Any heritage asset and its setting, whether designated or not, that is harmed by a proposal, will need to be recorded by the developer to a level that is proportionate to its significance and to the scale of impact of the proposal. The information will need to be made publically accessible in the County’s Historic Environment Record.</p> <p>All development pProposals that will have an impact on any heritage asset or its setting (including where there is potential for unknown archaeological</p>	

Ref No.	Page No.	Paragraph/ Policy/Figure/ Table/Map/Box	Proposed Main Modification	Reason for Proposed Modification
			assets), whether designated or not, should be accompanied by an assessment of the significance of the heritage asset and its setting, and how that significance will be affected by the proposed development. The level of information required will be proportionate to the asset's significance of the asset and to the scale of impact of the proposal, and may require, where necessary, an archaeological desk based assessment and field investigation. The recording of the loss of, or harm to, any heritage assets (where justified), and any supporting information, will need to be made publically accessible in the County's Historic Environment Record."	
MM60	151	Paragraph 16.38	<p>Amend paragraph 16.38 as follows:</p> <p>"Soils are a vital, natural resource, that form the foundation of much of the county's landscape, land use and wildlife interests and serve a wide range of essential functions. Soils are also a "carbon sink" that can either sequester or emit carbon, depending on their condition and temperature. The Soil Strategy for England sets out an ambitious programme of actions to improve the protection and sustainable use of soils (irrespective of their Agricultural Land Classification grading). These cover cross-cutting issues relating to the different function of soils, protecting soils through the planning system and minimising contamination.The Natural Environment White Paper⁵ emphasises the importance of natural resource protection, including the conservation and sustainable management of soils. This covers the protection of Best and Most Versatile agricultural land, as well as safeguarding soils in order to achieve a range of important ecosystem services and functions, such as food production, carbon storage and climate regulation, water filtration, flood management and support for biodiversity and wildlife."</p>	To ensure consistency with the most up-to-date and relevant national guidance on soils
MM61	153	Paragraph 16.49	<p>Amend the first sentence of this paragraph, to read:</p> <p>"Whilst sSites on the Best and Most Versatile agricultural land should usually be restored, where practicable and appropriate, to retain its longer term capability a similar standard, though the proposed afteruse need not always be for agriculture. In appropriate situations, other uses will be encouraged that contribute to the movement from a net loss of biodiversity</p>	To ensure consistency with the NPPF and PPG

⁵ The Natural Environment White Paper, The Natural Choice: securing the value of nature, Defra, June 2011

Ref No.	Page No.	Paragraph/ Policy/Figure/ Table/Map/Box	Proposed Main Modification	Reason for Proposed Modification
			towards achievement of net gains in biodiversity resources, required by Strategic Policy SP14”.	
MM62	155	Policy DC22 Restoration and afteruse	Amend the title of Policy DC22 as follows: “ POLICY DC22 Restoration and afteruse-aftercare ”	To ensure consistency with the NPPF
MM63	156	Paragraph 17.4	Add a final bullet point to this paragraph, to read: • radioactive waste arisings and management methods.	To ensure that radioactive waste is appropriately considered in implementation and monitoring
MM64	157	Paragraph 17.7	Amend paragraph, to read: “Monitoring data will be drawn from a wide range of sources, but three -four main documents will be used to provide evidence on the Plan’s performance. Firstly, the annual Local Aggregates Assessment will give a rolling picture of aggregate reserves and associated landbanks. Secondly, the Waste Needs Assessment gives a snapshot in time of the quantity of waste arising in the county, as well as the capacity of the waste management network to deal with that waste. Thirdly, the UK Radioactive Waste Inventory gives a snapshot in time of radioactive wastes and nuclear materials. Fourthly, the A nnual Authority Monitoring Report assesses the overall performance of the Plan in terms of.”	To ensure that radioactive waste is appropriately considered in implementation and monitoring
MM65	157	Table 17.1	Amend table to include organisations, roles and responsibilities concerning the implementation of the Plan with regard to radioactive wastes <i>(see Annex 1 for amended table)</i>	To ensure that radioactive waste is appropriately considered in implementation and monitoring
MM66	158	Paragraphs 17.9, 17.10, 17.11	Amend paragraphs, to read: “17.9 A monitoring schedule has been prepared (see Appendix 3), which shows how the Plan will be monitored in relation to its policies. However, the County Council will also seek to monitor other elements relating to the Local Plan and its implementation, including site allocations, national infrastructure projects, time extensions to permissions at key facilities, minerals and waste production and their cross-border movements, although recognising that, at present, the availability of this information is limited. Therefore, a further monitoring schedule is set out as Table 17.2, which shows how the Plan will be monitored in relation to these non-policy events.	To clarify the monitoring and implementation process

Ref No.	Page No.	Paragraph/ Policy/Figure/ Table/Map/Box	Proposed Main Modification	Reason for Proposed Modification
			<p>17.10 The policy monitoring schedule sets clear objectives, with, where possible, targets and indicators that are Specific, Measurable, Achievable and Realistic and, where appropriate, Time bound (SMART).The matrix will; it also identifies trigger points at which it is appropriate to address any issues emerging. The non-policy monitoring schedule is simpler, consisting of a non-exhaustive list, but also sets out triggers, of which there is a very wide range; generally, these non-policy triggers form Contextual Indicators. These measure background events and circumstances that have a bearing on policy performance – the social, economic and environmental context in which the Plan and its policies operate.</p> <p>17.11 As set out in paragraph 17.7, the monitoring process involves preparation of the annual Authority Monitoring Report, the annual Local Aggregates Assessment and the biennial Waste Needs Assessment, all of which use data gathered from planning permissions, site monitoring visits, case officers, nationally available data, etc., as well as reference to the UK Radioactive Waste Index. These Annual Monitoring Reports will highlight any implementation problems, and the need for the strategic approach, policies or site allocations to be reviewed.</p> <p>17.124 The Local Plan is intended to be a robust document, suitable for setting the direction of development locally for the next 15 years. Nevertheless, changing conditions may be so significant as to require a review or partial review of the Local Plan, including, potentially, a call for new minerals or waste sites. This latter example, may only take the form of a public consultation on alternative sites and then an Addendum to the Plan; however, every circumstance will be different and judged on its impacts at the time of arising.”</p> <p>There will be consequent changes to the numbering of the paragraphs that follow in chapter 17.</p>	
MM67	159	Following paragraph 17.11	Insert new Table 17.2: Non-policy monitoring schedule (see Annex 1 for new Table)	To provide context on the range of triggers for a full or partial review of the Local Plan
MM68	164	Policy SAP1 HWRCs	Insert a sentence at the beginning of this policy, to read:	To provide clarity

