



PLANNING AND COMPULSORY PURCHASE ACT 2004

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

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

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

MARCH 2017

Introduction

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

1. A table of proposed **Minor Modifications** is set out in paragraph and policy order:
 - deleted text is shown as red, with a line through the words, e.g. ~~strikethrough~~
 - new text is shown in green
2. An **Annex 2** is provided, to illustrate map and table additions or amendments – this is cross referenced to the table of proposed Minor Modifications
3. A table of proposed Minor Modifications to the **Policies Map** is set out in Part and Insert order. Updated Policies Maps are available to view separately as PDFs.

POLICY MAP PART	POLICY MAP INSERT
1 – Site Allocations and Broad Areas	A - Allerdale North
2 - Minerals Safeguarding Areas	B – Allerdale South
3 - Minerals Consultation Area	C – Copeland North
4 - Environmental Designations (Landscape, Historic Environment and Nature Conservation)	D – Furness Peninsula
5 - Flood Risk Zones	E – South Lakeland East
6 – Technical Safeguarding Areas	F – Eden
	G - Carlisle

Minor Modifications to Local Plan

Ref No.	Page No.	Paragraph/ Policy/Figure/ Table/Map/Box	Proposed Minor Modification	Reason for Proposed Modification
Min1	inside cover	Preface	<p>Delete the Preface in its entirety and replace with a Foreword, to read:</p> <p>“To meet the needs of Cumbria’s communities, we need a Plan that provides for new jobs to diversify and grow our economy and for the new or improved infrastructure that is essential for the county’s development and regeneration initiatives, whilst balancing the need to protect the county’s outstanding natural and built environment.</p> <p>Minerals are the essential raw materials for manufacturing industries, and for building or improving our roads, homes, hospitals, schools, shops and offices. Our quality of life relies on the safe, clean and effective treatment and disposal of waste. By reusing, recycling and finding other uses for more of our waste, we can help to reduce our impact on the environment and benefit future generations.</p> <p>Good planning for our minerals and waste is fundamental to the way we live our lives and the way our city, towns and villages appear and function. Equally, we need to appreciate the potential for minerals exploitation and the management of waste to cause disruption to our environment and to our communities. Hence the reason why we have produced this Local Plan, to try to minimise any conflicts as best we can, and ensure that the wider community can enjoy the benefits of good minerals and waste planning, now and in many years to come.</p> <p>This document, which covers the area outside the two National Parks, sets a clear vision for the next 15 years, for how new development can address the challenges we face. This document is the culmination of a great deal of public consultation over recent years, and extensive evidence gathering by the Council. The policies in the Plan will shape Cumbria in the future, helping to achieve sustainable consumption and production, living within environmental limits, protecting the quality of life of present and future generations, protecting Cumbria’s environmental assets and ensuring the prudent use of natural resources.”</p>	<p>The Preface set out the invitation to comment on the Publication version of the Local Plan, so is no longer needed; the Foreword sets out what the adopted Plan will do</p>

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Min2	Contents Page	Appendices	<p>Insert title of new Appendix 1, to read:</p> <p>“Map showing the new areas designated as National Park”</p> <p>All references in the Plan to the Appendices will require amendment. There will be consequent changes to the numbering of the Appendices that follow.</p>	Cross reference to Main Modification MM2b
Min3	1	Paragraph 1.3	<p>Delete this paragraph:</p> <p>“The potential locations of mineral workings are largely determined by geology and, because of this, other parts of the North West, and of the country, rely on Cumbria for supplies of some minerals.”</p> <p>There will be consequent changes to the numbering of the paragraphs that follow in chapter 1.</p>	In its current format, this paragraph doesn't make sense; it is also repetition of text within chapter 5, Minerals
Min4	1	Paragraph 1.4	<p>Delete this paragraph and replace with new paragraph:</p> <p>“This is the Publication version of the Local Plan (Regulation 19), which the County Council intends to submit to the Secretary of State following this consultation. It has been prepared following consideration of responses received on the draft Minerals and Waste Local Plan (Regulation 18), which took place between 11 March and 11 May 2015. The consultation provided an opportunity for stakeholders and communities to make comments on the draft Plan and proposed policies. Arising from several responses to that consultation, a further, Supplementary Sites consultation, was held in October and November 2015; this gave the opportunity for comment on a number of extra sites and boundary changes that had been put forward. Reports on the outcomes of both consultations can be found on the County Council's website at: http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/Consultations.asp and http://www.cumbria.gov.uk/planning-environment/policy/minerals_waste/MWLP/SiteConsult.asp”</p> <p>“Preparing the Plan has involved engagement and collaboration with communities, local organisations and businesses. Public consultation</p>	To replace the specific reference to the Publication version, with a more generic overview of the consultation process

