

# **CUMBRIA MINERALS AND WASTE DEVELOPMENT SCHEME**

## **2<sup>ND</sup> ANNUAL MONITORING REPORT 2005/6**



DECEMBER 2006



## **Executive Summary**

During 2005/6 work on the Cumbria Minerals and Waste Development Framework (MWDF) progressed in accordance with the programme that had been set out in its Development Scheme.

The existing minerals and waste policies have performed well in fulfilling plan objectives, although significant re-modelling will be required in the new MWDF. The changes required in waste management and the significance of climate change, and changes in national and regional policy need to be reflected in updated policies.

Policies have had a positive impact on the few numerical targets of the existing Minerals and Waste Local Plan, and on other targets reflected in Core Output indicators. An adequate minerals supply has been maintained, and adequate facilities for waste management enabled. Significant adverse effects of policies on social, environmental and economic objectives have not been identified.

The latest published primary land won aggregate production figures show three-year (2001-2004) annual average sales of 3.9 million tonnes of crushed rock and 900,000 tonnes of sand and gravel. These figures are produced for calendar years but an approximation can be made of 4.8 million tonnes for 05/06 (Core output indicator 5a). Landbanks of permitted reserves have remained significantly longer than the national minimum requirement, and exceeded plan targets.

Comprehensive figures are not available for the production and management of secondary and recycled aggregates (Core output indicator 5b) but published figures suggest that 35% of the inert construction and demolition wastes managed in Cumbria are re-used or recycled. This exceeds the 25% national target for alternatives to primary aggregates.

Facilities required for 255,000 cubic metres for non hazardous waste management, and 7,500 tonnes of construction waste have been enabled through the planning process (Core Output Indicator 6a). Seven waste water treatment facility improvements and two landfill gas powered electricity generators were given consent.

Municipal waste was 358,262 tonnes (Core Output Indicator 6b) with growth considerably reduced to around 1% compared with a growth of 10% the previous year. Household waste / head of population actually reduced by 2%. 73% of municipal waste was sent to landfill, with 27% composted or recycled (Core Output Indicator 6b).

Progress has continued since 31 March 2006, and actions needed to review and update policies and their monitoring and evaluation are under way.



## CONTENTS

<b>Executive Summary</b> .....	<b>1</b>
<b>1 Purpose and format</b> .....	<b>2</b>
<b>2 The Cumbrian context</b> .....	<b>3</b>
<b>3 Progress on creating a new plan</b> .....	<b>4</b>
<b>4 Fulfilling plan objectives and targets</b> .....	<b>7</b>
<b>5 Significant effects on social, environmental and economic objectives</b>	<b>15</b>
<b>6 Policy changes needed and “saving” of policy</b> .....	<b>18</b>
<b>7 Conclusions and progress since 31 March 2006</b> .....	<b>21</b>
<b>Appendix A: Glossary of terms</b> .....	<b>1</b>
<b>Appendix B: Local Development Scheme timetable</b> .....	<b>2</b>
<b>Appendix C: - Analysis of current MWLP policies against objectives</b> .....	<b>4</b>
<b>Appendix D: - Cumbria Aggregates 1996-2004</b> .....	<b>7</b>
<b>Appendix E: - Planning Applications Approved or Withdrawn: 01-Apr-2005 to 31-Mar-2006</b> .....	<b>8</b>
<b>Appendix F: Sustainability Indicators – as in Scoping Report for Sustainability Appraisal</b> .....	<b>17</b>
<b>Appendix G: MWLP policies to be saved or not saved</b> .....	<b>21</b>
<b>Appendix H: Key Species for Cumbria which could be at greatest risk from M&amp;W developments</b> .....	<b>32</b>

# 1 Purpose and format

1.1 This report addresses progress in Minerals and Waste Planning between April 2005 and March 2006 in the area for which Cumbria County Council is the Local Planning Authority. As required by the 2004 Act and LDF Monitoring: A Good Practice Guide, it includes consideration of:

- progress on the process of creating a new plan;
- how well existing minerals and waste policies have performed in fulfilling plan objectives;
- what impact the policies are having on targets;
- what significant effects implementation of the policies is having on the social, environmental and economic objectives;
- whether policies need to be changed;
- and what actions need to be taken to change them.

1.2 This report explains progress that is being made toward a fully monitored and evaluated planning framework, which will be able to respond to new evidence and amend policy where necessary.

1.3 The report therefore follows the following format:

- Purpose and format
- The Cumbrian context
- Progress on creating a new plan
- Fulfilling plan objectives and targets
- Significant effects on social, environmental and economic objectives.
- Policy changes needed, and “saving” of policies
- Conclusions and progress since 31 March 06

## 2 The Cumbrian context

- 2.1 Cumbria is the most northerly county within the North West Region and adjoins the border with Scotland. It is one of the largest English counties, with an area of 676,780 ha but is relatively sparsely populated with a population of approximately 494,800. It contains some of England's finest scenery (including the Lake District National Park and part of the Yorkshire Dales) but has very serious economic problems. Many of these problems are associated with the decline of traditional industries particularly in west Cumbria and the Furness peninsula and the decommissioning of nuclear sites. The Community Strategy identifies Cumbria as the only county that is experiencing economic decline.
- 2.2 Cumbria is an important producer of crushed rock aggregate, including high skid resistant roadstone for the national market. Its sand and gravel quarries serve predominantly local or regional markets. There are several quarries producing traditional building and roofing stones with their own niche markets. One mudstones quarry provides raw materials for a traditional brick works which has a national market for its products.
- 2.3 Cumbria is an important supplier of gypsum for the national market for plaster and plasterboard and has extensive areas of raised moss peat workings. All of the deep coal mines have closed. Extensive areas of the exposed coalfield have previously been mined by opencast methods.
- 2.4 In general waste management facilities within the county serve their local areas and most parts of the county have access to the necessary facilities. There is however a shortfall in landfill capacity in the south of the county from where residual waste is sent to Lancashire.
- 2.5 West Cumbria has a concentration of nuclear facilities and the Low Level Radioactive Waste Repository near Drigg currently provides a national facility but has very limited remaining capacity. Reviews of national policies for the different categories of radioactive wastes are currently in progress and will inform the local policy making processes.

### **3 Progress on creating a new plan**

#### **Documents specified in the Minerals and Waste Development Scheme and the timetable for preparing them.**

- 3.1 The original Minerals and Waste Development Scheme came into effect on 18 April 2005, it was revised in accordance with Regulation 11 of the Town and Country Planning (Local Development) (England) Regulations 2004 and the revised scheme came into effect on 26 August 2005 (see Appendix B). Work progressed in accordance with the timetables set out in these schemes. The main points about the plan preparation programme can be summarised:
1. In both Schemes the Statement of Community Involvement was programmed for preparation from February 2005 to adoption by the County Council in January 2006. It was adopted on 19 January 2006.
  2. In both Schemes the period 1 April 2005 to 31<sup>st</sup> March 2006 was programmed for evidence gathering and ongoing consultations about the issues and options for the Development Plan Documents. These are the Core Strategy, Generic Development Control Policies, Site Allocations/Policies and the Proposals Map.
  3. In accordance with the programme, Regulation 25 consultation letters about the preparation of all of the Development Plan Documents were sent to a wide range of bodies in June and July 2005. A more detailed consultation letter which set out background information and points for discussion was sent out in September 2005. A consultation letter specifically about local building stones was sent out in November 2005. There were also a number of meetings and discussions in addition to these consultations.
  4. The original Development Scheme programmed in an Initial Sustainability Report. The government subsequently decided that these would be inappropriate and the Scheme was amended to take this into account.
  5. In the amended Scheme the period 1 April 2005 to 31 March 2006 was programmed for consultations on the Sustainability Appraisal Objectives and Framework and for its Scoping Report. A series of meetings were held during this period, including the statutory consultation bodies. The draft Scoping Report was published for consultation in December 2005 requesting comments by early February 2006. Work on the final report continued into the period beyond 31 March 2006.



### **Programme for Complying with Regulation 26**

- 3.2 Regulation 26 requires the local planning authority to publish and consult on proposals documents before they are prepared for submission to the Secretary of State. The Regulation 26 “pre-submission” consultations for the Statement of Community Involvement were programmed for June/July 2005. The Regulation 26 consultation letters were sent out in May and June 2005 with a consultation period until mid July, in accordance with the Scheme.
- 3.3 No other Regulation 26 consultations were programmed between 1 April 2005 and 31st March 2006.

### **Programme for Complying with Section 20 (1) of the Planning and Compulsory Purchase Act 2004.**

- 3.4 This Section of the Act requires documents to be submitted to the Secretary of State for independent examination. These submissions were programmed in the Minerals and Waste Development Scheme as follows:
1. Statement of Community Involvement for August 2005 (*it was submitted on 29 July*).
  2. Development Plan Documents and the Sustainability Appraisal for January 2007. In the current Scheme which came into effect on 17 March 2006 this is now programmed for June/July 2007.

### **First Steps in Preparing Documents that were taken by 31 March 2006.**

- 3.5 No matters have been identified which were falling behind the timetable set out in the Minerals and Waste Development Scheme.
- 3.6 The steps that were undertaken before the end of March were:
1. preparing and revising the Minerals and Waste Development Scheme.
  2. Processing the Statement of Community Involvement to adoption by full County Council,
  3. Ongoing consultations as have been described above.

Details of these steps are described below.

### **Minerals and Waste Development Scheme**

- 3.7 The original Scheme came into effect on 18 April 2005. It was subsequently revised to take account of the removal of the requirement to produce an Interim Sustainability Appraisal and to clarify the different stages of consultations. This revised scheme was approved by Cabinet on 19 July 2005 and by Council on 28 July 2005. It was submitted to the Secretary of State on 28 July 2005 and came into

effect on 26 August 2005. Government Office confirmed by letter dated 10 September that the Secretary of State did not intend to issue a Direction about this Scheme. Both schemes are attached as Appendix B.

### **Statement of Community Involvement (SCI)**

- 3.8 The SCI was submitted to the Secretary of State on 29 July 2005 and, following receipt of the Inspector's Report confirming its soundness, was adopted by the County Council on 19 January 2006.

### **Local Development Orders**

- 3.9 No Local Development Orders were made or revoked during the period.

## **4 Fulfilling plan objectives and targets**

- 4.1 Cumbria County Council does not yet have any Development Plan Documents created under the 2004 Act, so the policies to be monitored against objectives are those included in the Minerals and Waste Local Plan 1996-2006.
- 4.2 The new Minerals and Waste Development Framework will be more explicit than the current Local Plan about the objectives of policy, the targets associated with them, and indicators to evaluate progress. In the transitional period, a small number of indicators can be used to assess progress against current objectives.

### **Objectives of current policy**

- 4.3 The Minerals and Waste Local Plan quoted objectives from The EC Waste Framework Directive, the UK Strategy on Sustainable Development; DOE Minerals Planning Guidance Note 6 (MPG6); "A Way with Waste" (DETR 1999) and the Cumbria and Lake District Joint Structure Plan.
- 4.4 The Joint Structure Plan's six aims for minerals and waste development were:
- 1) make adequate provision for waste development;
  - 2) favourably consider proposals which minimise, recycle, reuse or otherwise utilise waste materials;
  - 3) safeguard mineral resources from unnecessary sterilisation by other development
  - 4) ensure an adequate supply of minerals to meet local, regional and national needs, taking into account the opportunities for the use of waste materials as a practicable alternative;
  - 5) ensure that minerals and waste development does not have an unacceptable impact on local amenities and the environment; and
  - 6) ensure that mineral and waste disposal sites are restored at the earliest opportunity and that diverse and attractive landscapes are created where possible.
- 4.5 The Minerals and Waste Local Plan then defined the following "guiding principles" which were in effect the objectives of the plan.
- Minerals are finite and they should only be used where there is a demonstrable need. Otherwise they should be conserved for the future.
  - Waste should be avoided wherever possible. Waste produced should be reused or value recovered from it where that is feasible and desirable.
  - An adequate and steady supply of minerals should be provided.