Ref No.	Page No.	Paragraph/Policy/Figure/Table/Map/Box	Proposed Main Modification	Reason for Proposed Modification
			“Appropriate applications at the following sites will be supported.”	
MM69 a	164	Paragraph 18.5	<p>Amend this paragraph, to read:</p> <p>“In accordance with Policy SP3, Policy SAP2 identifies seven sites to accommodate a need for three additional facilities during the Plan period, as predicted by the Waste Needs Assessment. The sites may be required for mixed recycling, materials recovery, transfer stations or thermal treatments (Energy from Waste). It is not considered that all the sites allocated would be suitable for the whole range of waste management facilities; an indication of which sites are suitable for what uses is set out in Table 18.Xincluded in the Site Assessments document. The table excludes: HWRCs, as these are covered within SAP1; landfill, as no such sites are allocated; and composting, because if a replacement composting facility is required for either Hespin Wood or Thackwood, as discussed in paragraph 3.59, that may require an alternative location to be considered under policy DC9 (Criteria for waste management facilities).”</p>	To set the context for new Table 18.X on the suitability of the site allocations for the range of waste management facilities
MM69 b	164	Following paragraph 18.5	Insert a new Table 18.1: Suitability of waste facility types (see Annex 1 for new Table)	To illustrate the type of facilities suitable for the site allocations
MM70	164	Policy SAP2 Waste treatment and management facilities	<p>Insert a sentence at the beginning of this policy, to read:</p> <p>“The following sites are identified as suitable, in principle, for waste management facilities, in line with the waste facility types listed in Table 18.1. Proposals on the allocated sites for other facility types, not listed within the table, shall be assessed against Policy DC9.”</p>	To provide clarity
MM71	164	Policy SAP2 Waste treatment and management facilities	<p>Insert a new section at the end of this policy, to read:</p> <p>“Broad Areas</p> <p>The following existing industrial estates have the potential to support further waste management provision, if facilities are appropriate to the type and scale of estate, and proposals conform to other relevant policies of the Plan:</p> <p>BRO1 Lillyhall Industrial Estate, Workington BRO2 Sowerby Wood Estate, Barrow BRO3 Park Road Estate, Barrow</p>	To clarify support for appropriate waste proposals at existing industrial estates in Cumbria

Ref No.	Page No.	Paragraph/Policy/Figure/Table/Map/Box	Proposed Main Modification	Reason for Proposed Modification
			<p>BRO4 Gilwilly Industrial Estate, Penrith</p> <p>BRO5 Kingmoor Park Rockcliffe Estate, Carlisle”</p>	
MM72	164	Paragraph 18.6	<p>Amend this paragraph, to read:</p> <p>“It is acknowledged that it may be possible to demonstrate a need for additional waste treatment or management facilities on unallocated sites and, therefore, it is not intended to use policy SAP2 restrictively. The Broad Areas were identified as industrial areas, where waste facilities already exist, where waste arises from existing industries or where waste could be used as a resource; the list set out in SAP2 is not exhaustive, as opportunities for additional or improved waste management provision may come forward at other, new or existing, employment or industrial estates. SuchAny proposals on unallocated sites will be considered against if they conform to all other relevant policies in this Plan, and if they would meet an identified need in a timely manner.”</p> <p>In order to comply with national policy, the Broad Areas will be added to the Policies Map, Part 1 Site Allocations.</p>	To provide the context for appropriate waste proposals at industrial areas in Cumbria
MM73	167	Paragraphs 18.18 and 18.19	<p>Amend paragraph 18.18, to read:</p> <p>“The CLESA at Sellafield is licenced only to take Sellafield’s VLLW and LA-LLW; it has a remaining capacity for disposal of approximately 70,000m³, which means that it is due to closeexpected to be full around 2025. There has been some assessment undertaken on the capability of the 280ha Sellafield complex to accommodate facilities for managing LLW from its own decommissioning activities. Firstly, Sellafield Ltd carried out a feasibility study into where a future on or near site disposal facility (CLESA-2) may be located, and it is anticipated that a more detailed scoping study will commence during FY 2017/18. It is understood that the initialThe conclusion is that there is no capacity within that complex at present, but there are possible sites on adjacent land to the east, owned by the Nuclear Decommissioning Authority. To reflect this, a strategic assessment of land adjacent to Sellafield (site allocation CO32) was carried out by the County Council in a site allocations deliverability study. This did not highlight any major planning constraintsof that study or any future assessments will determine the opportunity or otherwise to accommodate CLESA-2 within the</p>	To provide greater clarity on the policy approach to CLESA-2