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			<p>was held for each stage of the plan-making process. It has also been prepared in co-operation with Cumbria's districts, neighbouring authorities and other minerals and waste planning authorities that may be affected by the strategies and policies in the Plan. This has ensured that effective co-operation has been undertaken where there are cross-boundary impacts."</p>	
Min5	6	Following paragraph 2.9	<p>Insert new paragraphs 2.10 to 2.13, to read:</p> <p>"2.10 With regard to minerals and waste in Cumbria, the long term spatial vision must set a clear path for how new development can address the challenges that the county faces. The overall strategy then provides the focus to achieve this vision, by setting out a clear direction for delivery, and provides the context for the objectives and policies of the Local Plan.</p> <p>2.11 The strategy set out in Box 2.2 will facilitate the provision of new jobs to diversify and grow the county's economy, as well as support jobs in the developing and growing sectors, such as the radioactive waste industry. The strategy will also aid provision of the new or improved infrastructure that is essential for the county's development and economic well-being, whilst balancing the need to preserve and enhance Cumbria's outstanding natural and built environment.</p> <p>2.12 Minerals are the essential raw materials for manufacturing industries, and for building or improving the county's roads, homes, hospitals, schools, shops and offices. A steady and adequate supply of all necessary minerals will be provided in a prudent and sustainable manner, achieving economic, social and environmental gains where practicable.</p> <p>2.13 The quality of life for Cumbria's communities relies on the safe, clean and effective treatment and disposal of all waste streams, including radioactive waste. By reducing, reusing, recycling and finding other uses for more of the county's waste streams, the impact on the environment will be reduced and will provide benefits for future generations. The management of waste produced by the nuclear sector, including</p>	To provide context for the changes proposed to Box 2.2, Main Modification MM3

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			<p>radioactive waste, in Cumbria is of particular significance for the county, as it hosts both the Sellafield site and the Low Level Waste Repository, employing more than 12,000 people and with a combined turnover of more than £2 billion each year. However, in many respects, the management of radioactive waste should be approached in the same way as conventional waste streams, i.e. in a sustainable manner, via the waste hierarchy. Thus in Box 2.2, references to ‘waste’ encompass all waste streams, as appropriate.”</p> <p>There will be consequent changes to the numbering of the paragraphs that follow in chapter 2.</p>	
Min6	7	Paragraph 2.16	<p>Add a new sentence at the end of this paragraph, to read:</p> <p>“It is not yet clear how or when the UK’s exit from the EU will affect the European funding streams.”</p>	To alert the reader to potential impacts
Min7	15	Footnote to paragraph 3.10	<p>Complete footnote document reference, to read:</p> <p>“Evidence Base document reference LD300: Joint LDNPA and CCC Waste Needs Assessment, December 2015”</p>	To aid clarity
Min8	21	Footnote to paragraph 3.36	<p>Complete footnote document reference, to read:</p> <p>“Evidence Base document reference LD267: Cumbria 2014 WNA, Table 6.3, based on the Defra 2010 survey of the number, scale and type of agricultural holdings with data reported at County or Local Authority level at 5 year intervals back to 1995”</p>	To aid clarity
Min9	26	Paragraph 3.52	<p>Amend reference to annual monitoring document, to read:</p> <p>“...the Annual Authority Monitoring Report process...”</p>	Factual update
Min10	27	Paragraph 3.60	<p>Add text to the end of this paragraph, to read:</p> <p>“; it is due to open in early 2017.”</p>	Factual update
Min11	31	Paragraph 3.72	<p>Add text to the end of this paragraph, to read:</p> <p>“; a non-exhaustive list of the Broad Areas is set out in Policy SAP2.”</p>	To cross reference with Main Modifications MM71 and MM72

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Min12	33	Paragraph 3.77	Amend paragraph, to read: “.....if the proposals conform to the other relevant policies of this Plan. The Broad Areas below are shown on the Policies Map Part 1: <ul style="list-style-type: none"> • BRO1 - Lillyhall Industrial Estate, Workington • BRO2 - Sowerby Wood and Estate, Barrow • BRO3 - Park Road Estate, Barrow • BRO4 - Gilwilly Industrial Estate, Penrith • BRO5 - Kingmoor Park Rockcliffe Estate, Carlisle. 	To cross reference with Main Modifications MM71 and MM72
Min13	34	Paragraph 4.3	Amend paragraph, to read: <ul style="list-style-type: none"> • “High Level Waste.....from nuclear reactors; it is still categorised as HLW in its conditioned solid form.” • “Low Level Waste.....not exceeding 4 gigabecquerels/tonne (4,000 Bq/g) of alpha radiation or 12 GBq/te (12,000 Bq/g) of beta/gamma....” 	To aid clarity and ensure consistency
Min14	34	Footnote to paragraph 4.3	Complete footnote document reference, to read: “Evidence Base document reference ND63: Strategy for the management of solid low level radioactive waste from the non-nuclear industry in the United Kingdom, Part 1 anthropogenic radionuclides, DECC, March 2012”	To aid clarity
Min15	35	Paragraph 4.4	Amend paragraph, to read: <ul style="list-style-type: none"> • “Low Volume VLLW.....contains less than 400 kilobecquerels (400,000 Bq) of total activity, or a single item contains less than 40 kBq (40,000 Bq) of total.....” • “High Volume VLLW.....maximum concentration of 4,000,000 Bq/tonne (4 Bq/g), and.....” 	To ensure consistency
Min16	38	Table 4.1	Amend the entry for the Low Level Waste Repository, to read: “ILW is being generated during the decommissioning of former MOD	Factual update regarding planning permission granted in 2016