- Adequate provision should be made for the handling, processing and treatment of waste arising in the County and where unavoidable/necessary, its disposal.
- The employment and economic benefits provided by the minerals and waste industry are highly valued by the County Council.
- Mineral resources and potential waste sites should be protected from development that will prevent their use.
- In making provision for minerals and waste sites consideration should be given to minimizing traffic. Provision should be made, where possible, close to the areas of demand (the proximity principle).
- Cumbria is generously endowed with fine landscapes and areas of natural and built heritage, many of which are of national or international importance. These areas should be protected and enhanced for the benefit of present and future generations. Proposals which have an unacceptable effect on local communities will be resisted.
- The County Council will expect minerals and waste operators to adopt the best environmental practice, be considerate towards their neighbors and restore sites to a high standard and beneficial after use. Opportunities to enhance the overall quality of the environment should be taken wherever possible.

4.6 The 6 objectives above can be simplified into four main objectives:

- to maintain an adequate supply of minerals
- to enable an adequate network for waste management
- to minimise adverse impacts on environment and communities, and
- have regard to economic and employment benefits

4.7 Evaluation of how the planning system has implemented these objectives can be investigated by looking at any targets which were set, and any other indicators of success or otherwise. Appendix C shows which policies had each of these principles / objectives as their primary focus, where numerical targets were involved, and what indicators provide an evaluation tool. It also shows how often the policies have been quoted in decision notices or reports on planning applications.

### **Targets of current policy**

4.8 Only two of the current policies have numerical figures associated with them. These are: annual production of aggregates; and the landbanks for those aggregates i.e. both linked to supplies of minerals. The County Council cannot, of course, ensure that production targets are met as other factors may affect mineral operator's production rates. The "targets" were the Regional Aggregates Working party's sub-regional apportionment to Cumbria at that time. They were used for calculating landbanks and the need for minerals when planning

applications are submitted. The apportionments by the RAWP have been revised downwards and new targets will be set for the MWDF. Other policies could have been linked to numerical targets, the table in Appendix C records a zero in the target column for these, but evidence has not been recorded consistently up to this point.

- 4.9 Some policies have a specific number of sites where development was to be achieved. These had all been achieved by March 2005, and no further progress was therefore possible in 05/06.
- 4.10 As part of the AMR process, and the preparation of the new MWDF, it has to be decided how best to evaluate, record and continuously review progress against objectives, and other impacts, whether intended or not. A new software system is being used that enables ongoing recording of targets and of policies quoted, and this will be progressively employed to monitor the performance of policies and the achieving of objectives.
- 4.11 At present, the most useful indicators are the core output indicators<sup>1</sup> that help to measure progress against specific national targets, as some of the data (or alternative measures) have been collected for some time. These are used within the text below where appropriate.
- 4.12 There is also a need to record contextual indicators that highlight key changes in the plan area, and significant effects indicators that measure progress against sustainability objectives (related to society, the environment and the economy). These are being developed, with the latter listed in the Sustainability Appraisal Scoping Report. See Appendix F.

### **Objective 1. Maintaining an adequate supply of Minerals**

- 4.13 “Has an adequate supply of minerals been maintained over the period of the plan, and particularly in 2005/06?” The quoted targets do relate to one of the two minerals core output indicators, which are:
- 5a) Production of primary land won aggregates and
  - 5b) Production of secondary/recycled aggregates.
- 4.14 However because the MWLP quoted production rates have been superseded by the current sub - regional aggregate apportionments, the following section compares 05/06 production with this up to date requirement rather than the “targets” in MWLP Policy 28.

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<sup>1</sup> Local Development Framework Core Output Indicators: Update 1/2005 ODPM October 2005

## Primary Land Won Aggregates

- 4.15 Information on aggregates is collected on behalf of the Regional Aggregates Working Party for Cumbria as a whole, including the Lake District National Park. The latest information is for the 2004 calendar year<sup>2</sup>. To protect commercial confidentiality, figures for individual quarries are not published, the figures are combined so that they are for at least three operators. As a result high specification roadstones are not separated from the sandstone and igneous rock figures. (Two of the sites are operated by the same company). The more detailed four-yearly aggregate survey was undertaken for 2005 but its results have not yet been published.
- 4.16 For the calendar year 2004 total primary land won aggregate production was 4.7 million tonnes (**Core output 5a**) – 3.9 million tonnes of crushed rock and 0.8 million tonnes of sand and gravel<sup>3</sup>. The three-year average annual sales 2001 to 2004 for Cumbria were 3.9 million tonnes/year of crushed rock and 900,000 tonnes/year of sand and gravel. These compare with the aggregate guidelines' sub-regional apportionment figures of 4.1 million tonnes and 700,000 tonnes respectively. (*Provisional figures for 2005 show crushed rock sales of 3.7 million tonnes and sand and gravel 700,000 tonnes*)
- 4.17 The annual sales of crushed rock have, therefore, been marginally lower than the apportionment (by 200,000 tonnes/year or 5%) and those for sand and gravel have been significantly higher than the apportionment (by 200,000 tonnes/year or 29%). It should be noted that sales of sand and gravel from Cumbria had fallen from 1 million tonnes in 2003 to 800,000 tonnes in 2004. This may not indicate a trend because output has fluctuated within the range of 700,000 tonnes to 1.1 million tonnes over the period since 1992.
- 4.18 The Local Plan's target for the crushed rock landbank is 15 years<sup>4</sup>, and reserves have been well above this level for the entire plan period. The 2004 figures indicate the landbank is still over 38 years. The MWDF is considering whether steps could be taken to reduce this, in line with MPS1, and what policies should be included to maintain a proper balance between supply and environmental factors.
- 4.19 For sand and gravel the plan's target is to maintain a landbank of at least seven years throughout the plan period. The RAWP figures show that at the end of 2004 the landbank was between 11.7 and 15 years. The objective of maintaining an adequate supply of these minerals has

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<sup>2</sup> North West Regional Aggregates Working Party Annual Report 2005.

<sup>3</sup> *ibid*

<sup>4</sup> Appendix D shows Cumbria production and reserves for crushed rock and sand and gravel from 1996 -2004

therefore been met. The reserves required to maintain an adequate landbank for sand and gravel throughout the timescale of the new emerging plan will be considered as part of the MWDF process.

### **Secondary/Recycled Aggregates**

- 4.20 Secondary aggregates are those produced from minerals wastes and recycled aggregates are those produced from previously used materials e.g. construction and demolition wastes. It is not possible to provide figures for the annual production of all of these within Cumbria. **(Core output 5b)** This is a national problem and it is hoped that progress will be made in time for next year's Monitoring Report.
- 4.21 The most recent information from the Environment Agency's Waste Returns show that in 2004/5 337,447 tonnes of inert, construction and demolition wastes were managed within Cumbria and that 220,897 tonnes of these were landfilled. This suggests that 35% were re-used or recycled, **(potential local indicator)** well in excess of the 25% target figure (see below). There are perceived deficiencies in the information about commercial/industrial and construction/demolition wastes. Surveys of how these are managed have been commissioned by the North West Region's waste planning authorities and are currently taking place.
- 4.22 Government guidance and the focus on sustainable development provide for an increasing proportion of aggregate supplies to be met from these "alternative" materials. The aim is for them to provide approximately 25% of aggregates supplies. The Regional Aggregates Working Party Report 2005 only includes figures for the region as a whole. This year the only figures that are given are for the road planings component of secondary aggregates. Even these are not complete because the Highways Agency has again not provided data on its arisings which would be likely to be significant.
- 4.23 In 2004 all of the region's recorded arisings of 214,047 tonnes of road planings were being reused. Reserves of secondary aggregates were not surveyed in 2004. Arrangements need to be made for collecting accurate figures for recycled aggregates and for increasing the accuracy of those for secondary aggregates.

### **Planning Applications and capacity created**

- 4.24 Seven minerals planning applications were received between 1 April 2005 and 31 March 2006, and all were granted:
- Flusco quarry extended area and revised phasing– no additional reserves.
  - Snowhill quarry 75,000 tonnes of building stone reserves.

- Low Plains quarry soil storage bund – no additional reserves.
  - Faugh No 1 sandpit extended period of working – no additional reserves.
  - Cardewmires Quarry – new building - no additional reserves.
  - Peel Place sand and gravel quarry extension – 950, 000 tonnes of additional reserves.
  - Parkhead quarry extended period of working – no additional reserves.
- 4.25 To summarise: an adequate supply of minerals has been maintained in that the landbanks exceed the minimum required by a significant margin. There are other minerals for which there were no targets, and also it is possible that success in supplying minerals could have had adverse effects on other objectives. This is explored in section 5.

## **Objective 2. Enable an adequate network for waste management**

- 4.26 The question addressed in this report is “Did the planning process meet the objectives of the current plan, and provide an adequate network of facilities for waste management?” The plan did not include specific targets for waste, but the waste core output indicators do provide some evidence that this objective was met.

### **Waste indicators**

- 6a) Capacity of new waste management facilities by type
- 6b) Amount of municipal waste arising, and managed by management type, and the percentage each management type represents of the waste managed

### **Capacity of New Facilities**

- 4.27 39 of the 48 applications approved in 2005/2006 were for waste facilities. 3 additional applications for waste facilities were withdrawn and none were refused. Two of the three withdrawn were for small proposals, and two were re-submitted subsequently. Details of these are contained in Appendix D.
- 4.28 Approved schemes that included new capacity (**Core output 6a**) were implemented for:
- an increase of 255,000 cubic metres capacity for non-hazardous waste,
  - Processing of 7,500 tonnes of construction waste at the former Garlands hospital, Carlisle.
  - seven improvements to waste water treatment facilities and
  - Two landfill gas powered electricity generators at Bennett Bank landfill.



- 4.29 Approved schemes that facilitated management of waste without new capacity included: a building to cover and improve a composting facility; changes in conditions to facilitate a recycling centre; a new Household Waste Recycling Centre and an extension of time for a landfill operation.

### Municipal Waste

- 4.30 Total Municipal waste for the year 1 April 2005 to 31 March 2006 was 358,262 tonnes. This had increased by 0.92% over the previous year. However Household waste<sup>5</sup> reduced by 1% while the population increased by 5,000, household waste per head of population (**potential local indicator**) was 635kg, a 2% reduction on the previous year.
- 4.31 The core output indicator asks for a breakdown of Municipal waste by method of waste management (**Core output 6a**). The table below gives actual tonnages and percentages, but combines “recycled” and “composted” as per the BVPI<sup>6</sup> statistics request of Waste Disposal Authorities.

Method of waste management	tonnes <sup>7</sup>	% of municipal waste
Recycled & Composted	95,459	26.65
To landfill	262,803	73.35
TOTAL Municipal waste	358,262	100

- 4.32 Source: BVPI Household and municipal waste statistics for Cumbria 2005/6.

- 4.33 A more detailed breakdown is available for household waste, and this is given below as a **local indicator**.

Method of waste management	tonnes	% of household waste
Recycled	50,723	16.12
Composted	43,464	13.81
To landfill	220,448	70.07
TOTAL Household waste	314,635	100

Source: BVPI Household and municipal waste statistics for Cumbria 2005/6.