Ref No.	Page No.	Paragraph/ Policy/Figure/ Table/Map/Box	Proposed Main Modification	Reason for Proposed Modification
			<p>Sellafield complex (site CO36). Where it has been demonstrated by rigorous assessment that it is not feasible to use land within CO36 in accordance with Policy SP4, or to utilise existing disposal routes, then consideration may be given to the use of land outwith CO36. 18.19 Secondly, Sellafield Ltd is working on the Development of Sellafield Decommissioning Strategy (see paragraph 4.4236) as the site currently has so many spatial constraints.”</p> <p>Amend the rest of paragraph 18.19, to read:</p> <p>“As the site currently has so many spatial constraints, it is likely that an additional LLW disposal facility will be developed near to Sellafield, rather than onsite, within the Plan period. However, pPolicy SAP3 safeguards the Sellafield complex for continued LLW treatment (such as compaction) and management (consignment to appropriate treatment, storage or disposal routes), as well as continued HAW treatment (such as vitrification) and storage, in site allocation CO36. The policy also identifies the Sellafield complex as an area offer potential consideration offer additional capacity for the disposal or storage of a range of radioactive wastes, subject to planning permission, should a proposal come forward within the Plan period.”</p>	
MM74	167, 168	Paragraphs 18.21, 18.22, 18.23	<p>Amend these paragraphs, to read:</p> <p>“18.21 The Local Plan identifies site CO32, land adjacent to Sellafield, in Policy SAP3 to provide the opportunity for use of land in the event that it has been demonstrated, after rigorous assessment, that it is not feasible to use land within CO36, in accordance with Policy SP4, or to utilise existing disposal routes. As part of the rigorous assessment, Sellafield Ltd will need to demonstrate how they are meeting the requirements of Policy SAP3. As well as the potential for this Subject to meeting the requirements of policies SP4 and SAP3, site allocation (CO32) to be considered is identified for the potential development of a CLESA-2 and, it also has the potential for temporary long or short-term storage of non-radioactive inert wastes arising during the demolition or excavation stages of decommissioning, linked to an approved Sellafield site decommissioning strategy. The non-radioactive inert wastes would be used in association with the phased restoration of site CO36, in accordance with the decommissioning strategy. Furthermore, it is</p>	To provide greater clarity on the policy approach to use of land adjacent to the Sellafield complex (site allocation CO32)

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			<p>intended that there is a flexible approach to this allocation, whereby any needs identified by Sellafield Ltd. for space to temporarily store clean waste, arising during the demolition or excavation stages of decommissioning, could also be accommodated.</p> <p>18.22 To reduce the wider impacts (such as noise, visual and transport) of any development on CO32, there is potential for this land to the east of Sellafield to be accessed from within the existing Sellafield nuclear licensed site, thus reducing wider impacts and allowing for integration or expansion of existing, suitable installations and/or facilities. Policy SAP3 identifies this site allocation for potential consideration of additional capacity for radioactive waste disposal or storage, should a proposal come forward within the Plan period.</p> <p>18.23 It is considered that the Low Level Waste Repository, the Sellafield complex and land adjacent to it, can provide adequate capacity for the treatment, management, storage and/or disposal of appropriate levels of radioactive waste or non-radioactive inert wastes within Cumbria, subject to planning permission, throughout the Plan period."</p>	
MM75	168	Policy SAP3 Radioactive wastes treatment, management, storage and disposal	<p>Amend this policy, to read:</p> <p>"Unless it can be demonstrated that it is no longer required, the capacity for the treatment, management, storage and/or disposal of currently permitted radioactive wastes will be safeguarded over the Plan period at the following existing sites:</p> <ul style="list-style-type: none"> • Sellafield complex (including former Windscale site) • Low Level Waste Repository • Lillyhall Studsvik metal processing complex (Cyclife) • Lillyhall landfill <p>The following sites are considered to be suitable locations for additional capacity, subject to the granting of planning permission:</p> <p>CO32 Land adjacent to Sellafield</p>	To provide greater clarity on the policy approach to use of land adjacent to the Sellafield complex (site allocation CO32)

Ref No.	Page No.	Paragraph/Policy/Figure/Table/Map/Box	Proposed Main Modification	Reason for Proposed Modification
			<p>CO35 The Low Level Waste Repository, near Drigg CO36 Land within Sellafield</p> <p>Subject to the granting of planning permission, the following site is considered to be a suitable location to provide additional capacity for:</p> <ul style="list-style-type: none"> - the storage of non-radioactive inert wastes from the Sellafield complex (CO36); - the treatment, management and/or storage of appropriate levels of lower activity radioactive waste from CO36; - the disposal of lower activity radioactive waste from CO36 that would previously have been disposed in CLESA. <p>Proposals for development on the following site will be required to demonstrate that:</p> <ul style="list-style-type: none"> • there is a clear need that cannot be met within CO36, or via the use of other existing disposal routes; • how the need is to be met; • the use of any part of CO32 is proportionate in terms of scale, timescale and footprint; • direct access is provided from site CO36, where appropriate. <p>CO32 Land adjacent to Sellafield”</p>	
MM76	169	Following paragraph 18.26	<p>Insert new paragraph 18.27, to read:</p> <p>“The existing Roose Quarry and the proposed Preferred Area for its future extension (M27) lie adjacent to existing gas terminals. Recent engineering work at the terminals has led to consolidation of gas processing at the north terminal, which is closest to M27, and this is likely to have increased the risks at this terminal. The results of the new safety case for gas processing, being prepared for the Health & Safety Executive, are not scheduled for issue until 2017. Whilst it is acknowledged that this consolidation, and perhaps future operations on the terminals estate, may impact upon the feasibility of M27 to be worked for sand and gravel, the County Council consider that this is an important site that will help to provide an adequate and steady supply of this mineral over the Plan period; therefore, the site</p>	To provide clarity on the policy approach to site M27