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			magazines contaminated with plutonium – this will be safely retrieved and sent to Sellafield for storage. The currently operational vault (Vault 9), and subsequent vaults 9a, 10 and 11, have planning permission for the storage disposal of LLW until 2045 18 . LLW generated onsite is either stored or disposed in the vault or sent for treatment, incineration or landfill outside the county.”	
Min17	38	Table 4.1	Amend the entry for Studsvik, to read: “...Sweden, or. Contaminated metals are also sent from the Sellafield site to other operators....” Add footnote, as follows: “The facility was sold to EDF Group in April 2016, and renamed Cyclife UK Ltd.”	Factual update and to aid clarity
Min18	38	Table 4.1	Amend the entry for International Services in Table 4.1 as follows: International Nuclear Services Ltd – “This company, a wholly owned subsidiary of the NDA, manages the.....”	To aid clarity
Min19	39	Paragraph 4.16	Amend paragraph, to read: “...from the LLWR, once the during decommissioning of the magazines are finally demolished.”	Factual change
Min20	40	Footnote to paragraph 4.19	Amend footnote, to read: “...units called rads Gray (Gy) for absorbed dose and Sievert (Sv) for effective dose”	Factual change
Min21	40	Table 4.2	Amend Table 4.2 as follows: Amend title of SEPA to read: “Scottish Environment Protection Agency”, add “Natural Resources Wales” and its acronym “NRW”	Factual change
Min22	41	Footnotes to paragraph 4.24	Complete footnote document references, to read: “ ⁵⁰ Evidence Base document reference ND151: NDA Strategy III, April 2016	To aid clarity

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			<p>⁵¹ Evidence Base document reference LD44: Managing Radioactive Waste Safely: a framework for implementing geological disposal, DEFRA, June 2008</p> <p>⁵² Evidence Base document reference ND139: Implementing Geological Disposal, DECC, 24 July 2014</p> <p>⁵³ Evidence Base document reference ND180: Higher Activity Waste Treatment Framework, NDA, October 2015</p> <p>⁵⁴ Evidence Base document reference LD42: Policy for the long term management of solid low level radioactive waste in the UK, DEFRA, March 2007</p> <p>⁵⁵ Evidence Base document reference ND63: Strategy for the management of solid low level radioactive waste from the non-nuclear industry in the United Kingdom, Part 1 anthropogenic radionuclides, DECC, March 2012</p> <p>⁵⁶ Evidence Base document reference ND142: Strategy for the management of Naturally Occurring Radioactive Material (NORM) waste in the United Kingdom, DECC, July 2014</p> <p>⁵⁷ Evidence Base document reference ND150: UK Strategy for the Management of Solid Low Level Radioactive Waste from the Nuclear Industry, DECC, February 2016”</p>	
Min23	41	Paragraph 4.26	<p>Amend paragraph, to read:</p> <p>“waste management option, optioneering is a mandatory legal requirement via the NDA expects the Site License Companies to undertake appropriate optioneering supported by business cases as needed, and this would be carried out under the NDA’s Value Framework process.”</p>	Factual change
Min24	42	Paragraph 4.27	<p>Amend last sentence of this paragraph, to read:</p> <p>“Policy SP4 is designed to ensure that when considering planning applications for facilities concerning radioactive waste, the County Council can clearly see how these principles have been considered;....”</p>	To provide clarity on the County Council’s regulatory role with regard to land use
Min25	43	Paragraph 4.30	<p>Amend paragraph, to read:</p> <p>“LLW can be disposed of at near surface facilities.The regulatory</p>	To aid clarity

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			framework allows for disposal of LLW at near surface facilities.”	
Min26	43	Paragraph 4.31	Amend the paragraph, to read: “The UK’s solid LLW sent to the LLWR in Cumbria, was historically disposed of into seven trenches, and then into an engineered vault (vault 8). The currently operational vault (vault 9), and subsequent vaults 9a, 10 and 11, has gained planning permission in July 2016 only for the storage disposal of LLW until 2045 18 . The Environmental Safety Case and Environmental Permit (awarded November 2015) for the Repository demonstrate that, at present, this site does have the potential capacity to meet the projected future needs for LLW arisings; however, the site can only realise this full potential if planning consent is granted for future development. A planning application for the construction of additional engineered vaults for the disposal of LLW has been submitted to the County Council for their determination. The lifetime of the LLWR has been, and could continue to be, extended by using other disposal routes for LLW.”	Factual update regarding planning permission granted in 2016
Min27	44	Footnote to paragraph 4.35	Complete footnote document reference, to read: “Evidence Base document reference LD214: Review of Potential Suitability for Disposal of LLW/VLLW on or Near to the Sellafield Site, Sellafield Ltd., February 2013”	To aid clarity
Min28	45	Policy SP5 Development criteria for low level radioactive waste sites	Amend text in the first bullet of the policy, to read: • it conforms to UK Government national policies and strategies for LLW;	To cross reference with the wording in paragraph 4.40 (now 4.47)
Min29	46	Footnote to paragraph 4.47	Complete footnote document reference, to read: “Evidence Base document reference LD44: Managing Radioactive Waste Safely: a framework for implementing geological disposal, DEFRA, June 2008”	To aid clarity
Min30	47	Footnote to paragraph 4.50	Complete footnote document reference, to read: “Evidence Base document reference ND139: Implementing Geological	To aid clarity