- 4.34 The amount of municipal waste that was landfilled decreased by 4%, but the amount of household waste that was landfilled reduced by 6.86%. The amount of household waste composted increased by 14.52% and recycling increased by 17.25% compared with 2004/05.

<sup>5</sup> excluding the commercial waste collected by the District Waste Collection Authorities

<sup>6</sup> Best Practice Value Indicator is compiled by the Waste Disposal Authorities to meet government reporting requirements.

<sup>7</sup> The BVPI is only available in tonnes. There is no simple conversion factor to cubic metres.

4.35 In conclusion, facilities have been enabled that meet the current need for waste management, and policies can be said to have achieved their objectives.

## 5 Significant effects on social, environmental and economic objectives

- 5.1 This report is also required to evaluate what significant effects implementation of the policies is having on social, environmental and economic objectives. For the MWLP these are objectives 3: “minimise adverse impacts on environment and communities” and 4: “have regard to economic and employment benefits”.
- 5.2 There were no numerical targets in the policies that relate primarily to these objectives, although the table in Appendix D highlights that most policies seek a balance between objectives. For example policies protecting AONBs are also attempting to ensure that in certain circumstances development will be permitted. It is therefore more difficult to create one dimensional targets as used to measure new homes or hectares of employment land.
- 5.3 The Sustainability Appraisal Scoping Report has a matrix of possible indicators (Appendix F) to be recorded in the future, for example; jobs preserved and created; CO<sub>2</sub> emissions from minerals and waste transport; nuisance complaints received; number of liaison committees at M&W sites; etc.
- 5.4 Access to Household Waste Recycling Centres (HWRC) was examined as part of the evidence gathering for MWDF. Some years ago the County Council adopted a target of providing these within five miles for 90% of population. **(potential local indicator)** Analysis shows that 69% of the population were within 5 miles of an HWRC in 05/06. Permission was granted for a new site at Flusco in June 2005 and this opened in the 2006/7 year. The Municipal Waste Management Partnership is reviewing the relevance of the 90% target in the light of current conditions which include kerb-side separation of recyclables.
- 5.5 Local biodiversity and other indicators are under discussion on a Cumbria wide basis, and changes required in the future are discussed in paragraph 7.7 below.
- 5.6 At the present time, it has been necessary to look at significant effects in a less analytical way, simply by looking at planning permissions granted **(see Appendix E)** against core output indicators.

### Flood protection and water quality

- 5.7 No planning permissions were granted contrary to the advice of the Environment Agency on either flood defence or water quality grounds. **(Core output 7).**

## Biodiversity

- 5.8 During 2005/2006 the systems and information available to protect and enhance biodiversity within the plan area have continued to be used and developed, though the reliability and comprehensiveness of the database is still not sufficient to guarantee that there have been absolutely no changes caused by applications granted for minor minerals and waste developments on priority habitat and species (**Core output 8a**). For major applications see paragraph 5.12.
- 5.9 Issues with the information and development of systems are dealt with in section 7 below.
- 5.10 On major applications site specific priority habitat and species information is covered by Environmental Impact Assessment (EIA). In 05/06 the only EIA application that was granted permission was for the extension to sand and gravel quarry at Peel Place. (Several other major applications will fall into the 06/07 AMR).
- 5.11 Peel Place Quarry is adjacent to Hallsenna Moor SSSI and National Nature Reserve, and mineral extraction was limited to at least one metre above the water table to protect the hydrological regime of this wetland site. English Nature confirmed the conclusion of the applicants Environmental Statement that this would prevent adverse impacts on the SSSI and Nature Reserve.
- 5.12 Advance hedge planting along the boundaries will be supplemented by a replacement for the existing wildlife corridor when restoration begins, and the County Ecologist is satisfied that impacts on the local great crested newt population and bats will be minimal. The restoration scheme will include near vertical sand outcrops to support the existing sand martin population, but this is not claimed as an increase in habitat at this time.
- 5.13 Information from planning applications therefore shows that there have been no changes in areas designated for their intrinsic environmental value including sites of international or national significance (**Core output 8b**), as agreed with GONW.
- 5.14 The evidence base is not yet complete enough to rule out changes in areas of, or minor effects on, sites designated as of sub-regional or local significance. However no planning decisions were made that conflicted with advice or recommendations from the Environment Agency, English Nature, English Heritage or the Countryside Agency.
- 5.15 To summarise, the planning process has not been shown to have significant negative effects on social, environmental and economic objectives. Positive effects and progress towards the objectives of the

plan are difficult to identify at this time, however the qualitative exercise discussed in the section below did highlight a certain measure of satisfaction with the environmental protection inherent in the current policies. There are issues relating to road traffic and the design and environmental capacity of road networks that will be addressed in the MWDF.

### **Departures from development plan policies**

- 5.16 With reference to Appendix E the planning permissions for breaking and repair of motorcycles at Kingmoor Park, Carlisle and for the pet crematorium at Gale Brow, Workington were treated as departures from the development plan.

## 6 Policy changes needed and “saving” of policy

### Policy changes required for the new plan

- 6.1 The question that needs to be asked is “How have the policies been implemented, have they “worked”, and do they need to be amended?”
- 6.2 Appendix C and G both record the number of times a policy was quoted in a report or decision notice for a planning permission<sup>8</sup>. However it would not be correct to assume that those not quoted are redundant or not useful. Some potential proposals may not be applied for because it is clear from the policy framework that permission would not be granted. Policies can also guide development to areas where constraints do not arise.
- 6.3 Because of the nature of minerals and waste development the policies that are most often quoted in support of planning conditions relate to traffic, noise, dust and odour, restoration and aftercare. In order to demonstrate that these policies are effective in fulfilling the objectives of the plan, further research and monitoring is necessary, and for the MWDF policy review process this has been examined by qualitative research.
- 6.4 The MWDF process used the Regulation 25 Issues and Options discussion paper consultation to ask stakeholders and the public how the policies were working. Free text comments were permitted against each policy and 144 responses were received. 43 of these could be defined as objections to current policy, 33 were supportive, and 53 supportive with conditions. 11 responses were observations and 4 defined as “other”.
- 6.5 Another exercise was also carried out internally, in which all Development Control officers and a representative of Strategic Planning were asked to comment on MWLP policies, where they were used, and how they needed to be updated. This was also compared with new and emerging government policy.
- 6.6 The general outcome of this research showed that, although the principles behind the current policies were generally supported, the effective implementation of some of the policies was questioned and quite significant rewording or re-ordering of policies was considered necessary.
- 6.7 Comments were similarly invited on the objectives and the central strategy for the new plan. While the four broad objectives of the MWLP

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<sup>8</sup> Appendix C records this against the objectives, and F includes the policy wording.

are still considered to be valid the policies themselves will need to be revisited and redefined. Challenges for the next 11 years and the context of the new planning system mean that few, if any, of the current policies could simply be taken forward to the new MWDF in exactly their current form.

### **Changes in policy context**

- 6.8 The new plan will conform to national policy, as in PPS and MPS, and to the Regional Spatial Strategy when it is adopted. A number of policies will not be required as they repeat “higher policies”, but criteria based policies that conform to “higher policies” will be needed.
- 6.9 These will need to reflect changes in policy context: for minerals - landbanks and apportionment levels; and for waste the forecasts of the capacity needed to meet the significant changes in waste management including diversion from landfill which will be required over the next ten years.
- 6.10 The information gathered has been combined with the results of quantitative research to draft new policies for the Preferred Options, to be taken forward for the next stage of consultation in February or March 2007.

### **Policy changes required for the transitional period**

- 6.11 At the present time (December 2006) there are no new Development Plan Document policies and the authority continues to implement the “old policies” of the current development plan.
- 6.12 In the transitional period before the new type of development plan documents are adopted the existing or “old” development policies are “saved”. For the Cumbria Minerals and Waste Local Plan this is until September 2007 and for the Structure Plan until May 2009.
- 6.13 The County Council will, before 31 March 2007, seek the Secretary of State’s agreement to issue a Direction to save some of the Local Plan’s policies between September 2007 and the adoption of the Development Framework, which is programmed for September 2008.
- 6.14 For the transitional period, the “higher” policies will be national policies and the Joint Structure Plan. Any MWLP policies which repeat those policies do not need to be saved.
- 6.15 Those policies that we wish to save have to comply with the following criteria:
  - i. where appropriate, there is a clear central strategy;

- ii. policies have regard for the Community Strategy for the area;
- iii. policies are in general conformity with the regional spatial strategy or spatial development strategy
- iv. policies are in conformity with the core strategy development plan (where the core strategy has been adopted);
- v. there are effective policies for any parts of the authority's area where significant change in the use or development of land or conservation of the area is envisaged; and
- vi. policies are necessary and do not merely repeat national or regional policy

6.16 In addition, there are five types of policy that the government will have particular regard to. These include housing, which is not relevant to the MWLP, and Green Belts which we do not have in Cumbria, but the other three types could be relevant:

- Policies that support economic development and regeneration;
- Policies for waste management, including unimplemented site allocations; and
- Policies that promote renewable energy; reduce climate change; and safeguard water resources.

6.17 A full list of the Minerals and Waste Local Plan policies is included as Appendix G. The policies it is proposed to save are highlighted in bold text.

6.18 Those not highlighted for saving are generally those whose implementation is complete, or which related to older national or regional targets, or which repeat "higher" policies. All the policies highlighted for saving conform to the clear central strategy contained in the four key objectives of the MWLP, and are still relevant until that strategy is replaced by the MWDF Core Strategy.

6.19 Appendix G also records either the appropriate criteria for saving policies as listed in paragraph 6.15, or the reasons for not saving them.



## **7 Conclusions and progress since 31 March 2006.**

### **Progress since 31 March 2006**

- 7.1 The Minerals and Waste Development Scheme was revised to take effect from 17 March 2006. This extended the time for preparing the Development Plan Documents by five months and extended the overall period of the Scheme until September 2008 instead of March 2008.
- 7.2 The revised timetable was to report the Preferred Options to full County Council in November 2006. Because the consultation period for the Issues and Options Discussion Paper was extended for the end of July to the end of September the Preferred Options report has been delayed until the February meetings of Cabinet and the County Council. A revised Minerals and Waste Development Scheme will need to be adopted to reflect this change in the timetable.
- 7.3 The main focus of work has been consultation about issues and options. A Regulation 25 Discussion Paper about these was sent out for consultation in mid June 2006. Comments were initially sought by the end of July but this was extended at the request of consultees. Also the programme of community involvement involved presentations at far more public meetings than had been anticipated. These were mostly Neighbourhood Forums and presentations have now been given at twenty eight meetings.
- 7.4 Further work has been carried out on the Sustainability Appraisal framework and objectives. The Stage 1 report about issues and options has been published on the Council's website.
- 7.5 A Strategic Flood Risk Assessment has been commissioned jointly with Copeland Borough Council, Eden and South Lakeland District Councils and the Lake District National Park Authority. The other three districts have commissioned their own.

### **Conclusions**

- 7.6 The process of updating policies is continuing well, following public and stakeholder engagement, and quantitative analysis where possible. The Preferred Options for policy will subject to further consultation in the early months of 2007.
- 7.7 A new framework will be developed for monitoring policies and their effects, using the new software which is being used for development control. This can be developed alongside the new policies, ensuring that suitable targets and indicators (selected from the SA Scoping

Report list in Appendix E) are found to evaluate implementation of the new MWDF policies.