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			<p>has been retained as a strategic allocation. However, a clear and robust monitoring framework has been developed, which would trigger a review of the Local Plan, if necessary, once the information becomes available regarding the feasibility of the site for future minerals extraction. Any review of the Plan could lead to the removal of this site or to the consideration of a smaller area, as appropriate.”</p> <p>There will be consequent changes to the numbering of the paragraphs that follow in chapter 18.</p>	
MM77	169	Paragraph 18.29	<p>Amend paragraph and title, to read:</p> <p><i>Slate and other building stones</i></p> <p>Other than for slate, there are currently no specific allocations of Policy SP7 does not include a requirement for Preferred Areas and/or Areas of Search for all local building stones, as the detailed evidence required to support such an exercise is not available. within Policy SP7. does, however, require that The sole allocation of an Area of Search such areas specifically for slate, is to ensure the steady and adequate supply of slate its continued quarrying, and also requires a Mineral Safeguarding Area for identified resources of this mineral. Policy SP98 identifies the area around Kirkby Slate quarry as a strategic location for this resource within the Plan area; however, following planning permission granted in November 2016, and policy SAP4 no longer accordingly identifies an Area of Search at the quarry. Proposals for other building stone quarries will be supported where they meet the criteria set out in Policy DC12 of the Plan.</p>	To provide clarity on the policy approach to slate and building stones
MM78	170	Following paragraph 18.33	<p>Insert new paragraph 18.34, to read:</p> <p>“Policy SAP4 identifies both Preferred Areas and Areas of Search for a range of quarries in Cumbria, which will enable a steady and adequate supply of these minerals over the Plan period. As set out in paragraph 5.84, the Preferred Areas are areas of known resources, where planning permission might reasonably be anticipated; such areas may also include essential operations associated with mineral extraction. Areas of Search are broader areas, where knowledge about mineral resources may be less certain, but within which planning permissions for particular sites could be</p>	To aid clarity

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			granted, particularly if there is a potential shortfall in supply.”	
MM79	170	Policy SAP4 Areas for minerals	Insert new sentence at the beginning of this policy, to read: “To enable a steady and adequate supply of minerals: Preferred Areas are identified where there are known mineral resources; Areas of Search are identified where knowledge of the mineral resource is less certain.”	To provide clarity
MM80	170	Policy SAP4 Areas for minerals	Remove site allocation M14, to read: “M14 — land adjacent to Kirkby Slate Quarry, near Kirkby-in-Furness” There will be a consequent change to the Policies Map, Part 1 Site Allocations.	To reflect the granting of planning permission in November 2016
MM81	172	Paragraph 18.38	Amend paragraph, to read: “Policy SAP5 identifies two one potential railheads, AL32 and M31 . The site former was put forward during the MWDF process, in connection with the transport of coal. However, the associated coal site was rejected, but the potential railhead retained, as the large manufacturing companies located nearby could use a railhead for import of materials or export of products or waste. —Site M31 at Salthouse near Millom, previously had a temporary planning permission, tied to the life of Ghyll Scaur Quarry, for an aggregate loading facility for the quarry; if necessary, this facility could be reinstated, after due consideration of any submitted planning application. ”	To reflect the unavailability of the site
MM82	173	Policy SAP5 Safeguarding of existing and potential railheads and wharves	Add introductory paragraph, to read: “The following existing and potential railheads and wharves are safeguarded, in line with paragraph 143 of the NPPF.” Remove following allocation: “M31 Salthouse, near Millom, potential sidings for Ghyll Scaur Quarry” There will be a consequent change to the Policies Map, Part 1 Site Allocations.	To provide clarity The site is to be restored to agriculture

Tables and Maps Associated with Main Modifications

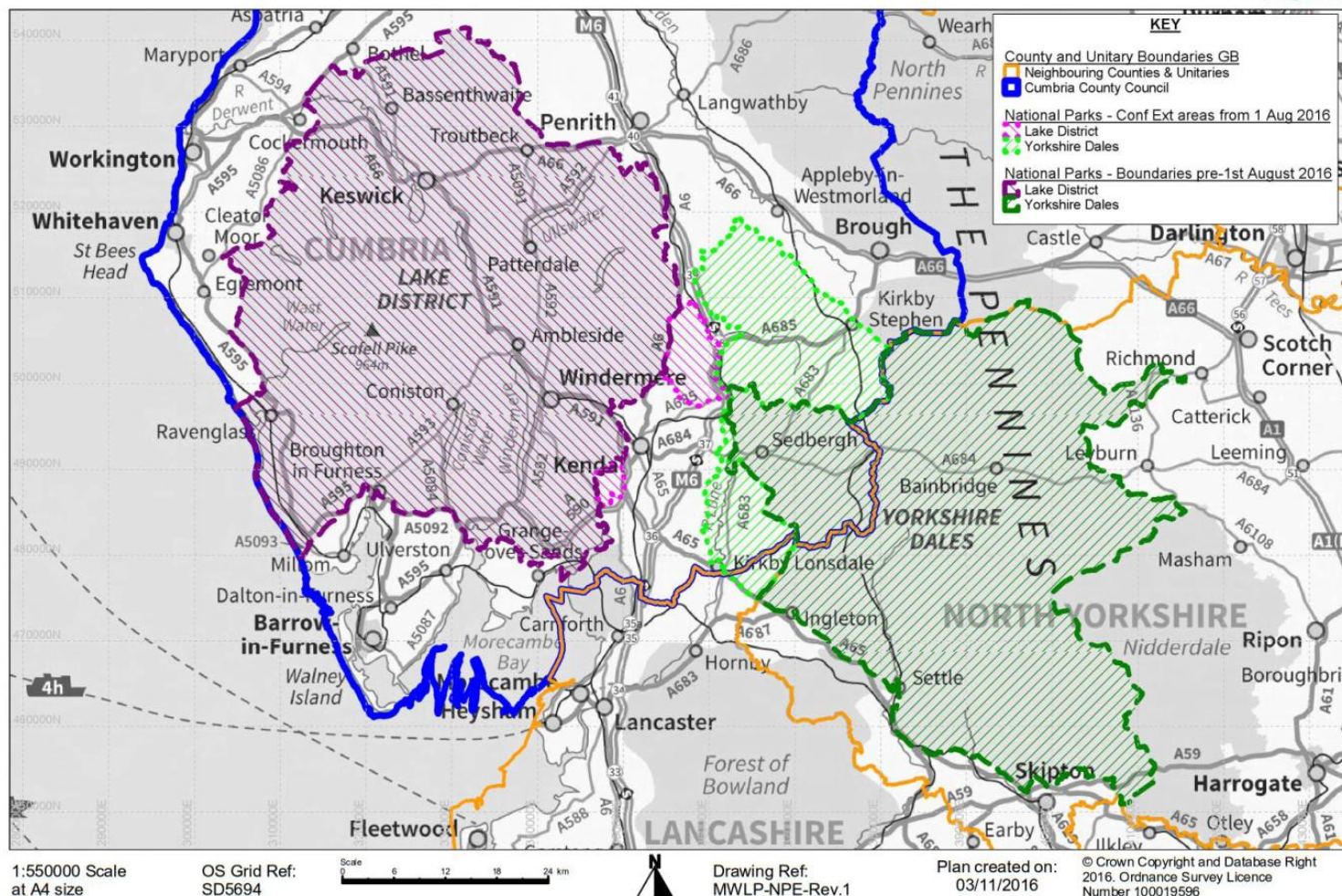
Main Modification MM1b**New Appendix 1: List of superseded MWDF policies and replacement MWLP policies**

