

### Policy R39 : Areas of search for grid-connected renewable energy

Proposals for the development of grid-connected renewable energy will be favoured in the relevant Areas of Search shown in figures 10-15.

All proposals for grid-connected renewable energy will be required to:

1. meet all the relevant criteria used in the identification of Areas of Search, unless it can be demonstrated that for technical reasons criteria no longer apply, and
2. conform with all other relevant Structure Plan policies.

## 8 UTILISING RESOURCES

- 8.1 There is a need to ensure the efficient use of resources by increasing the use of renewable energy, reducing the use of finite mineral resources and reducing the amount of waste for disposal. The need to encourage increased energy efficiency and conservation, and where possible the use of renewable energy technology within development is also important and is considered as part of Policy ST43.

### Renewable Energy

- 8.2 The UK currently generates approximately 2%<sup>16</sup> of its electricity from renewable sources. National targets<sup>17</sup> require that renewable energy should supply at least 10% by 2010 and to increase this to 20%<sup>18</sup> by 2020. The North West region currently supplies 1.3% of its generating capacity from renewable energy sources, of which 47% is supplied from wind turbines in Cumbria. A study undertaken by Sustainability North West (2001)<sup>19</sup> suggests that by 2010, 8.5% of energy capacity in the NW region should be from renewable sources. Cumbria is identified in this study as having the greatest potential contribution of new renewable energy amounting to 27% of the regional total, mainly from on and offshore wind power, biomass, landfill gas and small scale hydro.
- 8.3 Policy ER13 of Regional Planning Guidance promotes development that minimises energy use and uses energy efficient technologies. Development Plans are also required to include positive policies for renewable energy development that requires Development Plans to identify areas of search for renewable energy developments which aim to protect the region's most valuable and sensitive environments. The North West Development Agency's Regional (Economic) Strategy highlights renewable energy as a key growth sector.
- 8.4 Renewable energy developments can range from larger scale commercial developments through to community and domestic projects. Each renewable technology has its own locational characteristics and requirements, and different areas will be better suited to different technologies. Renewable energy developments should be directed to locations where the technology is viable and where environmental impacts can be satisfactorily addressed.

8.5 A technical study<sup>20</sup> has been undertaken to identify the potential for further grid connected renewable energy development in Cumbria. This took into account economic, social and environmental factors as well as technical and viability considerations. The study has enabled the formation of criteria against which to judge applications ~~broader Areas of Search to be identified~~ for different technologies as set out in Policy R44. ~~The search areas referred to in policy R39 are set out in Figures 10 to 15. These are required to be more closely defined in Local Plans following local assessment.~~

~~8.6 All grid related proposals will be required to meet the search criteria set out in Schedule 3 unless it can be demonstrated that for technical reasons criteria no longer apply. Proposals must also conform with all other relevant Structure Plan policies. Within the Areas of Search these criteria have been already met. Renewable energy proposals that are non-grid connected or for domestic use will be considered under general Structure Plan and Local Plan policies. In the case of the National Park and AONBs, Policy R42 will apply to all renewable energy developments. Policy R39.~~

8.6 When considering the impact of any proposal on local amenity account will need to be taken of issues such as noise, odour and visual intrusion. In all cases, developers should ensure that schemes contain a clear commitment to actively consult and involve local communities at an early stage and, where possible, ensure the community where the scheme is to be sited will gain significant benefits.

8.7 The Environmental Impact Assessment Regulations 1999 identify developments that are likely to have significant effects on the environment and include certain renewable energy proposals. Proposals that are in excess of the size thresholds in Schedule 2 of the Regulations require further consideration under criteria in Schedule 3 to determine whether an Environmental Impact Assessment (EIA) is necessary. These thresholds and criteria are set out in Schedule 3 of the Structure Plan. Planning Authorities will assess all proposals to determine whether an EIA is required. Renewable energy proposals that require an EIA as part of a planning application should be treated as "Major development proposals" and must also satisfy Policy ST4.

