

COUNTY COUNCIL	Paper No. 13
Meeting date: 14 February 2008	
From: Cabinet Member for Environmental Well-being and Corporate Director - Community, Economy and Environment	

CUMBRIA MINERALS AND WASTE DEVELOPMENT FRAMEWORK – SUBMISSION VERSIONS OF THE CORE STRATEGY AND GENERIC DEVELOPMENT CONTROL POLICIES

1.0 EXECUTIVE SUMMARY

1.1 *In accordance with the revised Minerals and Waste Development Scheme the County Council needs to submit the final versions of these documents to the Secretary of State, for examination, at the end of February/early March 2008. This is subject to your approval. The Core Strategy sets out the spatial vision, strategy and policies for minerals and waste management developments until 2020. The Generic Development Control Policies are the more detailed ones to be used for considering planning applications.*

2.0 POLICY POSITION, BUDGETARY AND EQUALITY IMPLICATIONS AND LINKS TO COUNCIL PLAN

2.1 *Cabinet has allocated Planning Delivery Grant to resource the stages of preparing the Minerals and Waste Development Framework and some additional funding. Submitting documents on time and meeting key milestones in preparing the plan have been taken into account in determining Planning Delivery Grant.*

2.2 *The Minerals and Waste Development Framework is directly relevant to the Council Plan Theme – ‘Creating and Protecting a High Quality Environment For All’. In particular, it should help deliver the sites that are needed for new waste management facilities and one of its main objectives is to minimise the impacts of minerals and waste management developments on climate change. It is also relevant to the theme – ‘Making Cumbria More Prosperous’, particularly in relation to improving Cumbria’s infrastructure. The community engagement procedures for the plan are relevant to the theme – ‘Improving Council*

Services'. An initial Equality Impact Assessment formed part of the Statement of Community Involvement.

3.0 RECOMMENDATION

3.1 That Council agrees:

- (i) That the policies in the Cumbria Minerals and Waste Development Framework's Core Strategy and Generic Development Control Policies Development Plan Documents set out in Appendices B and C are submitted to the Secretary of State for examination.***
- (ii) That the Corporate Director be authorised to make editing changes to the text of the Documents before they are submitted.***

Ian Stewart
Cabinet Member for Environmental Well-being

SECTION B:

ADVICE OF CORPORATE DIRECTOR – ECONOMY, CULTURE AND ENVIRONMENT

4.0 BACKGROUND

- 4.1 The Minerals and Waste Development Framework (MWDF) is a new type of spatial plan. Regulations introduced in 2004 under the Planning and Compulsory Purchase Act set out the different stages that have to be followed before the plan can be submitted to the Secretary of State for independent examination.
- 4.2 The process has proved to be rather bureaucratic and very time consuming. Our initial approach was to progress all the documents that would make up the MWDF at the same time to speed up the process and reduce administrative costs. At the Preferred Options stage, (ie the draft plan prior to submission to the Secretary of State), Core Strategy, Site Allocation Policies, Maps and Generic Development Control Policies were published for consultation in February 2007.
- 4.3 Following a consultation response by Government Office North West it was recognised that the risks of this approach, in terms of progressing subsidiary documents without an approved Core Strategy, was too great and outweighed potential benefits. (The Core Strategy would set out the spatial vision, strategy and policies for minerals and waste management developments until 2020). Therefore, the Core Strategy was also revised and consultations on the Proposed Changes to the Preferred Options Core Strategy undertaken. That consultation period ended on 14 December 2007.
- 4.4 We are now have the final versions of the Core Strategy and the Generic Development Control Policies, the more detailed policies against which planning applications will be considered, for submission to the Secretary to State.