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			Disposal, DECC, 24 July 2014”	
Min31	47	Paragraph 4.53	Amend paragraph 4.53 as follows: “...proposals should minimise impacts and should not prejudice site restoration remediation.”	To aid clarity
Min32	48	Paragraph 4.54	Add a footnote against Moorside in this paragraph, to read: “It should be noted that any operator of a nuclear power station is responsible for dealing with any waste that it produces and ensuring that the site is decommissioned and remediated in accordance with relevant legal and licensing requirements”	To aid clarity
Min33	48	Paragraph 4.54	Amend text with regard to the Submarine Dismantling Project, to read: “The policy also has to be flexible enough to cater for any operational waste that may arise if a new nuclear power station is built at Moorside. Furthermore, The Government held a consultation in 2014/2015, which identified Sellafield as one of five UK nuclear facilities have been confirmed as that were considered to be potential sites for interim storage of ILW from decommissioned nuclear-powered submarines, and Sellafield is one of those sites. The Government’s consultation on their final destination closed in February 2015. If Sellafield were to be chosen as the interim storage site, the County Council would be the authority that determined the planning application. In July 2016, the MoD announced that Capenhurst Nuclear Services, at Capenhurst in Cheshire, had been selected as the MoD’s preferred storage site, with AWE Aldermaston in Berkshire chosen as the fall back site; therefore, it is not anticipated that this particular waste stream will be sent to Sellafield.”	Factual update regarding the results of Government consultation in 2016
Min34	51	Paragraph 5.15	Amend text, to read: “The following section draws on the 2015 LAA, updated with further information available as at April December 2016”	To cross reference with modifications that rely on data gained since the Publication version of the Plan
Min35	52	Footnote to paragraph 5.16	Complete footnote document reference, to read: “Evidence Base document reference ND127: Aggregates, cement and	To aid clarity

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			ready mix concrete market investigation: Final Report, Competition Commission, 14 January 2014”	
Min36	54	Footnote to paragraph 5.23	Complete footnote document reference and correct title, to read: “Evidence Base document reference ED39: Results of Aggregate Mineral Survey England and Wales 2014, British Geological Survey, March 2016 Aggregates Minerals Survey for England and Wales 2015, BGS ”	Although the data was available, the official document was published post the Publication version of the Plan
Min37	56	Paragraph 5.32	Insert new sentence, to read: “...has only granted a 10-year licence to continue quarrying at the site, in case the land is required for their own operational purposes with regard to the adjacent gas terminals. If that were to happen, the reserves would be lost. Furthermore, consolidation of gas processing at the terminal closest to the quarry is likely to increase health and safety risks, which could also impact on the feasibility of future extraction at the quarry.”	To cross reference with Main Modification MM77
Min38 a	57	Paragraph 5.36	Amend paragraph, to read: “The 2015 LAA noted that the planning permissions of five crushed rock quarries were to expire before 2030. Moota Quarry was granted a time extension in 2015, although this was only to 2024; the permission also approved additional reserves, which will be included in the 2016 LAA. The operator of Holme Park Quarry has also indicated the intention of applying submitted an application for a time extension to 2043 before 2020, having by secured ing a delay in the Review of Mineral Permission (ROMP) pending a planning application . Sandside Quarry lies within the Arnsdale and Silverdale AONB, in a very constrained site; it is very unlikely that the operator will seek a physical extension, but more likely that a time extension to 2029 is under pre-application discussion may be sought . Shap Fell Quarry submitted a planning application in 2008; a number of long term studies were required by regulators, and further information was submitted in 2014. Determination of the application has still not been possible at this very sensitive site. One more crushed rock quarry, Tendley, expires in 2029.”	Factual updates regarding data received since the Publication version of the Plan
Min38 b	57	Table 5.4	Amend table with updates set out in paragraph 5.36	To cross reference with Minor Modification Min38a

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			<i>(see Annex 2 for updated Table)</i>	
Min39	59	Footnote to paragraph 5.44	Complete footnote document reference, to read: “Evidence Base document reference ND109: Projected infrastructure starts and completions in 2014-15, HM Treasury, April 2014”	To aid clarity
Min40	59	Footnote to paragraph 5.45	Complete footnote document reference, to read: “Evidence Base document reference LD230: The Four Pronged Attack: Cumbria Strategic Economic Plan 2014-2024’, Cumbria LEP, March 2014”	To aid clarity
Min41	62	Footnote to paragraph 5.62	Complete footnote document reference, to read: “Evidence Base document reference PPP10: Inspector’s Report on the Examination into the Site Allocations Policies and Proposals Map, paragraphs 122 and 123, December 2010”	To aid clarity
Min42	67	Footnote to paragraph 5.78	Complete footnote document reference, to read: “Evidence Base document reference LD46: Mineral Resource Information for Development Plans – Cumbria and the Lake District: Resources and Constraints, BGS Technical Report reference WF/01/02, 2001”	To aid clarity
Min43	67	Paragraph 5.81	Delete text, to read: “...the Council is in discussion with the developer on planning applications for new surface works and infrastructure, which may be expected late 2016 /early 2017.”	Factual update to reflect the current expectation of planning application submission
Min44	71	Paragraph 5.91	Amend paragraph, to read: “...and part of the Frontiers of the Roman Empire World Heritage Site (Hadrian’s Wall) and its v visual i mpact Z zone.”	Factual change
Min45	73	Paragraph 5.97	Amend paragraph, to read: “In addition, the location of oil and gas development is governed by the Department for Business, Energy and Industrial Strategy (BEIS), formerly	Factual update to reflect the disbandment of DECC in 2016