8.8 Of the range of renewable energy technologies the development of wind energy within the County has been the most emotive given the visual impact and the influence it has on the character of important landscapes and their settings. However, it is currently

#### **Policy R40 44 : Wind energy proposals Renewable energy outside the Lake District National Park and AONBs**

Outside the Lake District National Park and AONBs Proposals for renewable wind energy developments including any ancillary infrastructure or buildings will be permitted where it is demonstrated that they satisfy all the following requirements:

1. there is no significant adverse ~~ae~~ffect on the landscape character, biodiversity and the natural and built heritage of the area either individually or cumulatively through their relationship with other utility infrastructure, its relationship with other wind energy development,
1. ~~there is no detrimental impact on the designated areas identified in Policy E31 or within their settings that are detrimental to their character and/or species of national or international conservation importance,~~
2. there is no significant adverse ~~ae~~ffect on local amenity, the local economy, highways, aircraft operations or telecommunications,
3. the proposal takes all practical measures to reduce any ~~the~~ adverse impact ~~of development on recognised~~ landscape, environmental, nature conservation, and historical and local community interests, and
4. the energy contribution of the proposal is shown to outweigh any adverse impacts, and
5. where a proposal requires an Environmental Impact Assessment it must satisfy Policy ST4,
5. ~~measures are included to secure the satisfactory removal of structures and remediation of land following cessation of operation of the installation.~~

There are additional requirements in the following cases :

#### Wind energy development

6. measures should be included to secure the satisfactory removal of structures/ related infrastructure and remediation of land following cessation of operation of the installation ;

#### New plant for the commercial generation of energy from biomass

7. shall be sited on existing industrial/ employment sites or previously developed land that is well related to the resource catchment.

Where practicable measures to transport fuel and waste by water or rail shall be made.

Proposals for the recovery of energy from agriculture waste within existing farm units or sewage sludge.

8. shall be well related to the activity, scale and character of the existing business/enterprise and /or setting.

**Policy R41 : Biomass and energy from waste**

Proposals for the development of new plant for the generation of energy from biomass and waste will be permitted where it is demonstrated that they satisfy all the following requirements:

1. it is to be sited on existing industrial/employment sites or previously developed land subject to the land not being designated for other purposes (e.g. Nature Reserve). Where practicable, measures to transport fuel and waste by rail shall be made,
2. there is no significant adverse effect on local amenity, access and transport,
3. there is no detrimental impact on the designated areas identified in Policy E31 and/or species of national or international conservation importance, and
4. the proposal takes all practicable measures to reduce the adverse impact of development on recognised landscape, environmental, nature conservation and historical interests.

Proposals for the recovery of energy from agricultural waste within existing farm units or sewage sludge shall be well related to the activity, scale and character of the existing business/enterprise and/or setting as well as satisfying criteria 2 to 4 above.

the technology with the greatest technical and economic viability to meet the proposed targets for Cumbria.

- 8.9 ~~Figure 10 illustrates the Areas of Search for windfarms of 3MW or more whilst Figure 11 shows Search Areas for smaller grid connected windfarms.~~ Proposals for on-shore wind energy will need to ensure that the adverse impacts of development are not significant. The need to protect landscape character will be of particular importance and this should take into account the cumulative effects of development proposals. Measures will be required to minimise any adverse impact on the environment including obligations for the removal of redundant structures and related infrastructure such as access roads. ~~and~~ Site remediation, will also be required when operations cease. **Policy R40**

**FIGURE 10 DELETED**

~~Consents for offshore Windfarms are authorised by Department of Trade and Industry. Only on shore plant associated with offshore wind energy developments require planning permission.~~

**FIGURE 11 DELETED**

~~Potential exists for the generation of energy from both waste (municipal and industrial) and biomass (forestry wastes and coppice) in the Areas of Search shown in Figures 12 and 13. There may be scope for the anaerobic digestion of agricultural wastes and sewage where these are developed in close proximity to arisings. However, Areas of Search have not been identified, given the likely sporadic nature of development proposals.~~

- 8.10 Proposals for energy from ~~waste and~~ biomass (forestry wastes and coppice) will be assessed, taking account of any potential adverse local impacts and the need to meet national targets. Growing energy crops, can assist the process of rural diversification and provide an alternative income for farmers. Small scale heating projects such as community wood chip burners also have local benefits and will be strongly supported. ~~Proposals for the development of anaerobic digestion schemes associated with existing agricultural or utility operations, will require consideration to be given to the impact on the local setting, environmental interests and scale of activity.~~ **Policy R41**

- 8.11 There may be scope for the anaerobic digestion of agricultural wastes and sewage where these are developed in close proximity to arisings. Proposals for the development of anaerobic digestion schemes associated with existing agricultural or utility operations, will require consideration to be given to the impact on the local setting, environmental interests and scale of activity. **Policy R414**

FIGURE 12 DELETED

FIGURE 13 DELETED

- 8.12 Offshore renewable energy developments such as wind farms or wave power installations have potential to make a significant contribution towards meeting the Government targets for renewable energy. Under current procedures they require the consent of the Department of Trade and Industry. Local Planning Authorities are consulted on these proposals and should use Structure Plan Policy ST4 to inform their views to Government and for determining planning applications for associated on shore plant. Proposals for small scale hydro, and landfill gas, (Figures 14 and 15), will be assessed against the provisions of Policy R39, and in the Lake District National Park and AONBs, Policy R42, taking due account of other relevant policies. Landfill gas also has potential to contribute to energy supply and is considered specifically in Policy R4751. Solar/photovoltaic technology proposals should be supported subject to satisfying be considered against general planning policies such as Policy ST3. Wave power and offshore wind will be considered under Major Development Proposals, Policy ST9.