Consultation Responses

- 4.5 The consultation on the Proposed Changes to the Core Strategy received responses from 71 people or organisations with a total of 706 separate comments. Of these 511 agreed with what we were saying, 168 disagreed and the remaining 27 expressed no opinion. A breakdown of the numbers of responses and a summary of the main issues are attached as Appendix D to this report. A more detailed summary of the representations about Policy 16 – Low Level Radioactive Waste is in Appendix E.
- 4.6 A small number of objections raised issues of soundness. These relate to the tests which policies have to meet as part of the independent examination and included issues such as compliance with Government policy or the need to demonstrate that policies are firmly based on an evidence base. Proposed policies on radioactive wastes attracted the most comments but these were split between those agreeing and those disagreeing with the suggested approach. (In relation to the low level waste policy, where the most significant change is being proposed in the submission version the balance was 15 agree to 16 disagree, with one no opinion). Policies on climate change and environmental assets also attracted significant levels of response.
- 4.7 Other comments covered a range of minerals and waste issues, from site specific ones to those relating to the need for additional landfill capacity or aggregate extraction.
- 4.8 The Generic Development Control Policies were not subject to the further round of consultation. In responses to the February 2007 consultation 104 out of 190 individual comments agreed with the proposed policies, 75 disagreed and 11 expressed no opinion. A significant number of the “disagree” comments supported the principles, and either suggested minor amendments, or felt that the policy was unlikely to be implemented effectively. It is considered that these comments can be addressed by relatively minor rewording of policies and through additional text. The main issue for the submission version is to ensure that it is consistent with any changes made in the Core Strategy.

Submission Documents

- 4.9 The representations that have been received have been taken into account in preparing the Council’s final versions of the Core Strategy and Generic Development Control Policies. (These are attached as Appendices B and C to this report. The documents’ own appendices are rather lengthy and are not included but can be forwarded. For ease of reference the Core Strategy Policies are also listed separately in Appendix A). The following paragraphs set out the main changes proposed to the Core Strategy policies.
- 4.10 The most significant change is to Policy 16 on Low Level Radioactive Wastes. This stated that capacity will be identified for those wastes arising within the county and for small users throughout the country but that a national role for other wastes should only be accepted in the short term of up to five years.
- 4.11 We have had detailed discussions about this approach with the Nuclear Decommissioning Authority (NDA) and have had presentations from UK Nuclear Waste Management Ltd, which is the new company that will be taking over the management of the Low Level Waste Repository (LLWR) near Drigg

- from April. It is now clear that the rather profligate use that has been made of the facilities at the LLWR in the past is going to cease. Much greater emphasis is being placed on waste minimisation, moving waste up the waste hierarchy and diverting non-radioactive waste away from the Repository. In future it would be used only for those wastes that require the type of engineered multi-barrier containment system which is proposed in the recently approved planning application for an additional vault at the LLWR. The method of storing/disposing of the wastes will also change to make much more effective use of capacity that is provided.
- 4.12 We had previously been told that a new repository would be needed just for Sellafield's wastes alone, irrespective of developments at the LLWR. However, the new NDA initiatives, if they are successful, would mean that less than half of the physical capacity of the Repository site is likely to be needed for Sellafield's low level wastes.
- 4.13 Members will be aware that a substantial Community Fund has been negotiated, linked to the application for the construction of Vault 9 at the LLWR, which was approved by the Development Control and Regulation Committee on 22 January. This reflects current development plan policies and the requirements of Policy 9 of the Changes document (now Policy 6) related to securing community benefits from major developments. The reduced national role accords with national policy and with the aim of demonstrating West Cumbria as the centre of excellence for radio-active waste management. Cabinet considered the issue of the fund on 11 December 2007 when it agreed that the policy should be amended to acknowledge the national role of the LLWR in the UK's radioactive waste management capability.
- 4.14 Other changes include:
- The waste strategy has been made more specific.
 - References to waste recycling rates, other targets and the waste hierarchy have been taken out of policies and into the text, as advised by GONW.
 - Separate Waste Core Strategy policies have now been combined into one policy.
 - The environmental assets policy has been reworded to align better with national policy.
 - Oil and gas have been added to the policy relating to coal bed methane.
- 4.15 One implication with the delay in progressing the Site Allocations Policies and Proposals Map is that we will be unable to offer as much guidance to the new waste management contractor and the minerals industry, about siting new developments, as we had hoped. With this in mind we have included as much as possible about broad locations for strategic developments in the Core Strategy.