MWDF 2009	Title	MWLP 2016 replacement
CS1	Sustainable Location and Design	SP13 Climate change mitigation and adaptation
CS2	Economic Benefit	SP14 Economic benefit
CS3	Community Benefits	deleted
CS4	Environmental Assets	SP15 Environmental assets
CS5	Afteruse and Restoration	SP16 Restoration and aftercare
CS6	Planning Obligations	SP17 Section 106 planning obligations
CS7	Strategic Areas for New Developments	SP9 Strategic areas for new mineral developments
CS8	Provision for Waste	SP2 Provision for waste
CS9	Waste Capacity	SP3 Waste capacity
CS10	High and Intermediate Level Radioactive Wastes Storage	SP6 Higher activity radioactive wastes treatment, management and storage
CS11	High and Intermediate Level Radioactive Waste Geological Disposal	deleted
CS12	Low Level Radioactive Waste	SP5 Development criteria for low level radioactive waste sites
CS13	Supply of Minerals	SP7 Minerals provision
CS14	Minerals Safeguarding	SP8 Minerals safeguarding
CS15	Marine Dredged Aggregates	SP10 Marine dredged aggregates
CS16	Industrial Limestones	SP11 Industrial limestones
CS17	Building Stones	DC12 Criteria for non-energy minerals development
CS18	Oil and Gas and Coal Bed Methane	DC13 Criteria for energy minerals
DC1	Traffic and Transport	DC1 Traffic and transport
DC2	General Criteria	DC2 General criteria
DC3	Cumulative Environmental Impacts	DC6 Cumulative environmental impacts
DC4	Criteria for Waste Management Facilities	DC9 Criteria for waste management facilities
DC5	Criteria for Landfill	DC10 Criteria for landfill and landraise
DC6	Criteria for Non-Energy Minerals Development	DC12 Criteria for non-energy minerals development
DC7	Criteria for Energy Minerals	DC13 Criteria for energy minerals
DC8	Applications for New Conditions	DC14 Review of Mineral Permissions
DC9	Minerals Safeguarding	DC15 Minerals safeguarding
DC10	Biodiversity and Geodiversity	DC16 Biodiversity and geodiversity
DC11	Historic Environment	DC17 Historic environment
DC12	Landscape	DC18 Landscape and visual impact

DC13	Flood Risk	DC19 Flood risk
DC14	The Water Environment	DC20 The water environment
DC15	Protection of Soil Resources	DC21 Protection of soil resources
DC16	Afteruse and Restoration	DC22 Restoration and aftercare
DC17	Planning Obligations	SP17 Section 106 planning obligations

Main Modification MM2b – new **Appendix 2**

National Park Extensions



Map showing the new areas designated as National Park

Main Modification MM5b

New **Table 3.3: Waste capacity (tonnes) in Cumbria by facility type – 2014**

Facility Type	Available capacity
Biological Treatment	122,545
Civic Amenity Site	46,777
Car Breaker	6,193
Composting	84,502
Use of waste in Construction	12,708
Deposit of waste to land (recovery)	48,228
Hazardous Waste Transfer	82,565
Hazardous Waste Transfer/Treatment	94,329
Inert Waste Transfer/Treatment	184,686
Metal Recycling	30,541
Non-Hazardous Waste Transfer	192,720
Non-Hazardous Waste Transfer/Treatment	85,205
Physical Treatment	380,917
Physical-Chemical Treatment	5,545
Use of waste for Reclamation	44,586
Vehicle Depollution Facility	2,694
WEEE treatment facility	1,205
Total Capacity	1,425,945

source: EA WDI 2014

Main Modification MM6b

New Table 3.4: Predicted waste arisings in Cumbria 2015 to 2030 (tonnes)