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			it was the Department of Energy and Climate Change (DECC), through the allocation of Petroleum Development and Exploration Licences (PEDL)....”	
Min46	73	Paragraph 5.99	<p>Amend paragraph, to read:</p> <p>“In order to fulfil these obligations, the County Council has made an assessment in 2015, based on published information from, at that time, DECC’s, in particular their Office of Unconventional Oil and Gas and Oil (OUGO), of the most likely locations and types of oil and gas development within Cumbria, and whether it is likely that any such proposals may be put forward within the Plan period.”</p>	Factual update to reflect the disbandment of DECC in 2016
Min47	73	Paragraph 5.100	<p>Amend paragraph, to read:</p> <p>“All licences granted, and any future areas offered for licence, can be seen on the Oil and Gas Authority’s DECC’s website. The former licenced area (within PEDL 159) around Carlisle was owned by Igas (previously Dart Energy and Greenpark Energy), with the intention of extracting coal bed methane; however, Igas have now relinquished this licences.”</p>	Factual update to reflect the disbandment of DECC in 2016
Min48	73	Paragraph 5.101	<p>Amend paragraph, to read:</p> <p>“The County Council has not received any expressions of interest in conventional onshore oil or gas development, although there is an offshore gas field to the south and west of the county, off the coast at Barrow. DECC and OUGO do give gave some indication of the likelihood of Coal Bed Methane (CBM) development, in which methane is extracted from coal seams that have never been mined, and shale gas development, in which gas (not exclusively methane) is extracted from impermeable shale deposits. They are currently encouraged ing research in both types of development, in order to clarify the extent and recoverability of UK unconventional gas resources. Their replacement, the Oil and Gas Authority created in 2016, is committed to maximising the economic recovery of hydrocarbons from the UK Continental Shelf, through research, exploration and appraisal activities. National planning guidance says that:”</p>	Factual update to reflect the disbandment of DECC in 2016

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Min49	74	Paragraph 5.102	Amend first sentence of paragraph, to read: “DECC has also commissioned British Geological Survey.....”	Factual update to reflect the disbandment of DECC in 2016
Min50	74	Footnote to paragraph 5.102	Complete footnote document reference and correct title, to read: “Evidence Base document reference ND177: The Unconventional Hydrocarbon Resources of Britain’s Onshore Basins: Shale Gas, DECC, 2013 0 ”	To aid clarity
Min51	75	Paragraph 5.104 and footnote	Amend date in second sentence, to read: “Figure 5.9 is taken from a 2013 4 DECC report.....” Complete footnote document reference and correct title, to read: “Evidence Base document reference ND176: The Unconventional Hydrocarbon Resources of Britain’s Onshore Basins: Coalbed Methane (CBM), DECC, 2013 0 ”	Factual change and to aid clarity
Min52	80	Paragraph 6.7 and footnotes	Amend paragraph, to read: “The Climate Change Act established a system of five-yearly carbon budgets, the first four of which have been set in law ¹⁰¹ ; the Act also established the Committee on Climate Change to make recommendations and monitor progress. The first carbon budget (2008-12) was met ¹⁰² through a combination of the impact of the recession and low-carbon policies, and the UK is currently in the second carbon budget period (2013-17). The third carbon budget (2018-22) requires that emissions be reduced by 34% on 1990 levels and the fourth carbon budget (2023-27) requires a 50% reduction on 1990 levels during that period. The fifth carbon budget (2028-2032) will also be relevant for this Plan; the Committee on Climate Change has recommended an 80% reduction on 1990 levels ¹⁰³ , but in 2016, and Government has until June 2016 to agree and legislated the final level as a 57% reduction ¹⁰⁴ . The current UK strategy for achieving these budgets is the Carbon Plan ¹⁰⁵ .” Consequent amendments are required to the footnotes, to read:	Factual updates to reflect the passing of legislation on the fifth Carbon Budget in 2016

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			<p>¹⁰¹ Evidence Base document reference ND153: The Carbon Budget Order, SI1603, 2011</p> <p>¹⁰² Evidence Base document reference ND154: “Meeting Carbon Budgets – 2014 Progress Report to Parliament”, Committee on Climate Change, July 2014 (Executive Summary, page 1)</p> <p>¹⁰³ https://www.theccc.org.uk/publication/the-fifth-carbon-budget-the-next-step-towards-a-low-carbon-economy/</p> <p>¹⁰⁴ https://www.theccc.org.uk/tackling-climate-change/reducing-carbon-emissions/carbon-budgets-and-targets/</p> <p>¹⁰⁵ Evidence Base document reference ND105: The Carbon Plan: Delivering our low carbon future, DECC, December 2011</p>	
Min53	81	Footnotes to Figure 6.3, paragraph 6.9 and 6.11	<p>Complete footnote document references, to read:</p> <p>¹⁰⁶ Evidence Base document reference ND154: “Meeting Carbon Budgets: 2014 Progress Report to Parliament”, Committee on Climate Change, July 2014 (Executive Summary, page 21)</p> <p>¹⁰⁷ Evidence Base document reference ND132: Strategy for Sustainable Construction, BERR, June 2008</p> <p>¹¹⁰ Evidence Base document reference ND125: Table 6, 2013 UK Greenhouse Gas Emissions Provisional Figures, DECC, March 2014”</p>	To aid clarity
Min54	81, 82	Footnotes to paragraphs 6.11, 6.12, 6.13	<p>Complete footnote document references, to read:</p> <p>¹¹¹ Evidence Base document reference LD211: The greenhouse gas footprint of Cumbria, Small World Consulting Ltd, September 2012</p> <p>¹¹² Evidence Base document reference ND117: Waste Prevention Plan, Defra, December 2013</p> <p>¹¹³ Evidence Base document reference ND154: 2014 Report to Parliament, Committee on Climate Change”</p>	To aid clarity
Min55	82	Footnote to paragraph 6.17	<p>Complete footnote document reference, to read:</p> <p>¹¹⁵ Evidence Base document reference RD22: Cumbria Renewable Energy Capacity and Deployment Study, Cumbria County Council, Aug 2011”</p>	To aid clarity