- 7.8 Information systems are being developed, in discussion with other Cumbrian authorities, GONW and environmental stakeholders to provide the details required for the Biodiversity core indicators.
- 7.9 Priority habitat created or enhanced, in minerals and waste developments will probably become a significant effects indicator, that can be set alongside contextual indicators that will eventually measure background or wider level changes in the County. For 05/06 information on international and national sites has been checked from development control information. For future years information on these, plus sub-regional or local designated sites, will be gathered on an ongoing basis.
- 7.10 Priority species lists have been initially agreed as part of the MWDF evidence gathering and stakeholder engagement process. The translation of this into Cumbria wide habitat information and baseline data will take several years, but specific information about potential minerals and waste sites has been collated as a developing evidence base for the MWDF Preferred Options.
- 7.11 Following the agreement of the Priority Species list, the next step was to identify the species which seem to be most relevant to minerals and waste developments. These are listed in Appendix H.
- 7.12 Other local indicators, as suggested in Appendix F, need to be carefully considered so that they provide a useful tool in monitoring and evaluating progress against the objectives of the new plan.
- 7.13 For example evaluating local economic benefit is problematic. Planning applications can include information about numbers of new or maintained jobs but this can involve a debate with the community on what "local" means. Representations are sometimes made about the effect of minerals and waste proposals on other inward investment or tourism development. This issue will be taken forward in the MWDF and its monitoring framework.
- 7.14 The Issues and Options discussion paper asked whether the target of 90% of the population within 5 miles of a HWRC is still appropriate; given the proliferation of small bring sites, and the increase in kerbside segregation of recyclables. The Municipal Waste Management partnership is considering this issue. If that, or a different target is retained, the analysis mentioned in paragraph 5.4 could be repeated.
- 7.15 A rolling programme of monitoring quarry and landfill site developments and their restoration and after-care management

schemes is also being developed, and new staff to resource this should be in place during 2007.

- 7.16 A realistic timescale for the improvements and actions needed, with the new MWDF adopted, monitoring of effects of policy and planning consents and full information on habitats for the county is probably 2 – 3 years, i.e.2009. However significant progress could be expected by the end of 2007.

## Appendix A: Glossary of terms

<b>AMR</b>	Annual Monitoring Report
<b>AONB</b>	Area of Outstanding Natural Beauty
<b>BVPI</b>	Best Value Practice Indicator
<b>DCLG</b>	Department of Communities and Local Government – previously called Office of the Deputy Prime Minister
<b>BAP</b>	Biodiversity Action Plan
<b>HA</b>	Hectares
<b>HWRC</b>	Household Waste Recycling Centre – large bring sites for householders to bring bulky waste, recyclables and residual waste.
<b>JSP</b>	Joint Structure Plan – Cumbria County Council and Lake District National Park Authority’s joint sub- regional plan - 2001-2016
<b>LDDs</b>	Local Development Documents – separate documents that make up the Minerals and Waste Development Framework – see below
<b>LDS</b>	Local Development Scheme – the timetable for preparation of the Minerals and Waste Development Framework
<b>LDNPA</b>	Lake District National Park Authority
<b>MWDF</b>	Minerals and Waste Development Framework - the plan being prepared now, that will be effective from 2008 to 2018.
<b>MWLP</b>	Minerals and Waste Local Plan 1996 -2006 – the current plan
<b>MWMS</b>	Municipal Waste Management Strategy – Cumbria strategy is produced jointly by Waste Collection Authorities and Waste Disposal Authority, in Cumbria by County and Districts.
<b>PPS &amp; MPS</b>	Planning Policy Statements and Minerals Policy Statements – numbered 1-25 - national policies on planning
<b>PPG and MPG</b>	Planning Policy Guidance and Minerals Policy Guidance – national planning guidance, being replaced with PPS and MPS
<b>RSS</b>	Regional Spatial Strategy – Regional plan that should be complete and adopted in 2009 and will replace the JSP (see above). North West RSS being prepared by the North West Regional Assembly
<b>SA/SEA</b>	Sustainability Appraisal / Strategic Environmental Assessment process and documents assessing plans and strategies.
<b>SEA</b>	Strategic Environmental Assessment
<b>SCI</b>	Statement of Community Involvement
<b>SPD</b>	Supplementary Planning Document





**Appendix C: - Analysis of current MWLP policies against objectives**

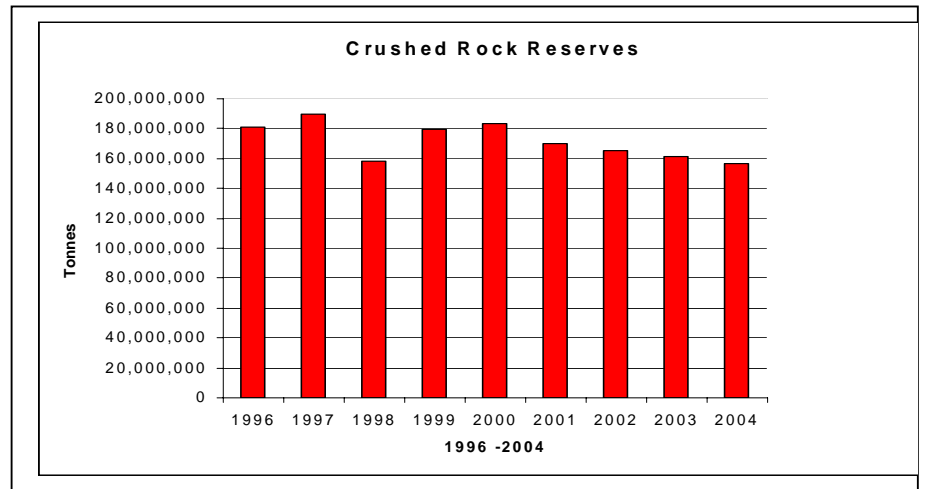
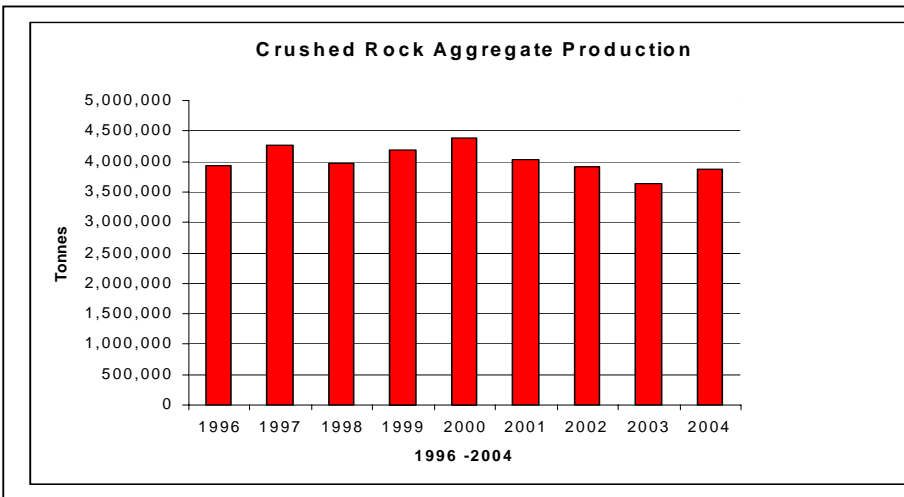
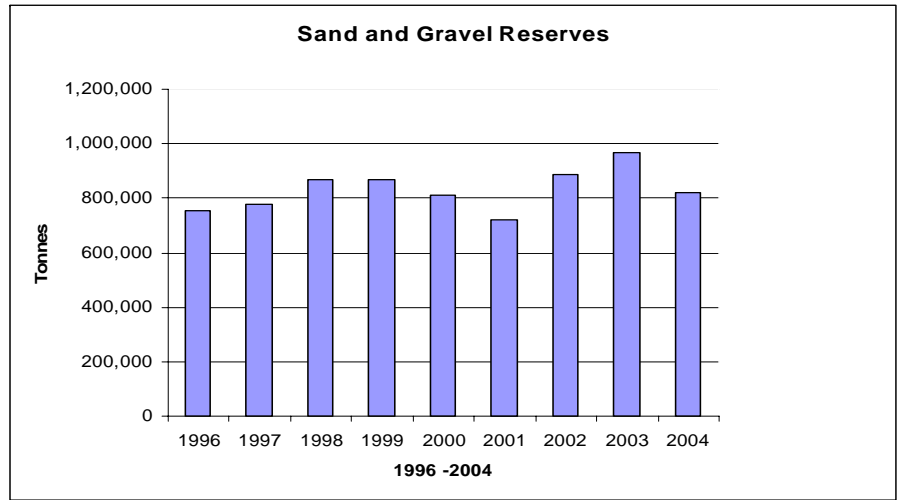
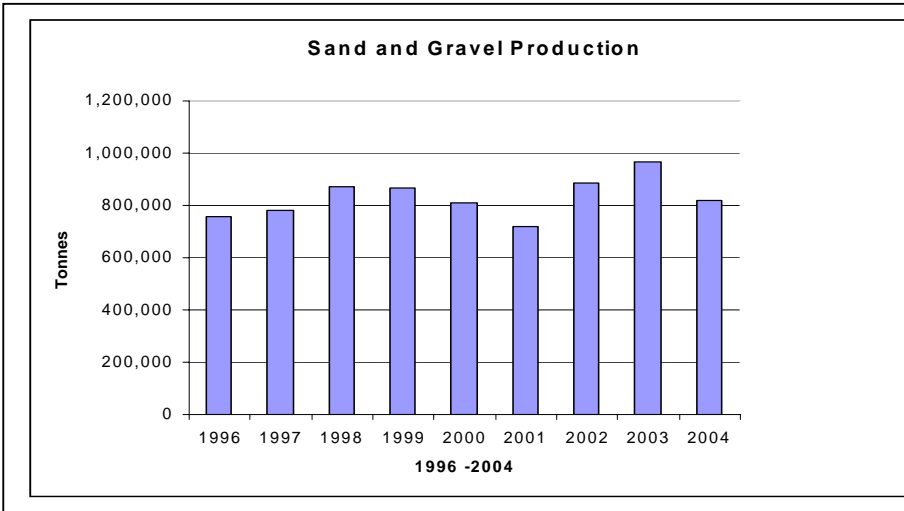
MWLP policy number	BROAD OBJECTIVES					used in 05/06	TARGETS
	Adequate Minerals supply	Adequate waste management	Minimise environmental & community impacts	Ensure restoration and aftercare	Value economy and jobs		
1			<input checked="" type="checkbox"/>			23	NONE
2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			25	NONE
3	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			2	NONE
4	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>			20	NONE
5	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			12	0
6	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				NONE
7	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		23	NONE
8		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				NONE
9	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			1	NONE
10	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				NONE
11	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		1	NONE
12	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				NONE
13	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			2	NONE
14	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			1	NONE
15	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			1	NONE
16	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				NONE
17	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				NONE
18	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				NONE
19			<input checked="" type="checkbox"/>			1	NONE
20			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			NONE
21			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	12	NONE
22			<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>		10	NONE
23	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		NONE
24	<input checked="" type="checkbox"/>					1	NONE
25	<input checked="" type="checkbox"/>						NONE
26					<input checked="" type="checkbox"/>		NONE
27	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				NONE
28	<input checked="" type="checkbox"/>						1.05MT S&G 4.55MT CRUSHED ROCK
29	<input checked="" type="checkbox"/>					1	LANDBANK: 7 YR S&G 15 YR CR. ROCK
30	<input checked="" type="checkbox"/>						NONE
31	<input checked="" type="checkbox"/>						NONE