	Baseline 2014	2015	2020	2025	2030	2015-2030
LACW	266,212	268,422	279,748	291,551	303,853	4,572,733
Commercial	284,896	286,719	296,013	324,266	353,650	5,020,336
Industrial	304,489	306,611	317,447	329,041	345,483	5,188,080
Non-inert total	855,597	861,752	893,207	944,858	1,002,986	14,781,150
Construction & Demolition	383,988	387,828	407,611	428,403	428,403	6,627,957
Excavation	473,486	482,956	533,222	747,872	642,223	9,743,592
Inert waste total	857,474	870,784	940,833	1,176,275	1,070,626	16,371,550
Hazardous waste – average last 5 years	16,659	20,600	20,600	20,600	20,600	329,600
All totals in tonnes	1,729,730	1,753,136	1,854,640	2,141,733	2,094,212	31,482,299

source: Waste Needs Assessment 2015, Appendix B, Table B4

Main Modification MM7

Updated Table 3.3: Cumbria recorded waste exports and imports (tonnes) 2010 to 2014 (excluding Scotland)

Movements	2006	2007	2008	2009	2010	2011	2012	2013	2014
Exports	40,696	41,422	65,527	141,178	249,248	260,742	175,041	178,936	187,343
Imports			340,847		213,462	206,866	323,927	318,558	288,735
Balance					-35,786	-53,876	148,886	139,622	101,392

source: EA Waste Data Interrogators, 2014

Main Modification MM9b

New Table 3.10: Overview of principal waste exemptions (number)

Reported exempt activity	Agricultural only	Agricultural and Non-agricultural	Non-agricultural only
Aerobic composting and associated pre-treatment	504	169	18
Burning waste as a fuel in a small appliance	513	230	16
Burning waste in the open	2388	662	66
Cleaning or spraying relevant waste	501	163	12
Deposit of plant tissue under a Plant Health notice	826	-	-
Deposit of sludge from dredging inland waters	1870	497	30
Sorting and de-naturing of controlled drugs for disposal	-	-	120
Spreading of waste or plant matter	1808	750	39
Storage of sludge	-	-	268
Storage of waste	347	195	48
Storage of waste in a secure place	472	245	91
Treatment of sheep dip	222	-	-
Treatment of waste wood by chipping, etc.	1066	418	30
Use of mulch	254	179	18
Use of waste for a specified purpose	1572	730	211
Use of waste in construction	1235	1289	419
Other activities	1502	970	316
TOTAL number of exemptions	15,080	6,497	1,702

source: Environment Agency 2014

Main Modification MM14b

New Table 3.11: Non-inert landfill requirements in Cumbria 2015 to 2030

Year	2015	2020	2025	2030	2015-2030
tonnes of non-inert waste to landfill	140,290	145,411	153,820	163,283	1,580,031
assumed voidspace requirement m ³	140,000	145,000	154,000	163,000	1,580,000

source: Waste Needs Assessment 2015 (tonnes to m³ conversion assumed 1:1 ratio)

Main Modification MM15b

New **Table 3.12: Inert landfill requirements in Cumbria 2015 to 2030**

Year	2015	2020	2025	2030	2015-2030
tonnes of inert waste to landfill	167,646	184,815	257,262	221,743	3,365,966
assumed voidspace requirement m ³	112,000	123,000	172,000	148,000	2,244,000

source: Waste Needs Assessment 2015 (tonnes to m³ conversion assumed 1.5:1 ratio)

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New **Table 5.3: Requirements for Sand and Gravel**

Scenario	Sales Levels (Million tonnes – Mt)	Landbank (years)	Landbank end date	Tonnage required to maintain at least a 7-year landbank (Mt)
1: 10 year rolling average	0.63	14.60	2029	5.3
2: Stabilise at 2014 sales	0.70	13.53	2028	6.4
3: rise in pre- recession average sales	0.80	11.50	2026	9.2

source: Cumbria Local Aggregates Assessment, 2015

New **Table 5.4: Requirements for Limestone**

Scenario	Sales Levels (Mt)	Landbank (years)	Landbank end date	Tonnage required to maintain at least a 10-year landbank (Mt)
1: 10 year rolling average	2.26	42.59	2057	0
2: Stabilise at 2014 sales	1.90	50.66	2065	0
3: rise in pre-recession average sales	2.75	35.00	2050	0
4: rise to highest pre-recession sales	3.00	32.09	2047	0

source: Cumbria Local Aggregates Assessment, 2015

New **Table 5.5: Requirements for HSA/VHSA**

Scenario	Sales Levels (Mt)	Landbank (years)	Landbank end date	Tonnage required to maintain at least a 10-year landbank (Mt)
1: 10 year rolling average	0.62	17.71	2032	<1.0
2: Stabilise at 2014 sales	0.38	28.90	2043	0
3: rise in pre-recession average sales	0.73	15.04	2030	1.0
4: rise to highest pre-recession sales	0.80	13.73	2028	3.0

source: Cumbria Local Aggregates Assessment, 2015

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New **Table 5.10: Birkshead Mine gypsum reserves at 31 December 2015**

	RESERVES at 31.12.2015	SUFFICIENT UNTIL	COMMENT
mill rock	4.03 million tonnes	2038	suitable for plasterboard manufacture (high gypsum/low chloride)
plaster	0.80 million tonnes	2029	plaster (higher chloride content)
cement rock	not quantified	beyond 2042	used to delay the setting time of cement to make it possible to work/deliver in ready mix vehicles (low gypsum content)

source: British Gypsum, 2016

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New **Table 5.11: Building Stone Quarries in Cumbria (outside the National Parks)**