Next Steps

- 4.16 Subject to your approval the documents will be submitted to the Secretary of State at the end of February/early March 2008. The statutory consultation period for the documents can only be for six weeks. However, for a county

like ours there are serious difficulties in undertaking meaningful engagement, rather than just consultation, within six weeks. It is, therefore, proposed to have an extended twelve week consultation period from March to May, with the second half of it being the statutory period for receipt of representations.

- 4.17 The Planning Inspectorate commences its examination of the documents as soon as they are submitted. The public part of this examination is programmed for November 2008 and receipt of the Inspector's Report for April 2009. That Report will be binding on the County Council. Adoption of the documents by Council is programmed for June 2009.
- 4.18 The Site Allocations Policies and Proposals Map should not be submitted until after the Inspector's Report on the Core Strategy has been received. The next stages of consultations, with Proposed Changes to the Preferred Options, for these two documents are, therefore, now programmed towards the end of 2008. Consultations on the submission versions are programmed for July to September 2009. The Inspectorate anticipates that it will be able to speed up this process as experience is gained with its examination of Development Frameworks.

5.0 OPTIONS

- 5.1 Council may decide to amend the content of the Core Strategy and Generic Development Control Policies.

6.0 CONCLUSION

- 6.1 Having taken account of the consultation responses, the only major change to the Core Strategy policies that I am recommending is to Policy 16 for Low Level Radioactive Wastes. This change recognises a continuing, but reduced, national role for the Repository near Drigg. Few of the other representations have raised major issues about the draft policies and I consider that amendments to the wording of policies and of the text can satisfy the points that have been made.
- 6.2 No major issues were raised about the draft Generic Development Control Policies. The wording of these has been amended where necessary to take account of the comments and to avoid duplication of, and to be consistent with, Core Strategy policies. An additional policy has been included for the protection of soil resources and agricultural land.

Richard Evans
Principal Planning Officer
January 2008

Cumbria Minerals and Waste Development Framework Sustainability Appraisal Scoping Report

Cumbria Minerals and Waste Development Framework Issues and Options Discussion Paper June 2006

Cumbria Minerals and Waste Development Framework Preferred Options Core Strategy, Site Allocations Policies, Generic Development Control Policies and Maps February 2007

Cumbria Minerals and Waste Development Framework Changes to the Preferred Options Core Strategy November 2007

Planning Policy Statement 12: Local Development Frameworks and Its Companion Guide

RESPONSIBLE CABINET MEMBER

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Cumbria Minerals and Waste Development Framework

List of Submission Draft Core Strategy Policies

1. SUSTAINABLE LOCATION AND DESIGN

Proposals for minerals and waste management developments should demonstrate that:

- energy management, environmental performance and carbon footprint have been determining design factors.
- their location will minimise, as far as is practicable, the "minerals or waste road miles" involved in supplying the minerals or managing the wastes unless other environmental/sustainability and, for minerals, geological considerations override this aim.
- all proposed waste management developments with gross floor space of over 1000 square metres gain at least 10% of energy supply, annually or over the design life of the development, from on-site or decentralised renewable or low carbon energy supplies. Any exceptions to this should demonstrate that this would not be viable for the specific development and that the development would form part of an integrated process for reducing greenhouse gas emissions or for carbon-offsetting measures.
- mineral working proposals should demonstrate a life cycle analysis ("cradle to grave") of product and process emissions.
- construction of buildings minimise waste production and use of primary aggregates and makes best use of products made from recycled/re-used materials.

Work will be undertaken, in conjunction with stakeholders, to develop life cycle analysis criteria that are relevant for minerals developments.

2. ECONOMIC BENEFIT

Proposals for new minerals and waste developments should demonstrate that they would realise their potential to provide economic benefit. This will include such matters as the number of jobs directly or indirectly created or safeguarded and the support that proposals give to other industries and developments. It will also be important to ensure that minerals and waste developments would not prejudice other regeneration and development initiatives.

3. ENVIRONMENTAL ASSETS

Minerals and waste management developments should aim to protect, maintain and enhance overall quality of life and the natural, historic and other

distinctive features that contribute to the environment of Cumbria and to the character of its landscapes and places. They should seek to improve the settings of the features and, where appropriate, the linkages between them and buffer zones around them. They should realise the opportunities for expanding and increasing environmental resources, including adapting and mitigating for climate change. All significant amenity and environmental impacts of the developments should be mitigated.