- 8.13 In the Lake District National Park and AONBs small scale renewable energy developments particularly those which are domestic/community based and are developed on a local scale will be positively encouraged provided that they can be assimilated into the area and would not have an adverse effect on local interests. Windfarms inevitably have a more significant landscape impact and therefore are considered inappropriate for sites within nationally designated landscapes, and within their visual settings where they would have a detrimental effect on their character. In these landscapes, there is more scope to assimilate other forms of renewable energy development. Within the National Park and AONBs wind farms are defined as schemes requiring more than one turbine or a turbine with a ground to hub height of 25 metres or more are considered to be more national than local in character and will be dealt with as major developments under Policy ST94. There is more scope to assimilate other forms of renewable energy development into the landscape, and

#### **Policy R42 45: Renewable Energy in the Lake District National Park and AONBs**

Within the Lake District National Park and AONBs, ~~wind farms will not be permitted.~~ proposals for other renewable energy developments, including any ancillary infrastructure or buildings will be favourably considered if:

1. their scale form, design ~~and~~ materials and cumulative impacts can be satisfactorily assimilated into the landscape or built environment and would not harm the appearance of these areas, and
2. they would not impact adversely on the local community, economy nature conservation or historical interests.

Where developments do not fulfil these criteria, they will be treated as 'major developments' and must satisfy Policy ST4. In the case of wind energy development of more than one turbine or a turbine with a ground to hub height of 25 metres or more will be treated as a major development.

**Policy R43-46: Safeguarding mineral resources**

Development will not be permitted which sterilises mineral resources that may need to be worked in the future.

~~therefore their development in the National Park and AONBs is not ruled out.~~ Proposals for ~~schemes~~ both ~~connected and not connected to the electricity distribution network grid and non-grid connected schemes~~ will be considered under this policy. **Policy R425**

**FIGURE 14 REMOVED**

**FIGURE 15 REMOVED**

**Minerals**

- 8.14 Mineral resources are finite and care must be taken to safeguard known deposits of economic importance from being sterilised from other forms of development.
- 8.15 Outside the National Park, this is achieved by requiring District Local Planning Authorities to consult the Mineral Planning Authority on planning applications for non-minerals development within Mineral Consultation Areas. Mineral Consultation Areas are areas of mineral resource potential notified to District Local Planning Authorities by the County Council. Where development is considered to be essential and significant mineral resources would be sterilised, planning permission will be granted for the prior extraction of the mineral, provided the future development of the land would not be prejudiced and the environmental impacts can be kept to an acceptable level. **Policy R436**
- 8.16 Policies ER9 and ER10 of Regional Planning Guidance seek to ensure that an adequate supply of minerals is maintained. Except for dimension or building stone and slate, see Policy R458, it is considered that this will be achievable without the need to make further provision within the National Park and AONBs. Figure 10 gives the current position.

Sand and Gravel	<del>12.8</del> 15.6years
General Crushed Rock*	<del>36.2</del> 42.5years
High Specification Aggregate+	<del>22.5</del> 23.9years

Source: North West Region Aggregates Working Party (NWRWAP)  
\* includes permitted reserves in the LDNP  
+ high skid resistant material used for road surfacing of regional and national importance.