Quarry	Size (hectares)	End Date	Estimated Sales (tonnes)	Last Permission	Attributes	Uses
LIMESTONE						
Baycliff Haggs	1.8	2042	30,000 tpa max 500 (2013) 3,000 (2012)	2012 – boundary amendment	- Urswick Formation - buff coloured with light coffee mottling - often polished for interior use - dense texture, durable	- floors - interior fittings - walling - rock armour
Pickering	2.1	2023	2,000 tpa max 50 (2015) 25 (2014) 550 (2012)	2013 – time extension	- Salterwath Formation - dark blue, weathers to pale grey - dense, easily takes a polish that gives a rich chocolate brown - fine grained, durable, good resistance to acid rain	- Commonwealth war graves (primary use) - load bearing masonry
Rooks	0.7	2017	2,000 tpa max 700 (2015) 800 (2014) 550 (2012) 70% rock = waste	2007 – time and physical extension	- Salterwath Formation - colour varies with finish, from light grey to dark brown/black - possible white crystal inclusions - very dense and durable	- masonry - flooring - walling
Snowhill 1	0.5	2017	50,000 tpa max 40 (2014)	2014 – increase aggregate use	- Eskett Formation - white/light, mottled	- walling - building - armour stone

SANDSTONE						
Snowhill 2	1	2020	on demand 0 (2013, 2011)	2015 – time extension	- grey to brown - very localised use	- walling
Birkhams	1.7	2030	5,000 tpa average 60-80% rock = waste	2015 – time extension	- St Bees Formation - red-plum in colour with darker variations through it - fine grained, consistent texture	- interior cladding - masonry - walling - detailed carving - heritage restoration
Bowscar	5.7	2042	8-11,000 tpa average 65% rock = waste	2015 – physical extension	- Penrith Formation - light pink in colour - high quartz content making it sparkle - medium grained, hard wearing and consistent texture	- walling - cladding - paving - heritage restoration
Crag Nook	4.3	2042	1,000 tpa average 900 (2011) 1,000 (2010)	2012 – ROMP	- Penrith Formation - salmon pink in colour - medium (occasional coarse) grain - resistant to abrasion and weathering	- heritage restoration - vernacular building
Flinty Fell	8.5	2024	8,500 tpa average	2010 – physical extension	- Stainmore Formation - grey to white in colour - some with heavy iron staining - fine to medium grained - very hard (used for stone arches in the Nenthead lead mines)	- building stone - roofing - walling - distinctive colour for local and heritage restoration (e.g. Durham Cathedral)
Grange	2.7	2028	3,750 tpa average	2015 – time extension	- St Bees Formation - red in colour - fine grained, consistent texture	- heritage restoration - vernacular building
Lambhill	1.5	2021	7,500 tpa average	2010 – time extension	- Whitehaven Formation - buff/brown in colour with a silver heart - fine grained, textured	- masonry - walling - cladding - paving
Leipsic	1.2	2022	1,000 (2011)	2012 – time extension	- Stainmore Formation - buff to red in colour - fine to medium grained - very hard	- building - paving
Mousegill	1	2016	3,000 tpa average	2006 – restart	- Stainmore Formation - buff/grey in colour - very localised use	- walling - paving
Red Rock	1	2025	500 tpa average	1999 – start	- Penrith Formation	- flagstones

Canyon					- red in colour - medium grained, hard wearing and consistent texture	- flooring - walling
Scratchmill Scar	3.6	2031	20,000 tpa max 2,750 (2015) 7,000 (2014)	2015 – time extension	- Penrith Formation - consistent salmon red colour - enhanced by sparkle of quartz grains - coarse to medium grained	- heritage restoration - vernacular building
West Brownrigg	3.4	2021	500 (2015) 5,500 (2014) 50% rock = waste	2011 – time extension	- Penrith Formation - consistent salmon red colour - coarse to medium grained	- heritage restoration - vernacular building
SLATE						
Kirkby Slate	111	2050	100,000 tpa average	2016 – time and physical extension	- Wray Castle formation - blue/grey in colour - often polished for interiors	- floors - interior fittings - roofing - architectural

source: Cumbria County Council

Main Modification MM65

Amend **Table 17.1: Roles and responsibilities involved in implementing the Plan**

Organisation	Role	Responsibilities
County Council	apply Plan policies	Assess suitability of mineral and waste applications against Plan policies and priorities
	regulate/monitor	Inspect operating mineral and waste sites periodically
	performance delivery	Monitor Plan performance annually
		Support/promote waste reduction initiatives through the planning system
		Support/promote a steady and adequate supply of minerals through the planning system
		Co-operate with all the following organisations, as well as adjoining or more distant Councils
District/Borough/City Councils	apply Plan policies	Identify applications affecting safeguarded sites and areas, mineral safeguarding areas and strategic areas
Landowners	infrastructure delivery	Propose new minerals and waste sites in sustainable areas and sites that deliver capacity requirements
Waste industry	infrastructure delivery	Propose new waste sites in sustainable areas and sites that deliver capacity requirements
		Prioritise management of locally arising waste in local, rather than more distant, facilities

Minerals industry	infrastructure delivery	Propose new minerals sites in sustainable locations that deliver a steady and adequate minerals supply
The Environment Agency	regulate/monitor	<p>Advise on planning applications according to the nature of the proposal</p> <p>Assess applications for Environmental Permits</p> <p>Inspect operating waste sites periodically</p> <p>Collect and publish information about waste movements for use in Plan monitoring</p> <p>Regulate nuclear and non-nuclear industry sites</p> <p>Regulate radioactive waste disposal</p>
	performance delivery	Promote waste reduction initiatives
The Health and Safety Executive	regulate/monitor	Advise on planning applications according to the nature of the proposal
Other statutory bodies (e.g. Natural England)	regulate/monitor	Advise on planning applications according to the nature of the proposal
Nuclear Decommissioning Authority	implement/monitor	<p>Implement Government policy on the long term management of radioactive waste</p> <p>Ensure that radioactive wastes are safely managed</p> <p>Develop the LLW Strategy on behalf of Government</p> <p>Own assets of a number of the UK's nuclear licensed sites</p>
Office for Nuclear Regulation	regulate/monitor	<p>Regulate nuclear licenced sites</p> <p>Regulate adherence to nuclear site licence conditions</p> <p>Regulate radioactive waste storage</p>