Areas and features identified to be of international or national importance.

Planning application proposals within these, or that could affect them, must demonstrate that they comply with the relevant national policies as set out in Planning Policy Statements. Wherever practicable, they should also demonstrate that they would enhance the environmental assets.

Environmental assets not protected by National or European legislation

Planning permission will not be granted for development that would have a significant adverse effect on these environmental assets, on its own or in combination with other developments, unless:

- it is demonstrated that there is an overriding need for the development, and
- that it cannot reasonably be located on any alternative site that would result in less or no harm, and then,
- that the effects can be adequately mitigated, or if not,
- that the effects can be adequately and realistically compensated for through offsetting actions.

All proposals would also be expected to demonstrate that they include reasonable measures to secure the opportunities that they present for enhancing Cumbria's environmental assets.

Guidance on implementing this policy will be provided by the Landscape Character and Highway Design Supplementary Planning Documents.

4. AFTERUSE AND RESTORATION

Restoration and aftercare schemes for mineral working and waste management sites should demonstrate that full advantage has been taken of their potential to help deliver sustainability objectives relating to the environment and the economy of the county.

5. PLANNING OBLIGATIONS

Where it is not possible to achieve the necessary control through the use of planning conditions, the County Council will seek to negotiate planning obligations that ensure that development proposals:

1. Meet the reasonable costs of new infrastructure made necessary by the proposal including transport, utilities and community facilities;

2. Make a positive contribution to enhancing, maintaining or promoting sustainable communities;
3. Secure long term management of environmental assets;
4. Provide financial guarantees except where an appropriate national industry guarantee fund is already in place.

6. COMMUNITY BENEFITS

Where large national or regional waste management facilities are proposed, particularly for the nuclear industry, the County Council will expect that packages of community benefits will be provided to help to offset the impacts of hosting such facilities.

7. STRATEGIC AREAS FOR NEW DEVELOPMENTS

Carlisle and the Workington/Whitehaven area in the north, and Barrow in Furness and the Kendal area in the south are identified as the strategic locations for major new Mechanical and Biological Treatment plants or Transfer Stations, and the Penrith area for a Transfer Station for the Municipal Waste Management Strategy's preferred solution for managing municipal waste.

The Kirkby Thore/Long Marton area is identified as the only location for further supplies of gypsum.

Land next to High Greenscoe Quarry is identified as the only location for further supplies of mudstones for the Askam in Furness brickworks.

The igneous rocks near Ghyll Scaur Quarry are identified as the only location for further supplies of very high specification roadstone.

Supply and production areas, strategic locations and preferred sites for further supplies of sand and gravel and crushed rock for general aggregate use will be identified in the Site Allocations Development Plan Document and Proposals Map.

8. PROVISION FOR WASTE

Provision will be made for the management of all of Cumbria's wastes (net self-sufficiency) within the county. Any proposals to manage wastes from outside the county would have to demonstrate that the local social and economic benefits outweigh other sustainability criteria. These other criteria include the impacts of the additional "waste miles" and the principles of managing waste as close as possible to its source with each community taking responsibility for its own wastes. Any proposals would have to demonstrate that their environmental impacts are acceptable.

This policy does not relate to radioactive wastes which are considered separately.

9. WASTE CAPACITY

Capacity will be provided for managing and treating between 340,000 and 462,000 tonnes/year of municipal waste and between 659,000 and 750,000 tonnes/year of commercial and industrial waste by the end of the plan period. Around 7 million cubic metres of landfill capacity will be provided, including the void space remaining in sites that have planning permission.

AN INTEGRATED NETWORK

Sufficient sites will be identified for an integrated network of a range of appropriate and necessary waste management facilities across the county, and that preference will be given to sites that can accommodate more than one type of facility.