MWLP policy number	BROAD OBJECTIVES					used in 05/06	TARGETS
	Adequate Minerals supply	Adequate waste management	Minimise environmental & community impacts	Ensure restoration and aftercare	Value economy and jobs		
32	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				0
33	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				0
34	<input checked="" type="checkbox"/>						NONE
35	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				NONE
36	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				NONE
37	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		NONE
38	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				0
39	<input checked="" type="checkbox"/>				<input checked="" type="checkbox"/>		NONE
40	<input checked="" type="checkbox"/>						NONE
41	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				NONE
42	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				NONE
43	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				NONE
44	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>			NONE
45	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		NONE
46	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		NONE
47	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		NONE
48	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>				NONE
49			<input checked="" type="checkbox"/>				0
50		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			3	NONE
51		<input checked="" type="checkbox"/>				4	NONE
52		<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>	6	NONE
53	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		NONE
54	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			<input checked="" type="checkbox"/>		5 SITES
55		<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		2	NONE
56		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				NONE
57		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				NONE
58		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				2 SITES
59		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			5	NONE
60		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			4	NONE
61		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			1	NONE
62		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			2	NONE
63		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			NONE
64		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			1	NONE
65		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				1 SITE



MWLP policy number	BROAD OBJECTIVES					used in 05/06	TARGETS
	Adequate Minerals supply	Adequate waste management	Minimise environmental & community impacts	Ensure restoration and aftercare	Value economy and jobs		
66		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				1 SITE
67		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>				2 SITE
68				<input checked="" type="checkbox"/>			NONE
69				<input checked="" type="checkbox"/>			NONE
70				<input checked="" type="checkbox"/>			NONE

**Appendix D: - Cumbria Aggregates 1996-2004**



**Appendix E: - Planning Applications Approved or Withdrawn: 01-Apr-2005 to 31-Mar-2006**

<b>Planning App No.</b>	<b>Site Name</b>	<b>Proposal</b>	<b>Decision</b>	<b>App. Type</b>	<b>Decision Date</b>	<b>Decision Expiry Date</b>	<b>Permi ssion Imp?</b>	<b>Capacities</b>	<b>M&amp;W Local Plan Policies quoted</b>
3/04/9014	3.0013 Flusco Quarry, Flusco, Penrith	To extend the area for quarrying and to revise the phasing scheme under planning permission 3/91/0396	Granted	Full	01-Apr-2005	31-Dec-2015	?	No Additional Reserves	21,7,2,4,3,22,9,13
3/04/9012	3.0219 Land adjacent to Thackwood Landfill Site, Southwaite, Carlisle	Variation of condition 1 of permission 3/00/9005 (for composting and vermiculture using organic materials) to extend time limit to coincide with that of Thackwood Landfill;	Granted	Full	27-Apr-2005	31-Dec-2018	Yes	No New Capacity	Structure plan policies used
3/05/9001	3.0248 Field off A685	Construction of pumping station, comprising dosing kiosk/storage tank, MCC control kiosk, access road and dry stone wall, with additional process units covered by permitted development rights;	Granted	Full	27-Apr-2005	NULL	?	Improvement to WwTw	13,60
3/05/9002	3.0249 Land adjacent to Warrengill Plantation	Construction of a new wastewater package plant and control building, with access and landscaping;	Granted	Full	12-May-2005	NULL	?	Improvement to WwTw	60,1,14,4
3/05/9004	3.0219 Land adjacent to Thackwood Landfill Site, Southwaite, Carlisle	Clay stockpile - retrospective application for temporary storage;	Granted	Full	12-May-2005	NULL	Yes	No Additional Reserves	2,1,
1/05/9006	1.0131 Hespun Wood Landfill Site, Todhills, Carlisle	Building to cover compost windrows;	Granted	Full	27-May-2005	NULL	Yes	No New Capacity	21,7

Planning App No.	Site Name	Proposal	Decision	App. Type	Decision Date	Decision Expiry Date	Permi ssion Imp?	Capacities	M&W Local Plan Policies quoted
2/05/9001	2.0062 Snowhill Quarry No.2, Snowhill Farm, Caldbeck, Wigton	Sandstone/limestone quarry;	Granted	Full	27-May-2005	31-May-2015	Yes	75000 tonnes of building stone (sst & lst)	21,22,7,2,4,1,3
1/05/9008	1.0188 Kingmoor Recycling Centre	Removal of condition 2 from permission 1/95/9014	Granted	Full	07-Jun-2005	NULL	Yes	No New Capacity	7
5/05/9003	5.0162 Land at Lindal Bank Terrace, Lindal in Furness, Ulverston	Installation of control kiosk, calcium/nitrate storage tank, access road and fencing for a wet well pumping station;	Granted	Full	07-Jun-2005	NULL	Yes	Improvement to WwTw	1,60
3/04/9015	3.0153 Low Plains Quarry	Additional soil storage bund (for Low Plains Quarry);	Granted	Full	17-Jun-2005	30-Sep-2011	? (RB)	No Additional Reserves	21,2,7,4,22
3/05/9003	3.0013 Flusco Quarry, Flusco, Penrith	Household Waste Recycling Centre	Granted	Full	29-Jun-2005	31-Dec-2015			55,1,2,7,11
5/05/9004	5.0005 Kendal Fell Quarry, Underbarrow Road, Kendal	Electricity generation from landfill gas;	Granted	Full	30-Jun-2005	NULL	Yes	0.33 MW generator	2
6/05/9002	6.0019 Bennett Bank Landfill Site, Thwaite Flat, Barrow-in-	Generation of electricity from landfill gas;	Granted	Full	30-Jun-2005	NULL	No		2

Planning App No.	Site Name	Proposal	Decision	App. Type	Decision Date	Decision Expiry Date	Permission Imp?	Capacities	M&W Local Plan Policies quoted
	Furness								
6/05/9004	6.0092 Site and Buildings off Scarth Road, Barrow-in-Furness	Three-bay extension (including offices) to existing warehouse building;	Granted	Full	30-Jun-2005	NULL	?	No New Capacity	50.52
2/05/9015	2.0172 Corner of High Street and Newlands Lane, High Street, Workington	Replacement of retaining wall, extension of retaining wall, kiosk and access slope;	Granted	Full	01-Jul-2005	NULL	Yes	Improvement to WwTw	7
6/04/9021	6.0019 Bennett Bank Landfill Site, Thwaite Flat, Barrow-in-Furness	Deposit of non-hazardous waste materials within an area previously approved for the deposit of inert waste;	Granted	Full	01-Jul-2005	31-Dec-2010	Yes	Increase of 255000 cu m of non hazardous waste	50,51,62,2,1,4,7,5,21,22
6/04/9023	6.0019 Bennett Bank Landfill Site, Thwaite Flat, Barrow-in-Furness	Variation of condition 1 of planning permission 6/95/9011 to allow for the continuation of landfilling operations until 31st December 2010;	Granted	Full	01-Jul-2005	31-Dec-2010	Yes	No New Capacity	2,1,4,7,5,21,22
6/04/9024	6.0019 Bennett Bank Landfill Site, Thwaite Flat, Barrow-in-	Variation of condition 1 of planning permission 6/99/9013 to allow for the continuation of landfilling operations until 31st December 2010;	Granted	Full	01-Jul-2005	31-Dec-2010	Yes	No New Capacity	2,1,4,7,5,21,23

Planning App No.	Site Name	Proposal	Decision	App. Type	Decision Date	Decision Expiry Date	Permission Imp?	Capacities	M&W Local Plan Policies quoted
	Furness								
6/04/9025	6.0019 Bennett Bank Landfill Site, Thwaite Flat, Barrow-in-Furness	Variation of condition 1 of planning permission 6/03/9014 to allow for the continuation of landfilling operations until 31st December 2010;	Granted	Full	01-Jul-2005	31-Dec-2010	Yes	No New Capacity	2,1,4,7,5,21,22,50,51,62
1/04/9014	1.0003 Faugh No 1 Sand Pit, Headsnook, Brampton, Carlisle	Variation of Condition 2 of Planning Consent Reference 1/91/1082 (for sand & gravel extraction) to extend permitted working to 30th June 2014;	Granted	Full	27-Jul-2005	30-Jun-2014	Yes	No Additional Reserves	21,2,4,7,1,5,22,24,29
1/05/9012	1.0217 Smalmstown M.o.D Depot, Longtown, Carlisle	Development of waste transfer and recycling centre for non-organic agricultural wastes;	Granted	Full	27-Jul-2005	31-Dec-2008	No		52,1,2,7,5
1/05/9015	1.0209 Land adjacent to former Garlands Hospital	Waste processing and treatment in association with the new Creighton Rugby Club and sports facility;	Granted	Full	27-Jul-2005	30-Oct-2005	Yes	Processing of 7500 tonnes of construction waste	52,1,4
4/05/9008	4.0092 Rhodia Site (nee Marchon Works); Former Chemical Landfill, High Road, Whitehaven	Amendment to application 4/04/9010 for liquid leachate treatment plant (retrospective);	Granted	Full	27-Jul-2005	NULL	Yes	No New Capacity	60,4,7

Planning App No.	Site Name	Proposal	Decision	App. Type	Decision Date	Decision Expiry Date	Permission Imp?	Capacities	M&W Local Plan Policies quoted
1/05/9016	1.0218 Unit D Harker Estate, Kingmoor Park, Carlisle	Breaking and repair of motorcycles, sale of spares and motorcycles;	Granted	Full	26-Aug-2005	NULL	Yes	No New Capacity	52
1/05/9014	1.0002 Cardewmires Quarry, Cardewmires, Dalston, Carlisle	Provision of office accommodation and laboratory;	Granted	Full	31-Aug-2005	31-Oct-2009	?	No Additional Reserves	21,7
2/05/9011	2.0183 Land at West End Farm, Edderside, Maryport	Construction of a new wastewater treatment works with control building, access, landscaping and associated pipework (amended scheme);	Granted	Full	31-Aug-2005	NULL	Yes	Improvement to WwTw	4,2,60,
4/05/9010	4.0092 Rhodia Site (nee Marchon Works); Former Chemical Landfill, High Road, Whitehaven	Storm water drainage (south site area);	Granted	Full	02-Sep-2005	NULL	Yes	No New Capacity	59
4/04/9011	4.0008 Peel Place Quarry	Extension to existing quarry with consequent amendments to current restoration scheme;	Granted	Full	23-Sep-2005	26-Apr-2015	Yes	additional 950000 tonnes of sand and gravel	Structure plan policies used
1/05/9019	1.0206 Cumberland Infirmary	Additional waste compactor (cardboard);	Granted	Full	03-Oct-2005	NULL	?	No New Capacity	Structure plan policies used

Planning App No.	Site Name	Proposal	Decision	App. Type	Decision Date	Decision Expiry Date	Permi ssion Imp?	Capacities	M&W Local Plan Policies quoted
4/05/9012	4.0159 Land opposite Brookside	Construction of CSO screening chamber , kiosk, stone access road and localised ground re-profiling;	Granted	Full	03-Oct-2005	NULL	Yes	Improvement to WwTw	15,1
6/05/9013	6.0019 Bennett Bank Landfill Site, Thwaite Flat, Barrow-in-Furness	Variation of Condition 3 of Permission 6/04/9021 (hours of working), for deposit of non-hazardous waste, for purposes of undertaking site engineering operations in Cell 5, Phase 5;	Granted	Full	02-Nov-2005	31-Dec-2010	Yes	No New Capacity	2,1,4,5,7,21,22
6/05/9014	6.0019 Bennett Bank Landfill Site, Thwaite Flat, Barrow-in-Furness	Electricity generation from landfill gas (amended scheme);	Granted	Full	11-Nov-2005	NULL	Yes	2 x 1 Mw generators	2
2/05/9024	2.0206 Gale Brow, Winscales, Workington	Proposed incinerator for pet cremation purposes;	Granted	Full	28-Nov-2005	NULL	No		7,2,1,
1/05/9023	1.0170 Warren House Farm, Newcastle Road, Brampton, Carlisle	Improved entrance/exit (together with proposed weighbridge and office for existing waste transfer and recycling facility);	Granted	Full	01-Dec-2005	NULL	Yes	No New Capacity	1
5/05/9010	5.0114 12 Shap Road Industrial Estate	Change of use to waste treatment and transfer station;	Granted	Full	02-Dec-2005	NULL			2,4,1,52
6/05/9016	6.0078 Roa Island Wastewater Treatment Works	Erection of new control building, transformer and switchgear	Granted	Full	06-Dec-2005	NULL	Yes	Improvement to WwTw	not quoted