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New Table 17.2: Non-policy monitoring schedule

Contextual Indicator	Trigger for review of the Plan	Action
Social, Economic or Environmental		
National Park extension areas in Cumbria	<p>a - Yorkshire Dales National Park Authority and/or Lake District National Park Authority adopt the Cumbria Minerals and Waste Local Plan for the new National Park areas</p> <p>b - YDNPA and/or LDNPA prepare and adopt their own MWLP covering the new National Park areas</p>	<p>a – addendum note to be added to Cumbria MWLP</p> <p>b – addendum note to be added to Cumbria MWLP</p>
HSE Safety Report for Barrow Gas Terminals	<p>a – site allocation M27 (Roose sand quarry) falls wholly within an incident effect zone, that would preclude future sand and gravel extraction</p> <p>b - site allocation M27 falls partly within an incident effect zone</p> <p>c – site allocations M27 and M12 (new sand and gravel quarry at Roose) fall partly within an incident effect zone</p> <p>d - site allocations M27 and M12 fall wholly within an incident effect zone</p>	<p>a – M27 becomes unavailable and future mineral extraction will be directed to M12</p> <p>b – if sufficient resource lies outside the zone, future mineral extraction will be directed to that part of M27</p> <p>c - if sufficient resource lies outside the zone, future mineral extraction will be directed to that part of M27 or M12</p> <p>d – incorporate data into LAA; partial review, with call for site(s) and public consultation</p>
Landbank for industrial minerals	any changes to sales and/or reserves of industrial minerals that would significantly alter the current 120-year landbank	incorporate data into LAA; partial review, with call for site(s) and public consultation
Nationally Significant Infrastructure Projects		
Moorside new nuclear power station	<p>a – significant increase in demand for aggregates during construction</p> <p>b – significant increase in excavation wastes arising during construction, that may need management facilities and/or disposal routes</p> <p>c – radioactive waste arising from new operations, that may need management facilities and/or disposal routes</p>	<p>a - incorporate data into LAA; consider whether a call for site(s) and public consultation is required</p> <p>b - incorporate data into WNA; engage operator in discussion on uses of inert waste at other NSIPs; consider whether a call for site(s) and public consultation is required</p> <p>c - consider whether a call for site(s) and public consultation is required; may result in full or partial review</p>

Geological Disposal Facility (GDF)	<p>a - site is chosen within Cumbria, construction work begins, significant increase in demand for aggregates</p> <p>b - site is chosen within Cumbria, construction work begins, significant increase in excavation wastes arising</p> <p>c - site is chosen outside Cumbria, Higher Activity Waste movements begin</p>	<p>a – incorporate data into LAA; consider whether a full or partial review is required</p> <p>b - incorporate data into WNA; engage operator in discussion on uses of inert waste at other NSIPs; consider whether a full or partial review is required</p> <p>c - consider whether a full or partial review is required</p>
Other NSIPs in Cumbria	<p>a – significant increase in demand for aggregates during construction</p> <p>b – significant increase in excavation wastes arising during construction, that may need management facilities and/or disposal routes</p>	<p>a - incorporate data into LAA; consider whether a call for site(s) and public consultation is required</p> <p>b - incorporate data into WNA; engage operator in discussion on uses of inert waste at other NSIPs; consider whether a call for site(s) and public consultation is required</p>
Planning permissions		
Time extensions	<p>a – currently operating non-inert and inert landfills are not granted a time extension, resulting in loss of landfill capacity</p> <p>b - currently operating composting facilities are not granted a time extension, resulting in loss of composting capacity</p>	<p>a - incorporate data into WNA; consider whether a call for site(s) and public consultation is required; may result in full or partial review</p> <p>b - incorporate data into WNA; consider whether a call for site(s) and public consultation is required</p>
Energy from Waste	planning permission at site allocation CA31 (Kingmoor Park East) not implemented, resulting in thermal waste treatment capacity gap	incorporate data into WNA; future capacity to be directed to other suitable site allocations (AL3, AL8, AL18)
National policy changes		
Naturally Occurring Radioactive Materials	radioactive waste arising from industrial operations, that may need management facilities and/or disposal routes	consider whether a call for site(s) and public consultation is required; may result in full or partial review
Spent fuels and exotic spent fuels	if policy changes and they come to be regarded as a waste, management facilities or disposal routes may be needed	consider whether a call for site(s) and public consultation is required; may result in full or partial review
Plutonium and uranium	if policy changes and they come to be regarded as a waste, management facilities or disposal routes may be needed	consider whether a call for site(s) and public consultation is required; may result in full or partial review

Main Modification MM69b

New Table 18.1: Suitability of waste facility types

Site Ref	Site Name	Authority	Waste Facility Type		
			Materials recovery/mixed recycling facility (MRF) and transfer stations accepting non-putrescible waste only	Transfer stations accepting putrescible waste	Thermal treatment (EfW)
AL3	Oldside	Allerdale	√	√	√
AL8	Lillyhall Waste Treatment Centre	Allerdale	√	√	√
AL18	Port of Workington	Allerdale	√	-	√
CA11	Willowholme	Carlisle	√	√	-
CA30	Kingmoor Road recycling centre	Carlisle	√	-	-
CA31	Kingmoor Park East	Carlisle	-	-	√
CO11	Bridge End Industrial Estate	Copeland	√	-	-

source: Cumbria County Council