Any proposal for the alternative of a centralised network will be considered in the context of the Generic Development Control Policies

WASTE FACILITIES

To enable the waste capacity and integrated network to be provided the plan will seek to identify

- eleven sites of around 2ha for waste treatment facilities, (these could include Materials Recovery Facilities, Mechanical and Biological Treatment plants or Transfer/bulking stations), and
- two sites of between 2 and 4.5ha for Energy from Waste gasification plants or incinerators, and
- an additional 2 million cubic metres of landfill capacity in addition to the void space remaining in existing permitted sites, and
- nine new or enlarged Household Waste Recycling Centres, with innovative solutions or alternative sites kept under review for smaller communities,

10. HIGH AND INTERMEDIATE LEVEL RADIOACTIVE WASTES STORAGE

Developments involving the interim storage of these wastes at Sellafield will only be permitted where criteria are satisfied relating to:

- benefit clearly outweighing the detrimental effects,
- compliance with national standards and best practice for environment, safety and security, which, if appropriate, are independently reviewed;
- reasons are explained for rejecting alternative locations and methods that have been considered and
- that there are no overall adverse impacts on the local economy.

Permission will be granted only if:

- all possible measures are taken to minimise the adverse effects of development and associated infrastructure; and,

- where appropriate, provision is made to meet local community needs;
- acceptable measures are secured for decommissioning and site restoration, and
- arrangements are made for suitable local community involvement during the development, decommissioning and restoration.

11. HIGH AND INTERMEDIATE LEVEL RADIOACTIVE WASTE GEOLOGICAL DISPOSAL

If an area of suitable geology within Cumbria is volunteered for consideration as a possible geological disposal facility, separate planning applications will be expected to be submitted at three stages:

1. **Proposals for surface based site investigation including boreholes.** At this stage, the planning criteria will be similar to those for exploratory works for other types of development. These relate to the usual environmental impact considerations including traffic, working hours, noise, visual impact, period of operations, water resources and wildlife.
2. **Proposals for underground rock characterisation shafts and tunnels and an underground research laboratory.** Planning considerations at this stage will need to include not just the environmental impacts of the proposed operations themselves, but also the details of a generic design for a disposal facility and of its likely impacts. The planning criteria will relate to the inventory of wastes; environmental impacts; benefits clearly outweighing detrimental impacts; compliance with best international standards and best practice for the environment, safety and security; the offset benefits package; impacts on the local economy; and community needs.
3. **Proposals for a disposal facility and transport links, monitoring, site closure and restoration.** At this stage, there will be a reasonable expectation that planning permission will be granted. That is unless new information or material considerations demonstrate otherwise, or there are material differences from the scheme that has been developed over a considerable period of time up to this stage. Planning criteria will relate to the environmental impacts of the proposed construction and operation of the facility; the inventory of wastes to be brought to the facility; to transport matters; arrangements for local community involvement; monitoring and reporting; contingency and emergency planning issues; the offset benefits package; site decommissioning, clean-up and closure proposals; and restoration/afteruse of the site.

12. LOW LEVEL RADIOACTIVE WASTE

Provision will be made for the Low Level Repository, near Drigg to continue to fulfill a role as a component of the UK's radioactive waste management capability. Proposals for very long term storage or disposal of waste will have to demonstrate that they are feasible in relation to the long term integrity of the site with regard to sea level rise and coastal erosion. Proposals for additional storage or disposal facilities will have to demonstrate that they are within the site's radiological capacity.

13. SUPPLY OF MINERALS

Provision will be made to:

- meet the Regional Spatial Strategy's apportionment to Cumbria of primary land won crushed rock and sand and gravel production, but
- further apply that apportionment to take account of Cumbria's pattern of quarries and the areas they supply, and its dispersed settlement pattern and transport routes;
- identify areas sufficient to maintain landbanks of permitted reserves for supply/production areas equivalent to seven years annual average sales for sand and gravel and ten years for crushed rock for general aggregate use, throughout the plan period, and
- recognise that the high and very high skid resistance roadstone quarries, gypsum resources and High Greenscoe brick making mudstone quarry are regionally or nationally important,
- identify sites to enable at least one quarter of the aggregates used within Cumbria to be met by secondary or recycled aggregates.