**Figure 10 The Aggregate landbank at beginning of ~~2002~~ 2003**

- 8.17 At any one time Cumbria aims to maintain at least ~~has a requirement for~~ a 7 year landbank of sand and gravel and a 15 year landbank of crushed rock aggregate. Further reserves of sand and gravel and high specification aggregate will need to be released to ensure an appropriate landbank is maintained throughout the period to 2016. In assessing the need for further mineral extraction the contribution that can be made from alternative sources of supply including: substitute, secondary, marine sand and gravel, and waste and recycled materials or imports from outside the County, will be taken into account. In addition it may be necessary to release further ~~resources~~ reserves of general crushed rock, if a need can be demonstrated. Detailed policies outside the National Park will be set out in the Cumbria Minerals and Waste Local Plan and in the National Park in the Lake District National Park Local Plan.
- 8.18 All proposals for mineral extraction should seek to reuse waste mineral products and minimise the production of waste. Any unavoidable waste should be used to mitigate the visual and landscape impact of developments both during and after extraction. To ensure sites are restored to a beneficial use, conditions will be placed on any planning permission or planning obligations will be required. Restoration proposals which enhance biodiversity, landscape character and public access will be particularly encouraged, ~~although~~ It will be expected that the best and most versatile agricultural land will be restored to its previous quality. In some circumstances a Transport Assessment will be needed (see Policy T30).  
**Policy R447**
- 8.19 Attractive landscapes are often geologically rich in mineral resources and the Lake District National Park and Cumbria's AONBs are no exception. In many locations the character of the landscape and the development of towns and villages have been heavily influenced by traditions of mining and quarrying. However, modern extraction methods can have unacceptable impacts on the landscape. Because of the serious impact that mineral working may have on the natural beauty of the National Park and AONBs, minerals applications in these areas are subject to the most rigorous examination. Extraction should be in the public interest having regard to the need for the development and its effect on the local economy and the environment.

**Policy R447: Mineral extraction outside the Lake District National Park and AONBs**

Land will be made available for mineral extraction outside the Lake District National Park and AONBs to maintain an adequate supply of minerals, including where appropriate land banks of permitted reserves, taking account of the contribution from alternative sources. Permission will not be granted for mineral extraction where there would be a significant adverse effect on the community, the local environment or the road network unless the effect is outweighed by the need for the mineral to be worked and/or the social and economic needs of the County's population. Proposals should incorporate a strategy to minimise the production of mineral waste, and ensure the acceptable reclamation and after use restoration of land and to encourage the transport of materials by the most sustainable mode of transport.

**Policy R45 8: Mineral extraction in the Lake District National Park and AONBs**

Proposals for mineral extraction within the Lake District National Park and AONBs will ~~not only~~ be permitted except for in the following circumstances:

1. to provide dimension or building stone, which in the Lake District National Park will be limited to small scale extensions to existing workings or small scale re-opening of previously worked quarries, or
2. the small scale re-opening of previously worked slate quarries, or
3. the extension of existing slate quarries where there is no other reasonable alternative source of supply.

In all circumstances cases it must be demonstrated that the scale and nature of the proposed works are such that harm would not be caused to interests of acknowledged importance, or any such harm is outweighed by the need to maintain a supply of local building material, to sustain local diversity of employment or by other local economic considerations. Proposals must include strategies to minimise the production of mineral waste, and ensure the acceptable restoration reclamation and after use of land and to encourage the transport of materials by the most sustainable mode of transport.

8.20 In view of the availability of alternative sources elsewhere, ~~the~~ further quarrying of aggregates in the National Park and AONBs ~~will not be permitted~~ is not required.

8.21 Continued mineral working in the National Park and AONBs may be justified in order to maintain a supply of traditional local building materials, to maintain important buildings or to sustain local employment. It may also provide opportunities to rationalise existing workings or to significantly improve past dereliction. In the AONBs, the opening of new quarries to secure supplies of locally required dimension or building stone is not ruled out. Within the National Park continued working of the remaining operating quarries, together with opportunities for the small scale reopening of suitable quarries, are sufficient to meet all local requirements. ~~s and t~~ The opening of new quarries is not justified. **Policy R45-8**

## Waste Management

8.22 The majority of waste is currently disposed of in landfill sites. However both European and national guidance<sup>21</sup> requires a fundamental change in the way waste is managed. This includes additional controls on disposal of waste, banning some forms of waste from landfill disposal, and reducing the amount of biodegradable municipal waste going to landfill to 35% of its 1995 level by 2016. The Government has also set a number of staged targets<sup>22</sup> for sustainable waste management which ultimately require the recycling and composting of 33% of household waste and the recovery of value from 67% of municipal waste by 2015. It also wishes to see future waste management decisions based on the Best Practicable Environmental Option (BPEO) for each waste stream. This must take account of the proximity principle, that is, waste should be managed as near to its place of production as possible. It should also pay regard to the 'waste hierarchy', namely, in order of preference, minimisation, reuse and recycling, recovery of value, and only then disposal without recovery ie landfill. Most waste should be treated or disposed of within the region where it arises. These principles have been restated in Policy EQ4 of Regional Planning Guidance.

8.23 Policy EQ5 of Regional Planning Guidance indicates that waste management options should be determined having regard to the above principles and comprise an appropriate mix of facilities.