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Min56	88	Policy SP13 Economic benefit	Amend first line of policy, to read: “Proposals for new and time or physically or extended minerals and....”	To remove spurious word
Min57	89	Paragraph 7.16	Amend paragraph, to read: “The County Council can provide advice on who is best placed to receive a Community Benefits package, and any community benefits that are secured will be set out in the County Council’s Minerals and Waste A Annual Authority Monitoring Reports.”	Factual change to reflect correct title of document
Min58	90	Footnote to paragraph 8.4	Amend reference, to read: “ https://www.buglife.org.uk/coast-coast-bee-roads#sthash.rYdN49mp.dpuf https://www.buglife.org.uk/b-lines-hub/coast-to-coast-bee-roads-project ”	Factual update to reflect new web address
Min59	90, 91	Footnotes to paragraphs 8.5 and 8.6	Complete footnote document references, to read: “Evidence Base document references LD302 and LD303: Bassenthwaite Vital Uplands programme” “Evidence Base document reference LD310: Terrestrial Mineral Resource, Cumbria: Assessment Report, Oxford Archaeology North/English Heritage/Cumbria County Council, February 2015”	To aid clarity
Min60	92	Footnote to paragraph 8.16	Complete footnote document reference, to read: “Evidence Base document reference LD301: Cumbria Local Nature Partnership Strategy 2015 – 2020, Cumbria LNP Board, January 2015”	To aid clarity
Min61	93	Footnote to paragraph 8.18	Complete footnote document reference, to read: “Evidence Base document reference LD160: Cumbria Local Geodiversity Action Plan, 2009 10 ”	To aid clarity
Min62	95	Box 8.1	Amend Box 8.1 as follows: <ul style="list-style-type: none">“World Heritage Site – “Frontiers of the Roman Empire: Hadrian’s Wall” and its Vvisual Impact Zzone;”	Factual correction

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Min63	95	Box 8.1	Amend Box 8.1 as follows: “...whether designated as Scheduled Monuments or not;” and Scheduled Monuments will be in bold	To aid clarity
Min64	98	Footnote to paragraph 8.32	Complete footnote document reference, to read: “ Evidence Base document reference ND174 : Introducing an ecosystem services approach to quarry restoration, Helen King, Cranfield University, 2013”	To aid clarity
Min65	112	Paragraph 12.7	Amend entry for the Highways Agency, to read: “ The Highways England Agency”	Factual correction
Min66	117	Paragraph 13.15	Amend reference in first sentence, to read: “Noise limits are set out in chapter 27 of PPG the NPPF .”	Factual correction
Min67	120	Paragraph 13.25	Delete this paragraph: “ If a development is proposed that requires an Environmental Impact Assessment, under EIA regulations, cumulative impact cannot be considered unless the other development(s) already have planning permission or if a planning application for the development(s) has been submitted. ” There will be consequent changes to the numbering of the paragraphs that follow in chapter 13.	To aid clarity
Min68	133	Paragraph 15.10	Amend last sentence of this paragraph, to read: “....policy DC22, which relate to the restoration and after care use of sites.”	To ensure consistency with Main Modification MM39 and NPPF
Min69	134	Paragraph 15.13	Amend first line of this paragraph, to read: “Therefore, the proposed policy.....”	Factual update
Min70	134	Paragraph 15.14	Amend last sentence of this paragraph, to read: “This guidance is followed explicitly in Policy DC13, and is considered to	To provide clarity on the policy approach to coking coal

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			apply equally to thermal and coking coal.”	
Min71	137	Footnote to paragraph 15.27	Complete footnote document reference, to read: “Evidence Base document reference LD249: Strategic Stone Study: A Building Stone Atlas of Cumbria and the Lake District, English Heritage, August 2013”	To aid clarity
Min72	138	Paragraph 15.31	Amend paragraph, to read: “All current mineral workings, allocated Preferred Areas and Areas of Search are located within the MSAs; the only exception is are the one remaining peat extraction site and several small-scale building stone quarries that do not produce aggregates . All of the sites identified in policy SAP5 for safeguarding also lie within the MSA’s. Policy DC15 explains that the County Council should be consulted on any non-minerals planning applications received within the MSA which that would be likely to affect the winning and working of minerals, and consideration should therefore be given to any potential impact on existing workings and allocated sites.”	Factual correction
Min73	150	Paragraph 16.37	Amend paragraph, to read: “The current licensing exemption on dewatering is likely to be removed in May 2017 6 , subject to Ministerial approval, after which, dewatering activities will be brought into regulation by the Environment Agency.”	Factual update
Min74	152	Following paragraph 16.44	Amend section title, to read: “Restoration, aftercare and afteruse”	To cross reference with change to Policy DC22
Min75	152	Footnote to paragraph 16.43	Complete footnote document reference, to read: “Evidence Base document reference ND42: Agricultural Land Classification: protecting the best and most versatile agricultural land, Natural England, Technical Information Note TIN049, Edition 2, December 2012”	To aid clarity
Min76	154	Following paragraph 16.52	Insert new paragraphs 16.53 and 16.54, to read:	To provide clarity on afteruse and aftercare