14. MINERALS SAFEGUARDING

Mineral resources will be safeguarded by identifying:

- Preferred Areas and/or Areas of Search to enable a landbank of at least seven years sales at the Regional Spatial Strategy's apportionment level for sand and gravel to be maintained throughout the plan period;
- A Preferred Area or Area of Search for extending Ghyll Scaur quarry for very high specification roadstone;
- An Area of Search for extending High Greenscoe quarry for brickmaking mudstones;
- A Preferred Area and/or Area of Search for working additional gypsum and a Mineral Safeguarding Area for the remaining gypsum resources;
- Mineral Safeguarding Areas for the indicative sand and gravel and hard rock resources identified by the British Geological Survey;
- Mineral Safeguarding Areas for resources of local building stones;
- Mineral Consultation Areas, which will include buffer zones around the Preferred Areas, Areas of Search and Mineral Safeguarding Areas.

The need to safeguard other mineral resources, secondary aggregate resources and potential railheads and wharves, will be considered in the Site Allocations Development Plan Document.

15. MARINE DREDGED AGGREGATES

Planning permission will be granted for developments at appropriate locations, and which do not have unacceptable environmental impacts, that would

enable the increased use of marine dredged aggregates as substitutes for land won ones.

16. INDUSTRIAL LIMESTONES

Planning permission for the extraction of high purity limestone will not be granted unless it is primarily for non-aggregate uses, and national or regional need has been demonstrated, or where significant benefits would accrue to local communities and/or the environment.

17. BUILDING STONES

Planning permission will be granted for proposals that would help to provide the full range of local building stones that are needed to maintain Cumbria's local distinctiveness, and that have acceptable environmental impacts.

18. OIL AND GAS and COAL BED METHANE

Planning permission will be granted for proposals associated with the exploration and development of onshore and offshore oil and gas and coal bed methane in appropriate locations, and which do not have unacceptable environmental impacts.

APPENDIX D

REPRESENTATIONS ON THE CHANGES TO THE PREFERRED OPTIONS CORE STRATEGY

Title	Agree	No Opinion	Disagree	Total
All representations	511	27	168	706
GENERAL POINTS	26	6	11	43
INTRODUCTION)	1	0	0	1
OVERALL STRATEGY				
Vision	3	0	0	3
Strategic Objectives	1	0	0	1
CLIMATE CHANGE	1	0	0	1
Core Strategy Policy 1	23	0	9	32
CUMBRIA'S ENVIRONMENTAL ASSETS	2	0	2	4
Core Strategy Policy 2	24	1	8	33
Core Strategy Policy 3	26	0	4	30
LOCAL ECONOMIC BENEFIT	0	0	1	1
Core Strategy Policy 4	19	1	5	25
PLANNING OBLIGATIONS	0	0	1	1
Core Strategy Policy 5	23	0	6	29
Core Strategy Policy 6	21	1	8	30
Core Strategy Policy 7	24	4	7	35
RELATIONSHIP TO OTHER STRATEGIES	0	1	0	1
WASTE CORE STRATEGY				
Waste strategy	3	0	1	4
Core Strategy Policy 8	24	1	6	31
Core Strategy Policy 9	20	1	7	28
Core Strategy Policy 10	26	0	9	35
Core Strategy Policy 11	21	1	10	32
Core Strategy Policy 12	21	1	7	29
Core Strategy Policy 13	19	1	5	25
RADIOACTIVE WASTES	0	0	2	2
Core Strategy Policy 14	15	2	3	20
Core Strategy Policy 15	15	1	12	28
Core Strategy Policy 16	15	1	16	32
MINERALS CORE STRATEGY				
Purpose	1	0	0	1
Strategy choices	2	0	2	4
Preferred Strategy	2	1	0	3
Core Strategy Policy 17	19	1	10	30
Core Strategy Policy 18	21	0	6	27
Core Strategy Policy 19	21	0	1	22
Core Strategy Policy 20	20	0	4	24
Zinc mining	2	0	0	2
Core Strategy Policy 21	24	1	2	27
Other minerals	2	0	1	3
Core Strategy Policy 22	21	0	1	22
MONITORING AND IMPLEMENTATION	1	1	0	2
APPENDIX E	1	0	0	1
APPENDIX F	1	0	0	1
APPENDIX H	0	0	1	1

Summary of the main issues and themes raised in the representations that have been received about the Changes to the Preferred Options Core Strategy.