Planning App No.	Site Name	Proposal	Decision	App. Type	Decision Date	Decision Expiry Date	Permi ssion Imp?	Capacities	M&W Local Plan Policies quoted
2/05/9039	2.0208 Land off William Street, Great Clifton, Workington	Minewater Treatment Scheme	Granted	Full	09-Jan-2006	09-Jan-2009	? (NAL)	No New Capacity	2,1,5,19
6/05/9017	6.0019 Bennett Bank Landfill Site, Thwaite Flat, Barrow-in-Furness	Relocation of the site infrastructure area and re-routing of litter/security fencing	Granted	Full	10-Jan-2006	NULL	Yes	No New Capacity	not quoted
2/05/9038	2.0207 Blackdyke Industrial Estate, Silloth, Wigton	Poultry Carcass Incinerator	Granted	Full	11-Jan-2006	11-Jan-2009	?	No New Capacity	not quoted
2/05/9042	2.0402 Distington Landfill Site (Allerdale), Pitwood Road, Lillyhall, Workington	Liquid waste acceptance facility, change of use of leachate treatment plant, to include direct treatment of off-site produced liquid wastes, and retention of site offices, weighbridge and transfer station to 2026.	Granted	Full	01-Feb-2006	NULL	? (JLC)		7,2,1,4,5,51,59
4/05/9016	4.0050 Distington Landfill Site (Copeland), Pitwood Road, Lillyhall, Workington	Liquid Waste Acceptance Facility, Change of use of leachate treatment plant to include direct treatment of off site produced liquid wastes, and retention of site offices, weighbridge, and transfer station to 2026.	Granted	Full	01-Feb-2006	NULL	? (JLC)		7,2,1,4,5,51,59

Planning App No.	Site Name	Proposal	Decision	App. Type	Decision Date	Decision Expiry Date	Permission Imp?	Capacities	M&W Local Plan Policies quoted
1/05/9026	1.0326 Holme End Farm, Crosby-on-Eden, Carlisle	Installation of a tyre shredder & storage of bagged chippings produced by the shredder	Granted	Full	02-Feb-2006	02-Feb-2009	? (JLC)		2,4,7,52
4/04/9018	4.0069 Drigg Waste Storage Site, Drigg, Holmrook, Seascale	Increase in stacking height of ISO-freight waste containers within Vault 8.	Granted	Full	02-Feb-2006	NULL	Yes		64,1,2,4,7
3/05/9010	3.0013 Flusco Quarry, Flusco, Penrith	Proposed accommodation building;	Granted	Full	06-Feb-2006	31-Dec-2015	No		55,1,5,7
4/06/9001	4.0092 Rhodia Site (nee Marchon Works); Former Chemical Landfill, High Road, Whitehaven	To construct a bunded generator foundation slab within an existing leachate treatment facility and erection of two generators and a 26000 ltr diesel storage tank in order to power the existing facility. Also to construct a 2.5m high fence to the compound and leachate pond. Also to 7 No. manholes around site and two other locations indicated by the drawings. The fence will be Euroguard panel fence in galvanised mesh.	Granted	Full	03-Mar-2006	NULL	Yes	No New Capacity	2,59

Planning App No.	Site Name	Proposal	Decision	App. Type	Decision Date	Decision Expiry Date	Permission Imp?	Capacities	M&W Local Plan Policies quoted
4/06/9002	4.0092 Rhodia Site (nee Marchon Works); Former Chemical Landfill, High Road, Whitehaven	The development comprises of a second detention basin (stormwater pond) to hold stormwater run off from unused land and road ways that will slowly allow water into a second recently constructed pond below it and water will eventually be discharged into near by Sandwith Beck.	Granted	Full	03-Mar-2006	NULL	? (ELL)		4,59
2/05/9034	2.0001 Parkhead Quarry, Sebergham, Carlisle	Variation of Condition 3 of Planning Consent 2/91/0485 (for quarry extension and restoration) to extend permitted operations to 30th September 2006	Granted	Full	31-Mar-2006	NULL	Yes	No Additional Reserves	21,1,2,7,5,22,4,24
2/05/9014	2.0204 Eel Sike, Flimby, Maryport	Land reclamation to return to agricultural use;	Withdrawn	Full					
2/05/9006	2.0203 Solway Coast(United Utilities Pipeline Scheme)	Construction of a new wastewater treatment facility with associated pipeline, pumping stations, access and landscaping;	Withdrawn	Full					
1/05/9025	1.0219 Former Kirkhouse Brickworks, Kirkhouse, Brampton	Change of use of site to form agricultural and construction plant dismantling unit and storage facility;	Withdrawn	Full					

## Appendix F: Sustainability Indicators – as in Scoping Report for Sustainability Appraisal

Draft Sustainability Objectives (SEA Topic)		Baseline Data	Suggested indicators	Trend, impact overview and targets	Data Source
To increase the level of participation in democratic processes  (SEA: Population)	SP1	Population data for the LD Plan area (Cumbria's population minus the LDNP and YDNP populations).	No general indicators on population suggested.	Cumbria's population is unlikely to be significantly affected by the C MW LDD and associated policies.	
		To be collected.	Number of local liaison committees in operation	To be determined.	Cumbria MW Unit, Kendal.
		To be collected.	Estimated % of adult Cumbrians who submit a written response to C MW DPD consultation.	To be determined.	Cumbria MW Unit, Kendal.
To improve access to services, facilities, the countryside and open spaces  (SEA: Population)	SP2	To be collected.	Consideration could be given to developing an access indicator on the open countryside. This would reflect the number of restored sites open to the public.	To be determined.	Cumbria MW Unit, Kendal.
		To be collected.	Measuring access to recycling bring sites. The likely indicator would measure distance to travel to a recycling point.	To be determined.	Cumbria MW Unit, Kendal.
		Baseline data already held.	Tonnage recycled at household waste recycling centres.	To be analysed.	Cumbria Management Dalston. Waste Unit,
To improve the level of skills, education and training (SEA: Population)	SP4	To be collected.	Number of environmental education programmes in	To be determined.	Cumbria MW Unit, Kendal.

Draft Sustainability Objectives (SEA Topic)		Baseline Data	Suggested indicators	Trend, impact overview and targets	Data Source
To improve the health and sense of well-being of people (SEA: Human health)	SP5	To be collected.	operation at C MW sites. % of nuisance complaints received relating to MW sites. Number of restored sites used by public for active recreation.	To be determined.	Cumbria MW Unit, Kendal.
To protect and enhance biodiversity (SEA: Biodiversity, flora and fauna)	EN1	To be collected.	Number of Cumbria BAP species and area of BAP habitat displaced by MW development. Number or area of new Cumbria BAP habitats created by restoration of existing MW sites.	To be determined. To be determined.	Cumbria MW Unit, Kendal.
To preserve, enhance and manage landscape quality and character for future generations (SEA: Landscape)	EN2	To be collected.	Number of minerals and waste developments located within designated landscape areas.	To be determined.	Cumbria MW unit, Kendal.
To improve the quality of the built environment (SEA: cultural heritage)	EN3	To be collected.	% of local stone supplied % of local slate supplied	To be determined.	Cumbria MW Unit, Kendal.
To improve local air quality and reduce greenhouse gas emissions (SEA: Air) (SEA: Climatic factors)	NR1	To be collected.	Tonnes methane emitted from landfill sites Estimated emissions CO <sup>2</sup> (tonnes) from transport of waste Estimated emissions (tonnes) CO <sup>2</sup> from transport of minerals	To be determined.	Cumbria MW Unit, Kendal.
To improve water quality and water resources (SEA: Water)	NR2		Number of water pollution incidents caused by minerals and waste development		

Draft Sustainability Objectives (SEA Topic)	Baseline Data	Suggested indicators	Trend, impact overview and targets	Data Source
	To be determined.	Number of M&W sites located within groundwater protection zones	To be determined.	Cumbria MW Unit, Kendal.
To restore and protect land and soil (SEA: Soil)	NR3 To be collected.	% of minerals schemes covered by progressive restoration schemes.	To be determined.	Cumbria MW Unit, Kendal.
To manage mineral resources sustainably and minimise waste	NR4	% M&W developments located on brownfield land		
		% of primary aggregates imported into the M&W Plan area		
		Annual production rates of primary aggregates as % of permitted reserves		
		Sales of secondary aggregates as % of total primary aggregates sold in Plan area		
		% municipal waste landfilled/recycled		
		% industrial & commercial waste landfilled/recycled		
		LATS fines		
To retain existing jobs and create new employment opportunities (SEA: population)	EC1 To be collected.	No of jobs in the minerals and waste sectors No's of new or extended M&W developments	To be determined.	
To improve access to jobs	EC2	Number of minerals and		

Draft Sustainability Objectives (SEA Topic)		Baseline Data	Suggested indicators	Trend, impact overview and targets	Data Source
(SEA: Population)		To be collected.	waste sites operating in high areas of unemployment	To be determined.	
To diversify and strengthen the local economy (SEA: Material assets)	EC3	To be collected	Annual investment in waste management facilities	To be determined.	
			Value recovered from waste		
			Annual sales of minerals		

**Appendix G: MWLP policies to be saved or not saved**

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>1</b>	<b>Proposals for minerals and waste development which generate road traffic will only be permitted where:</b> i. <b>the roads, junctions and site access are to the appropriate standard, or they can be upgraded without causing irreversible damage to the character of the road, so that the road network is capable of accommodating the type and volume of traffic without having an unacceptable impact on highway safety or the convenience of other road users; and</b> ii. <b>the increase in traffic would not have an unacceptable impact on local communities by reason of visual intrusion, fumes, dust, noise and vibration. Proposals for sites with good links to the strategic route network will be favoured.</b>	<b>23</b>	policies are necessary and do not merely repeat national or regional policy
<b>2</b>	<b>Proposals for minerals and waste development will only be permitted where they will not subject surrounding land uses to unacceptable noise.</b>	<b>25</b>	policies are necessary and do not merely repeat national or regional policy
<b>3</b>	<b>Blasting will only be permitted where it will not cause unacceptable disturbance to surrounding land uses.</b>	<b>2</b>	policies are necessary and do not merely repeat national or regional policy
<b>4</b>	<b>Proposals for minerals and waste development will only be permitted where surrounding land uses can be adequately safeguarded from dust and odour.</b>	<b>20</b>	policies are necessary and do not merely repeat national or regional policy
<b>5</b>	<b>Proposals for minerals and waste development will only be permitted where any change in surface and groundwater levels and flows will not have an unacceptable impact on water abstractions or the future use of the water resource.</b>	<b>12</b>	policies are necessary and do not merely repeat national or regional policy and safeguarding water resources
<b>6</b>	<b>Proposals for the extraction of minerals from watercourses or beaches will not be permitted</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
<b>7</b>	<b>Proposals for minerals and waste development will only be permitted where any visual impact can be reduced to an acceptable level through sensitive siting and design including phasing of operations, progressive restoration, screening or other measures.</b>	<b>23</b>	policies are necessary and do not merely repeat national or regional policy
<b>8</b>	<b>Proposals for waste development in AONBs will not be permitted other than where there would be no adverse impact on the landscape</b>	<b>0</b>	Policy redundant as E34 of JSP covers all aspects. Also national policy (PPS7 Para 21) protects AONBs from major development.