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		and Table 16.2	<p>“16.53 Planning applications for mineral working, waste management and associated development are determined by the County Council as they are “County Matter” applications under Schedule 1(i) of the Town and Country Planning Act 1990 and the Town and Country Planning (Prescription of County Matters) (England) Regulations 2003. The County Council will, therefore, have control over afteruses whilst a site is classified an ‘active’ minerals site¹. Afteruses will fall under the remit of the County Council unless separate planning permission is required from the District Council for the proposed afteruse, e.g. a use that would involve substantial public use.</p> <p>16.54 The County Council can also impose aftercare conditions, which require the necessary steps to be undertaken to bring land to the required standard for whichever of the following uses is specified in the condition, namely: (i) use for agriculture; (ii) use for forestry; or (iii) use for amenity. This is set out in Section 2(1) of the Town and Country Planning Act 1990.”</p>	
Min77	154	Paragraph 16.53	<p>Amend first sentence, to read:</p> <p>“Policy DC22 seeks to secure the most appropriate and sustainable restoration, aftercare and afteruse of sites.”</p>	To cross reference with change to Policy DC22
Min78	156	Paragraph 17.2	<p>Amend reference to the Monitoring Report, to read:</p> <p>“.....Cumbria Annual Authority Monitoring Report (AMR).”</p>	Factual correction
Min79	163	Paragraph 18.4	<p>Amend reference to the Monitoring Report, to read:</p> <p>“This will be kept under review in the Annual Authority Monitoring Reports.”</p>	Factual correction
Min80	165	Paragraph 18.8	<p>Amend paragraph, to read:</p> <p>“There are currently permitted facilities in Cumbria for the treatment, management, storage or disposal of radioactive wastes at: Cyclife</p>	To ensure consistency and to aid clarity

¹ An active site is one where mineral operations are currently being carried out to a substantial extent; this definition includes ‘mothballed’ sites, if they are subject to ongoing restoration or aftercare. A site will be considered ‘active’ until the end of any aftercare period, as specified in any planning conditions.

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			<p>(formerly Studsvik), Lillyhall (treatment of metal for recycling); the Sellafield complex (the Calder Landfill Extension Segregated Area, for disposal of certain types of the site's own wastes, metal treatment, decontamination facilities, and the waste compaction facilities and facilities for higher activity waste); and at the Low Level Waste Repository, near Drigg (currently storage). Lillyhall landfill has an Environmental Permit from the Environment Agency, for disposing of a full range of wastes including municipal, hazardous (asbestos), commercial and industrial, and Very Low Level radioactive waste. The other operating non-inert landfill sites in Cumbria – Hespian Wood near Carlisle, Flusco near Penrith and Bennett Bank near Barrow (to close December 2017) – are likely to take very small amounts (“dustbin loads”) of hospital or research VLLW, which does not require permitting.”</p>	
Min81	165	Paragraph 18.10	<p>Amend paragraph, to read:</p> <p>“...Repository (LLWR), in line with the UK Nuclear LLW Strategy.”</p>	To aid clarity
Min82	165	Paragraph 18.12	<p>Amend paragraph, to read:</p> <p>“Of the existing radioactive waste management and treatment sites in Cumbria, the Studsvik metal recycling facility at Lillyhall held aspirations for further investment in the future, which would provide additional waste management capacity. The facility was sold by Studsvik to EDF Group in April 2016In October 2014, the parent company announced that they were undergoing an organisational alignment, as efficiency at their sites is increasing, while supply of material for treatment is temporarily declining as a consequence of delayed dismantling of nuclear facilities across Europe; therefore, and it is unclear if and when any additional capacity may become available.”</p>	Factual update
Min83	166	Paragraph 18.15	<p>Amend paragraph, to read:</p> <p>“Since 1959, most of the solid LLW generated in the UK has been transported to the LLWR near Drigg for disposal. Since becomingWhen it became operational in 2009, Vault 9 has provided temporary storage capacity for LLW (until December 2018) and further storage was is supplied by the temporary higher stacking of waste containers in Vault 8</p>	Factual update

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			until March 2017. An application to change the storage in these vaults into disposal, and also to construct new vaults for disposal up to 2045, was granted permission by has been submitted to the County Council in July 2016. Only with further vault construction, will the LLWR have the capacity to meet all future national LLW needs.”	
Min84	166	Paragraph 18.16	Amend paragraph, to read: “.....disposing of a range of activity levels of VLLW within....”	Factual correction
Min85	167	Footnote to paragraph 18.18	Complete footnote document reference, to read: “Evidence Base document reference LD214: Review of Potential Suitability for Disposal of LLW/VLLW on or Near to the Sellafield Site, Sellafield Ltd., February 2013”	To aid clarity
Min86	168	Paragraph 18.24	Amend paragraph, to read: “Policy SP7 requires that Preferred Areas and/or Areas of Search will be identified to enable a landbank for sand and gravel of at least seven years to be maintained throughout the Plan period, and Policy SP8 requires that Mineral Safeguarding Areas are identified for the indicative sand and gravel resources identified by British Geological Survey. The landbank is to be based on the annual Cumbria Local Aggregates Assessment (LAA).”	To cross reference with Main Modification MM36
Min89	169	Paragraph 18.26	Amend paragraph, to read: “Further areas for sand and gravel extraction are, therefore, required and policy SAP4 proposes the allocation of six sites (two at Roosecote) for sand and gravel extraction, all of which have been proposed by mineral operators as meeting their needs for the Plan period. These include areas adjacent to both Roosecote Quarry (site M27 and site M12) and Peel Place Quarry (site M15), which, as discussed in chapter 5, have been identified in policy SP98 as strategic locations for resources of sand and gravel in the south west of the county. Ongoing monitoring, through the LAA process, will clarify how the Plan is performing and assist in consideration of any planning applications received. ”	To provide clarity