1 Overall Document – Issues of soundness

- *Nuclear Decommissioning Authority considers policy 16 for Low Level Waste is not sound because it is out of line with Govt policy –the policy was welcomed by others.*
- *Quarry Products Association and quarry companies consider policies 17 and 18 for Supply of Minerals and Mineral Safeguarding are not sound and suggest alterations to policies 1 and 5 - Sustainable Location and Design and Planning Obligations. Some of these are covered by amended wording.*
- *Others consider it is unsound as it does not contain policy for hazardous waste. We will include additional text.*
- *Government Office for the North West questions whether the Sustainability Appraisal has been integrated and whether meaningful alternatives have been offered or evaluated by it. These matters have been looked at with our consultants.*

2 High and Intermediate Levels of Radioactive Waste

Strong concerns are expressed over the policies relating to the storage and geological disposal of these wastes. The emphasis on phasing raises concerns that the issue of the fundamental suitability of the geology is not considered or is obscured. We have added text about geological suitability but the other comments are more about national policy than ones in this plan.

3 Landfill

Concerns are expressed that the calculations of landfill requirements are not correctly derived from Regional Planning Guidance and Regional Spatial Strategy estimates, and that an additional two million cubic metres capacity is required. Some of the assumptions about waste reduction are questioned. *The figures have been checked and minor amendments have been made..*

4 Other waste issues

- *That targets should be taken out of policy 11 Reducing landfill– or even out of the document into the Municipal Waste Management Strategy. The targets have been moved into the text and policies 9, 12 and 13 have been combined.*
- *There is an objection to every waste management planning application having to assess need.*
- *Policy 10 Waste hierarchy is considered to duplicate national policy. We had amended this for energy from waste to move combined heat and power plants above power only plants. It has been moved to the text.*
- *It has been suggested that the plan should include the Environment Agency's waste stream analysis, the comment links to both landfill, hazardous and radioactive wastes. I do not consider that level of detail is essential.*
- *Calls for waste reduction policy and higher recycling targets.*

5 Minerals extraction

- There is some ambiguity and confusion about the recycled aggregates targets and the sub-regional apportionment. *The text has been amended to resolve this.*
- There are concerns about policy 18 Mineral Safeguarding in relation to the 7 year landbanks. *The text has been amended to resolve this.*
- Aggregate Industries contest the exclusion of extensions to Holmescales high specification aggregate quarry from policy 18. *We consider further extensions would be inappropriate because of the inadequate road network, as confirmed by the recent appeal decision.*

6 Environmental

- Concerns over strength/weakened wording in Policy 2 Environmental Assets.
- Concerns over clarity of what the environmental assets are.
- Concern over additional “sequential test” introduced in policy 2 and about its relationship to Regional Spatial Strategy and other issues.
- *Wording has been amended.*

7 Other Issues

Climate Change

It has been suggested that more work is needed on Policy 1 on climate change issues and that some of the proposed measures are not practicable. *The policy has been amended to clarify that the floorspace threshold relates to waste management developments and that further work will be undertaken on life-cycle assessments with stakeholders to identify appropriate measures for mineral developments.*

Brickmaking Mudstones

There are concerns about the environmental impacts of extending High Greenscoe quarry.(policy 18 Mineral Safeguarding). We consider this quarry should be regarded as a national resource. There will be further consideration of its possible extension in the Site Allocations Development Plan Document.

Building Stone

North West Regional Assembly welcomes the new policy – saying it goes some way to meeting their earlier objection.

Oil and gas

These are now added to the policy for coal bed methane.