<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>9</b>	<b>Proposals for minerals and waste development which would be detrimental to the distinctive character of a designated County Landscape will only be permitted where the detriment will be temporary.</b>	<b>1</b>	policies are necessary and do not merely repeat national or regional policy because of possible temporary nature of M&W proposals
<b>10</b>	<b>Proposals for minerals and waste development outside AONBs, the Heritage Coast and County Landscapes will be permitted provided there will not be unacceptable permanent harm to features of local landscape significance.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy because of possible temporary nature of M&W proposals
<b>11</b>	<b>Proposals for minerals and waste development on the best and most versatile agricultural land will only be permitted where the site can be restored to a condition equivalent to at least the original quality of the agricultural land within five years from the completion of the restoration.</b>	<b>1</b>	policies are necessary and do not merely repeat national or regional policy
<b>12</b>	<b>Proposals for minerals and waste development which would adversely affect a nationally important archaeological site or monument, whether scheduled or not, or its setting, will not be permitted unless the site can be preserved in situ.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
<b>13</b>	<b>Proposals for minerals and waste development on sites where there is good reason to believe there are remains of archaeological importance will only be permitted where evaluation is carried out prior to determination. Proposals for minerals and waste development on other sites will require an evaluation and, where necessary, provision for an appropriate field investigation prior to the development commencing. In all cases an archaeological evaluation will comprise a documentary search and normally a detailed site inspection and/or systematic prospecting trenching, carried out by a suitably qualified and experienced person or organisation.</b>	<b>2</b>	policies are necessary and do not merely repeat national or regional policy
<b>14</b>	<b>Proposals for minerals and waste development where there is evidence of archaeological remains, but which do not warrant preservation, will only be permitted if provision is made for an appropriate field investigation to be carried out. The type of archaeological field investigation required will be determined by the nature and importance of the remains and the type and impact of the proposed development.</b>	<b>1</b>	policies are necessary and do not merely repeat national or regional policy

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>15</b>	Proposals for minerals and waste development which would have an adverse effect on the nature conservation interests of a site of international nature conservation importance (either individually or in combination with other plans or projects), will not be permitted unless: <ul style="list-style-type: none"> <li>i. there is no alternative solution; and</li> <li>ii. there are imperative reasons of overriding public interest for the development. Where the site hosts a priority natural habitat type and/or a priority species, as listed in the EC Habitats Directive, the proposal will only be permitted if required for reasons of human health or public safety or for beneficial consequences of primary importance for nature conservation.</li> </ul>	<b>1</b>	Policy redundant as E34 of JSP covers all aspects. Also national policy (PPS9 Para 15), covers species protection
<b>16</b>	Proposals for minerals and waste development which would have an adverse effect on the nature conservation interests of a Site of Special Scientific Interest will not be permitted unless the harm caused to the value of those interests and the nature conservation value of the national network of such sites, is clearly outweighed by the need for, and/or benefits of, the development. Where the site concerned is a National Nature Reserve or a site identified under the Nature Conservation Review or Geological Conservation Review, particular regard will be paid to the individual site's national importance.	<b>0</b>	National policy (PPS9 Para 7) does ask Ladd's to include policies but policy redundant in the transitional period as E34 of JSP covers all aspects.
<b>17</b>	Proposals for minerals and waste development which would have an adverse effect on important nature conservation interests within a Wildlife Site or Regionally Important Geological and Geomorphological Site will only be permitted where the need for, and/or benefits, of the development clearly outweighs the harm to the value of those interests.	<b>0</b>	Policy redundant in the transitional period as E34 of JSP covers all aspects.
<b>18</b>	Proposals for minerals and waste development which would have an adverse effect on species protected by law will only be permitted where harm to the species can be avoided by reducing disturbance to a minimum or providing adequate alternative habitats or by other means.	<b>0</b>	Repeats national policy (PPS9 para 15), that covers species protected by law.
<b>19</b>	<b>Proposals for minerals and waste development which would affect a public right of way will only be permitted where:</b> <ul style="list-style-type: none"> <li><b>i. users of the route can be adequately protected from the adverse effects of the development through screening, segregation or other measures as appropriate; and</b></li> <li><b>ii. in the event that the route would be lost, either temporarily or permanently, a satisfactory alternative can be established or can be shown to be unnecessary.</b></li> </ul>	<b>1</b>	policies are necessary and do not merely repeat national or regional policy

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>20</b>	<b>The County Council will seek, where appropriate, the provision of public access including new public rights of way within restoration schemes.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
<b>21</b>	<b>There will be a presumption in favour of restoring mineral and waste sites to agricultural, forestry and amenity (including nature conservation) after uses following temporary developments. Restoration to agriculture will be required where the loss of agricultural land would adversely affect the economic viability of the farm holding.</b>	<b>12</b>	policies are necessary and do not merely repeat national or regional policy
<b>22</b>	<b>The County Council will require a scheme of aftercare, for up to five years, for land being restored to amenity, forestry or agricultural afteruses. For proposals where a further period of management is considered to be necessary the County Council will need to be satisfied that this will be provided.</b>	<b>10</b>	policies are necessary and do not merely repeat national or regional policy
<b>23</b>	<b>In assessing the extent to which proposals for minerals and waste development meet the social and economic needs of the County's population and help maintain rural communities, the following will be taken into account:</b> i. <b>the number, type and duration of direct and indirect jobs to be generated or maintained and how many will be or are occupied by local people; and</b> ii. <b>the opportunities for the development of skills of locally employed people; and</b> iii. <b>the level and nature of investment in the local economy from wages and use of local businesses; and</b> iv. <b>the impact on economic development initiatives and neighbouring businesses, including tourism.</b>	<b>0</b>	vi and supports economic development and is a policy for waste management
<b>24</b>	<b>Mineral resources will be safeguarded from sterilisation. The County Council will oppose development proposals within Mineral Consultation Areas which would prevent or prejudice potential future mineral extraction unless it is satisfied that the area affected does not contain a workable mineral deposit; or there is an overriding need for the development and the mineral cannot be extracted in advance.</b>	<b>1</b>	R46 in the JSP covers this aim adequately – although further guidance will be needed in due course and a policy in the MWDF and later SPD is suggested.
<b>25</b>	<b>Proposals for the extraction of minerals prior to development which would otherwise sterilise proven mineral deposits will be permitted except where prior extraction would prejudice the development of the land or would not take place within a reasonable timescale.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
26	<b>Proposals for the importation and processing of waste or low grade materials to produce mineral products will be permitted at active quarries for a temporary period not exceeding the permitted life of the quarry, where this can be accommodated without prejudicing the operation or restoration of the quarry.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy and is a policy for waste management
27	<b>In assessing proposals for the extraction of minerals which are accompanied by an Environmental Statement or where there are material planning objections or where Local Plan Policies 29, 30, 31, 33, 34, 36 and 43 apply, the following will be taken into account in determining the need for the mineral to be worked:</b> i. <b>national, regional and local need as appropriate; and</b> ii. <b>the location, amount, quality and type of existing permitted reserves and the rate at which they are likely to be worked; and</b> iii. <b>the availability of less damaging alternative sites or sources of supply.</b> <b>The particular needs of an individual mineral operator will not be taken into account unless it can be demonstrated that special considerations should apply.</b>  <i>Note: There may be procedural problems with this policy because it is proposed that Policies 30 and 31 are not saved.</i>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy and minerals are needed to support economic development
<b>28</b>	The County Council will aim to grant planning permissions for sufficient land to enable the production of sand and gravel at an average rate of 1.05 million tonnes per annum and the production of crushed rock aggregate at an average rate of 4.55 million tonnes per annum.	<b>0</b>	These are higher than the current sub-regional apportionment levels and are an issue for the Development Framework.
<b>29</b>	The County Council will aim to grant sufficient permissions to maintain throughout, and at the end of the Plan period, a landbank of permitted reserves for at least seven years extraction of sand and gravel and at least fifteen years extraction of crushed rock aggregate unless exceptional circumstances prevail.	<b>1</b>	Now superseded by Minerals Policy Statement 1
<b>30</b>	In the West Cumbria production area proposals for the extraction of sand and gravel from land within the Aldoth area of search and the Bullgill and Cardewmires preferred areas will be permitted subject to there being a demonstrable need. Planning permission will not be granted elsewhere unless a need can be demonstrated which cannot be met from the area of search, the preferred areas or existing sites, or unless significant benefits would accrue to local communities or the environment.	<b>0</b>	The relevance of this is an issue for the Development Framework.

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>31</b>	Proposals for the extraction of sand and gravel in the North, East and South Cumbria production areas will only be permitted where there is a demonstrable need unless significant benefits would accrue to local communities or the environment.	<b>0</b>	The relevance of these is an issue for the Development Framework.
<b>32</b>	<b>Proposals for the development of new quarries for the extraction of general crushed rock aggregates will not be permitted, unless there is a demonstrable need and significant benefits would accrue to local communities or the environment.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
<b>33</b>	<b>Proposals for quarry extensions to provide general crushed rock aggregates will not be permitted unless there is a demonstrable need or significant benefits would accrue to local communities or the environment.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
<b>34</b>	<b>Proposals for the extraction of High Specification Aggregates will not be permitted unless there is a demonstrable national or regional need or significant benefits would accrue to local communities or the environment.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
<b>35</b>	<b>Proposals for the extraction of minerals from borrow pits will be permitted provided there are net environmental and economic benefits compared with supplying the minerals from existing quarries.</b>	<b>0</b>	vi and supplies are needed to support economic development
<b>36</b>	<b>Proposals for the extraction of high purity limestone will only be permitted where there is a demonstrable national or regional need and it will be used primarily for non aggregate uses or where significant benefits would accrue to local communities or the environment.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
<b>37</b>	<b>Unless there would be significant benefits to local communities and the environment sufficient to outweigh any non-compliance with the following criteria, opencast coal extraction will only be permitted where:</b> <b>(i) there would be no material adverse impact on local communities, including that arising from the cumulative impact from other permitted and previous opencast coal operations; and</b> <b>(ii) there would be no material adverse impact on a designated landscape; and</b> <b>(iii) it would not inhibit the ability of West Cumbria to attract inward investment, economic development and tourism; and</b> <b>(iv) the working life to the cessation of coaling has been minimised commensurate with the environmental and amenity impacts and the market place, and in any event should not exceed ten years.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>38</b>	<b>POLICY 38 Planning permission will not be granted for opencast coal extraction in the Alston/Nenthead and East Fellside areas.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
39	Proposals for underground coal mines will be permitted subject to adequate precautions being taken to avoid subsidence damage that would cause significant land use problems	<b>0</b>	All existing mines have closed and the policy does not adequately address all potential environmental impacts of new ones.
<b>40</b>	<b>Proposals for the appraisal, drilling and testing of oil and gas will be permitted provided the proposals are consistent with an overall scheme for the appraisal of the resource.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
<b>41</b>	<b>Proposals for the commercial production, processing and transporting of oil or gas will be permitted provided the proposals are consistent with an overall scheme for the optimum development of the resource (and where appropriate any other adjoining oil or gas resources).</b>	<b>0</b>	policies where significant change in the use or development of land or conservation of the area is envisaged and policies are necessary and do not merely repeat national or regional policy
<b>42</b>	<b>Planning permission will not be granted for minerals and waste development which would adversely affect peatlands of high nature conservation or archaeological value.</b>	<b>0</b>	policies where significant change in the use or development of land or conservation of the area is envisaged and policies are necessary and do not merely repeat national or regional policy
<b>43</b>	<b>Proposals for peat extraction will only be permitted where:</b> i. <b>there is a demonstrable national requirement for the peat to be worked; and</b> ii. <b>where the site has already been significantly damaged by recent human activity and is of limited or no current nature conservation or archaeological value; and</b> iii. <b>the restoration scheme, wherever practicable, gives priority to wetland rehabilitation and to the enhancement of the nature conservation resource.</b>	<b>0</b>	policies where significant change in the use or development of land or conservation of the area is envisaged and policies are necessary and do not merely repeat national or regional policy
<b>44</b>	<b>Schemes of working, restoration and afteruse will be sought at existing peat working sites to safeguard areas of important nature conservation interest and to maximise the potential for restoration of the sites to appropriate nature conservation afteruses.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>45</b>	<b>Planning permission will only be granted for the extraction of gypsum from the Stamp Hill preferred area if it can be demonstrated that the supply of deosulphogypsum is insufficient to meet the production requirements of the Kirkby Thore works and the gypsum is:</b> i. <b>only to be used at the Kirkby Thore Works; and</b> ii. <b>transported to the works by conveyor.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
46	Planning permission will be granted for an extension of the underground anhydrite workings within the Newbiggin Mine preferred area subject to appropriate safeguards against subsidence.	<b>0</b>	The mine is now closed
47	Proposals for the extraction of salt from the Walney Channel preferred area will only be permitted if it can be demonstrated that there will be no adverse effects on the operation of the Port of Barrow and there are adequate safeguards against subsidence.	<b>0</b>	Does not take account of the European Wildlife Site. Unlikely to be further interest in the development.
<b>48</b>	<b>Proposals for new building stone quarries which raise significant planning objections may be permitted only where it can be demonstrated that the material cannot be adequately supplied from existing sources.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
49	Proposals for minerals and waste development which would adversely affect limestone pavement will not be permitted.	<b>0</b>	All important areas are covered by order so covered in E34 of JSP
50	Proposals for waste development will be considered in accordance with the hierarchy of options in the following order of preference: i. reduction in the amount of waste produced ii. re-use of waste without significant processing iii. recovery of value from the waste and volume reduction by any of the following: a. recycling of material b. composting or landspreading c. energy recovery iv. disposal of waste by landfill and incineration without energy recovery. Proposals which move the management of waste up the hierarchy will be favoured.	<b>3</b>	Conforms to but repeats national policy (PPS10)
51	Proposals for waste development which contribute to providing an integrated and adequate network of waste management facilities to cater for wastes arising in the County will be permitted in appropriate locations.	<b>4</b>	Repeats R49 of JSP.