Ref No.	Page No.	Paragraph/Policy/Figure/Table/Map/Box	Proposed Minor Modification	Reason for Proposed Modification
Min90	169	Paragraph 18.27	Amend first sentence of paragraph, to read: <p>“Policies SP7 and SP8 requires that Mineral Safeguarding Areas and/or Areas of Search will be identified for the indicative hard rock resources identified by British Geological Survey.”</p>	To cross reference with Main Modification MM36
Min91	169	Paragraph 18.30	Amend first sentence of paragraph, to read: <p>“Policies SP7 and SP8 requires provision of an area to enable continued quarrying of brick-making mudstones and also for safeguarding of this nationally important resource, as well as that of brick clay.”</p>	To cross reference with Main Modification MM36
Min92	170	Paragraph 18.31	Amend first sentence of paragraph, to read: <p>“Policy SP7 requires that a Preferred Area and/or Area of Search will be identified for working additional gypsum and Policy SP8 requires a Mineral Safeguarding Area for the remaining gypsum resources.”</p>	To cross reference with Main Modification MM36
Min93	171	Paragraph 18.34	Insert new sentence at the beginning of this paragraph, to read: <p>“The NPPF requires mineral planning authorities to safeguard selected mineral related infrastructure and facilities to support the continued extraction and operation of economically viable mineral resources.”</p>	To provide clarity
Min94	171	Footnotes to paragraph 18.36	Complete footnote document references, to read: <p>“Evidence Base document reference LD306: Eden Local Plan: Proposed Submission Version 2014-2032, October 2015 Evidence Base document reference LD243: Copeland Local Plan 2013-2028: Core Strategy and Development Management Policies, December 2013”</p>	To aid clarity
Min95	172	Footnote to paragraph 18.39	Complete footnote document reference, to read: <p>“Evidence Base document reference LD169: Barrow Port Area Action Plan, Barrow Borough Council, July 2010”</p>	To aid clarity
Min96	172	Footnote to paragraph 18.40	Complete footnote document reference, to read: <p>“Evidence Base document reference LD273: Allerdale Local Plan Part 1:</p>	To aid clarity

Ref No.	Page No.	Paragraph/ Policy/Figure/ Table/Map/Box	Proposed Minor Modification	Reason for Proposed Modification
			Strategic and Development Management Policies, July 2014”	
Min97	181, 184	Map M31, Map M14	Delete maps	To reflect the fact that M31 is no longer an allocation due to its restoration, and that planning permission was granted at M14 in November 2016
Min98	185	Glossary - Annual Report	Amend entry, to read: “ Annual Authority Monitoring Report”	Factual correction
Min99	187	Glossary - Building Stones	Amend entry, to read: “Minerals from which energy cannot be produced. Natural stone or rock is selected and finished (e.g. trimmed, cut, drilled, ground, polished) to specific sizes or shapes. They are chosen for their particular characteristics, such as colour, texture, pattern, durability or ease of working. In Cumbria, building stones are used for interior and exterior walling, paving, building, decoration and roofing, from a wide range of sources, including limestone, sandstone and slate.”	To aid clarity
Min 100	194	Glossary – Mineral Consultation Areas	Amend last sentence of entry, to read: “They equates can cover to all, parts of, or marginally more than a Mineral Safeguarding Area. It is anticipated that they will include the Minerals Safeguarding Areas put together plus a 250 metre buffer zone around them. ”	Factual correction
Min 101	197	Glossary – Statement of Community Involvement	Amend last sentence of entry, to read: “Cumbria County Council’s Statement of Community Involvement was adopted in January 2006 and is currently being has been reviewed for consultation and re-issue in 2017. ”	Factual correction

Minor Modification Min38b

Amend Table 5.4: Crushed rock quarry permissions expiring within the Plan period

Quarry	Expiry date	Notes
Moota	31.12.2024	
Shap Fell (aka Hardendale)	31.12.2018	application for time extension and to deepen quarry (with 5.2 Mt additional reserve) submitted in 2008 with additional information in 2014
Sandside	30.06.2020	potential for submission of time extension to 2029 under discussion
Holme Park	31.12.2023	ROMP delayed to 2020; pending submission of planning application for time extension to 2043 submitted
Tendley	31.12.2029	

Source: Table 9 Cumbria and LDNPA LAA – 2014 data – Supporting information

Amendments to the Policies Map

PM Ref.	Map	Proposed Amendment	Reason for Proposed Amendment
1	Policies Map Part 1 and Inserts E + F	Identify new areas designated as National Park on relevant maps. <i>(updated maps NOT attached)</i>	To provide clarity regarding minerals and waste planning in the National Park extension areas
2	Policies Map Part 1	Add location of Broad Areas to the Site Allocations map; add Key as necessary. <i>(updated map NOT attached)</i>	To identify Broad Areas
3	Policies Map Part 1 and Insert D	- remove M14 from site allocations - remove M31 from site allocations	Factual correction
4	Policies Map Part 2	Add identification of current building stone quarries to the Mineral Safeguarding Areas map; add Key as necessary. <i>(updated map NOT attached)</i>	To identify current building stone quarries
5	Policies Map Part 2	In the key for Part 2, add text to clarify the uses of each mineral <i>(see Annex for updated Key)</i>	To provide clarity
6	Policies Map Part 2 and Part 3	Ensure correct GIS layer for Mineral Safeguarding Areas and Mineral Consultation Area is used <i>(updated map NOT attached)</i>	Factual correction