APPENDIX E

SUMMARY OF OBJECTIONS TO POLICY 16: LOW LEVEL RADIOACTIVE WASTE				
Contact and Organisation	Response number	File	Summary of response	Outcome
Mr J Muter	2		<i>No reasons given</i>	n/a
Mr Brian Dugdale (Bowness on Solway Parish Council)	10		Disagree - and also want updated safety standards for ongoing operations.	n/a
Mr Tony Free (British Energy)	23		Concerned with the proposal of limiting access to the LLW near Drigg beyond the short term (5 years)	Policy has been amended.
Mr Mark Morant (Magnox Electric Ltd)	25		" Support proposal to restrict use of LLWR to only those LLW that it is not practicable to manage elsewhere".. "Disagree that a time limit should be placed on the provision of capacity for nuclear sites outside of West Cumbria"	Policy has been amended.
Mr Chris Halliwell (LLW Repository Ltd)	27		Welcomes changes to Core Strategy policy, and paragraph 6.80. Policy 16 though appears to pre-judge the outcome of engagement with NDA. Do not agree with Policy 16 because the timescales implied are unrealistic...the policy as proposed is restrictive and premature. Would support a modification that regarded LLWR as a National Facility to meet requirements of UK LLW Strategy.	Policy has been amended.
Ms Paula Madill (Springfields Fuels Ltd)	32		Disagree with policy 16 because 1. It is unclear whether SFL would be able to continue to send LLW to the LLWR; 2. Facility near Drigg is likely to remain the most appropriate in terms of waste miles; 3.LLWR remains the only type of facility for certain types of waste from Springfields until 2030; and 4. Timescales for establishing alternatives are unrealistic.	Policy has been amended.
Mr James Shaw	71		LLW should be a National Resource for all sources up to its radiological capacity.	Policy has been amended.

SUMMARY OF OBJECTIONS TO POLICY 16: LOW LEVEL RADIOACTIVE WASTE				
Contact and Organisation	Response number	File	Summary of response	Outcome
Dr Ruth Balogh (West Cumbria & North Lakes Friends of the Earth)	46		Information about projected levels of LLW appears to be inadequate, making planning problematic.	The planning permission for Vault 9 requires annual reports about waste volumes and activity rates and action plans if necessary..
Mr Steve Balogh	49		In the light of the proposed new planning law , Cumbria requires a robust and technically rigorous and exhaustive plan, that sets stringent conditions on discharges and disposals	Annual reports required as above.Setting limits on discharges and disposals are mainly the responsibilities of other regulators.
Mr Norman Harrison	55		Welcomes changes to policy but: 1.It does not clearly state that wastes from UKAEA sites are included, 2 .Capacity may only to be provided for larger users outside the county in the 'short term'.Would prefer policy to recognise the LLW Repository as a National Facility.	Policy has been amended.
Mr Rob Storrie (GE Healthcare)	59		Supports Cumbria County Council in its requests to Government and the NDA for additional and alternative facilities to be created in the UK. However- would support a modification to the alternative policy wording which is to regard the LLW Repository as a National Facility which would provide storage and ultimately disposal facilities to meet the requirements of the UK LLW Strategy	Policy has been amended.
Miss Joanne Fisher (Nuclear Decommissioning Authority)	61		Strong reservations -The national role of the LLWR should be recognised without the time constraint presently included.	Policy has been amended.
Ms Annemarie Willshaw (SITA UK Ltd)	34		The policy fails to identify the national LLW need. Capacity need not be exclusively at the Repository near Drigg. The Council should provide estimated current capacity figures at the Drigg Repository, and the anticipated additional void required to meet the Sellafield/Windscale decommissioning needs, so that industry can develop sufficient facilities/options.	Policy has been amended.
Mr Stuart Klosinski (Furness Enterprise Limited)	58		Remove the words "short term".	Policy has been amended.

SUMMARY OF OBJECTIONS TO POLICY 16: LOW LEVEL RADIOACTIVE WASTE				
Contact and Organisation	Response number	File	Summary of response	Outcome
Mr Jeremy Pickup (Environment Agency)	48		Adopting a local policy that defines how long the LLWR should continue as the national repository is premature until the NDA national strategy for LLW is developed further.	Policy has been amended.
Mr Stuart Klosinski (Keep Our Future Afloat Campaign)	58		Disagree that using the LLW for defence related waste does not represent sustainable development. Remove the words "in the short term" from policy.	Policy has been amended.