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>52</b>	<b>Proposals for scrapyards, vehicle dismantlers, materials recovery facilities, transfer and storage facilities to facilitate materials re-use and recycling will be permitted on industrial sites provided that they do not have an adverse impact on surrounding landuses and do not prejudice the overall development of the area.</b>	<b>6</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.
<b>53</b>	<b>Proposals for construction and demolition waste recycling facilities will be permitted at active quarries and landfill sites for a temporary period not exceeding the permitted life of the quarry or landfill site, where they can be accommodated without prejudicing the operation or restoration of the site.</b>	<b>0</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.
<b>54</b>	<b>Proposals for temporary construction and demolition waste recycling facilities will be permitted, subject to the submission of a satisfactory scheme, at: Hespin Wood Landfill Site, Carlisle Todhills Landfill Site, Carlisle Tendley Quarry, Cockermouth Moota Quarry, Cockermouth Roose Sandpit, Barrow in Furness A proposal for a permanent construction and demolition waste recycling facility at Blencowe Quarry, Penrith will be permitted subject to the submission of a satisfactory scheme and it not prejudicing the overall development of the area.</b>	<b>0</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.
<b>55</b>	<b>Proposals for civic amenity sites will be permitted at industrial sites and non-inert landfill sites. At non-inert landfill sites they will only be permitted for a temporary period not exceeding the permitted life of the landfill site where this can be accommodated without prejudicing the operation or restoration of the site.</b>	<b>2</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.
<b>56</b>	<b>Proposals for the composting of waste will be permitted where surrounding landuses can be adequately safeguarded from odours and emissions by one of the following methods: i. the composting of appropriate types of waste; ii. an acceptable stand off distance; iii. enclosure of the composting within a building or other methods of enclosure; iv. the use of other techniques to control harmful or noxious emissions to atmosphere.</b>	<b>0</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.



<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>57</b>	<b>Proposals for the landspreading of waste will be permitted where there will be no significant degradation of land quality through the build up of contaminants.</b>	<b>0</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.
58	Proposals to recover energy from waste through the utilisation of landfill gas will be permitted at the Flusco and Kendal Fell Quarry Landfill Sites, subject to the submission of a satisfactory scheme.	<b>0</b>	Scheme complete. Policy redundant
<b>59</b>	<b>Proposals for the physical, chemical or biological treatments of waste will be permitted where:</b> i they reduce the potential of waste to pollute the environment; and ii they are situated on an industrial site provided that they do not have an adverse impact on surrounding land uses and do not prejudice the overall development of the area; or iii at a non-inert landfill site where required for pre-treatment of waste or treatment of leachate, where they can be accommodated without prejudicing the operation or restoration of the site.	<b>5</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.
<b>60</b>	<b>Planning permission will be granted for wastewater treatment facilities. Proposals which are likely to have significant adverse effects on the environment or communities will only be permitted where they represent the best practicable environmental option.</b>	<b>4</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management and for safeguarding water resources.
61	Proposals for incinerators will only be permitted where: i. the waste arises solely or mainly from within Cumbria; and ii. the residues can be disposed of safely; and iii. the proposed plant would be located on an industrial site or at the premises where the waste arises provided that it would not have an adverse impact on surrounding land uses and will not prejudice the overall development of the area. Proposals for incinerators which include energy recovery, including the utilisation of waste heat, will be more favourably considered.	<b>1</b>	Covered by R49 and 50 in JSP (even though R50 relies on BPEO)
<b>62</b>	<b>Proposals for the disposal of waste by landfill will only be permitted where there is a demonstrable need for additional landfill capacity.</b>	<b>2</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.

<b>POLICY – those in bold are recommended for saving</b>		<b>USED 05/06</b>	<b>COMMENTS or RELEVANT CRITERIA FOR SAVING</b>
<b>63</b>	<b>Where there is a demonstrable need for additional landfill capacity, proposals which will satisfactorily restore mineral workings and other derelict land will be favoured. Proposals involving landraising will only be permitted where the landform to be created reflects the character and scale of the surrounding topography and on restoration will fit naturally into the landscape of the area.</b>	<b>0</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.
<b>64</b>	<b>Proposals for the disposal of non-inert waste by landfill will only be permitted where surrounding landuses can be adequately safeguarded from potential nuisance and hazard. Proposals which do not include the provision of a standoff of 250 metres from residential properties and other sensitive receptors will require special justification.</b>	<b>1</b>	Policies are necessary and do not merely repeat national or regional policy and is a policy for waste management.
65	The County Council supports the extension of landfilling at Kendal Fell Quarry subject to appropriate safeguards to protect the environment and the amenity of local residents.	<b>0</b>	A matter to be considered in the Development Framework.
66	Planning permission will be granted for the disposal of inert waste to landfill at Kendal Fell Quarry subject to the submission of a satisfactory scheme.	<b>0</b>	A matter to be considered in the Development Framework.
67	Planning permission will be granted for the disposal of inert waste to landfill at Roose Sand Pit and Mouzel Farm subject to the submission of a satisfactory scheme.	<b>0</b>	A matter to be considered in the Development Framework.
68	Planning applications for minerals and waste development which have inadequate information to enable the proposals to be properly assessed will be refused.	<b>0</b>	The planning application Regulations 1988 and the Environmental Impact Assessment Regulations 1999 include procedures for requiring further information to be submitted.
69	<b>Where it is not possible to achieve the necessary control through the use of planning conditions alone the County Council will, where appropriate, seek a planning obligation or other legal agreement.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy
70	<b>The County Council will require applicants to demonstrate with their application what the likely financial and material budgets for restoration, aftercare and after-use will be, and how they propose to make provision for such work during the operational life of the site, including where appropriate, any necessary financial guarantees. Where the County Council considers that adequate provision has not been made to fulfil the proposed restoration and aftercare works, planning permission will be refused.</b>	<b>0</b>	policies are necessary and do not merely repeat national or regional policy

## Appendix H: Key Species for Cumbria which could be at greatest risk from M&W developments

(From list agreed by the Cumbria Biodiversity Data Network including UK BAP, Cumbria BAP, protected species, species on Annex II of the EC Habitats Directive and Annex I of EC Birds Directive). Species highlighted in **BOLD** is considered information sensitive

Common name	UK Protection	Habitats Regulations 1994	EC Habitats Directive	EC Birds Directive	UK BAP	Cumbria BAP
Northern Brown Argus	W&C Act Schedule 5 (Sale only)				UK BAP Priority Species	
Pearl Bordered Fritillary	W&C Act Schedule 5 (Sale only)				UK BAP Priority Species	Cumbria BAP
High Brown Fritillary	W&C Act Schedule 5				UK BAP Priority Species	Cumbria BAP
Marsh Fritillary	W&C Act Schedule 5		Annex II species		UK BAP Priority Species	Cumbria BAP
Warty Newt (or Great Crested Newt)	W&C Act Schedule 5	European Protected Species	Annex II species		UK BAP Priority Species	Cumbria BAP
Natterjack Toad	W&C Act Schedule 5	European Protected Species			UK BAP Priority Species	Cumbria BAP
<b>Hen Harrier</b>	<b>W&amp;C Act Schedule 1</b>			<b>Annex I species</b>		
Lesser Horseshoe Bat	W&C Act Schedule 5	European Protected Species	Annex II species		UK BAP Priority Species	
Whiskered Bat	W&C Act Schedule 5	European Protected Species				Cumbria BAP
Brandt's Bat	W&C Act Schedule 5	European Protected Species				Cumbria BAP
Natterer's Bat	W&C Act Schedule 5	European Protected Species				Cumbria BAP
Daubenton's Bat	W&C Act Schedule 5	European Protected Species				Cumbria BAP
Noctule	W&C Act Schedule 5	European Protected Species				Cumbria BAP
Common Pipistrelle	W&C Act Schedule 5	European Protected Species			UK BAP Priority Species	Cumbria BAP

<b>Common name</b>	<b>UK Protection</b>	<b>Habitats Regulations 1994</b>	<b>EC Habitats Directive</b>	<b>EC Birds Directive</b>	<b>UK BAP</b>	<b>Cumbria BAP</b>
Soprano Pipistrelle	W&C Act Schedule 5	European Protected Species			UK BAP Priority Species	Cumbria BAP
Brown Long-eared Bat	W&C Act Schedule 5	European Protected Species				Cumbria BAP
Brown Hare					UK BAP Priority Species	
Red Squirrel	W&C Act Schedule 5				UK BAP Priority Species	Cumbria BAP
Water Vole	W&C Act Schedule 5 (Damage/destruction of place of shelter/protection and disturbance while in a place of shelter only)				UK BAP Priority Species	Cumbria BAP
Hazel Dormouse	W&C Act Schedule 5	European Protected Species			UK BAP Priority Species	Cumbria BAP
Badger	Protection of Badgers Act 1992					
Otter	W&C Act Schedule 5	European Protected Species	Annex II species		UK BAP Priority Species	