8.24 The County Council's waste strategy is based on an incremental expansion of recycling, composting and waste minimisation initiatives across the county. In the short to medium term ~~By 2005/06~~ material recovery facilities and composting facilities should be operational in the main centres across the county to support the collection of segregated recyclable materials by the District Councils. At present there is a very limited number of waste sorting and transfer facilities for unsegregated solid municipal waste within Cumbria. Such facilities will be encouraged. In addition, a range of new civic amenity and mini-recycling centres and waste collection points may be required across the county. This approach should enable Cumbria to meet government targets for 2005 but higher targets for recycling and recovery for 2010 and 2015 may require the use of other advanced technologies, including facilities for mechanical and biological treatment. ~~possibly involving recovery of energy from waste, particularly if waste continues to grow at present rates.~~

### Policy R469 : Waste management recovery facilities

New facilities will be required to meet Government and European targets for the increased recovery and recycling of industrial, commercial and municipal solid waste and for the reduction of biodegradable waste disposed of to landfill. ~~namely:~~ Therefore, there is a presumption in favour of:

#### 1. ~~Materials recovery and waste treatment facilities~~

1. Large scale recovery and treatment facilities (designed to handle a range of waste from a wide area) to be located on existing industrial/employment sites or previously developed land close to areas of major waste arisings subject to the re being no significant adverse effects on landscape character, conservation interests, environmental infrastructure, transport and local communities; and measures being included to reduce any adverse impact. ~~land not being designated for other purpose (eg Nature Reserve).~~ Sites should wherever possible be rail or port linked. Priority will be given to sites for municipal solid waste in the vicinity of the following centres:

- a) Carlisle
- b) Penrith
- c) Workington
- d) Whitehaven
- e) Kendal
- f) Barrow in Furness

2. Small scale recovery facilities (designed to handle a range of local waste arisings locally) to be located in the vicinity in which waste arises. Priority will be given to new facilities serving the key service centres as defined in Policy ST25 or larger settlements towns in the National Park.

#### 2. Waste collection points

3. New civic amenity sites, mini-recycling centres and other collection and separation points for municipal waste provided for the convenience of local residents and businesses to be located throughout the county.

### 3. ~~Energy from waste plants~~

~~Energy from waste plants that meet the requirements of Policy R41 if government targets for recovery of value from waste and reduction of waste cannot be achieved by other means.~~

### 4. ~~Residual waste sites~~

~~Residual waste sites for the final disposal of residual waste that meet the requirement of Policy R47.~~

#### **Policy R50 : Thermal treatment and energy recovery from waste plants**

Proposals for the thermal treatment or recovery of energy from waste will only be permitted where:

1. Government targets for the recycling and composting of waste and the reduction of waste to landfill cannot be achieved by other means or where such treatment represents the Best Practicable Environmental Option for an identified waste stream.
2. the proposal is to be sited on existing industrial/employment sites or previously developed land close to areas of major waste arisings.
3. there are no significant adverse effects on landscape character, conservation interests, environmental infrastructure, transport and local communities, and
4. measures are included to reduce any adverse impact.

#### **Policy R47-51 : Residual waste and landfill**

Proposals for the disposal of waste to landfill will not be permitted in the Lake District National Park and AONBs. Outside these areas, proposals for the disposal of Residual Waste will only be permitted when all the following requirements are met:

1. there is a demonstrable need for additional landfill capacity,

8.25 Facilities will also be required for the management of other waste streams. ~~Industrial and commercial waste constitutes about two thirds of all waste arisings in the County. In 1998/99 the County produces some 820 750,000 tonnes of such waste<sup>23</sup> of which approximately 50% was is~~ disposed of to landfill with the remainder being reused, recycled, landspread, treated or incinerated. Whilst these waste streams are not expected to grow significantly any new facilities will need to be compatible with the Government's principles for the sustainable management of waste (para. 8.24~~2~~). These facilities may have to make specific provision for hazardous waste as this is no longer permitted to be disposed of with other waste streams after 2004. Proposals that arise from the nuclear industry in the County and the associated waste it generates will be considered under Policy ST9~~4~~, Major Development Proposals.

8.26 Proposals for waste recovery and treatment facilities will be expected to brought forward in places which provide the Best Practicable Environmental Option and take account of the proximity principle. They will handle a range of wastes such as municipal and industrial and commercial. Large-scale ~~plant~~ facilities will be expected to locate in the vicinity of major population centres, so that waste is dealt with where it arises. The Materials recovery and waste treatment will include any kind of treatment that is environmentally beneficial, including advanced composting and mechanical and biological waste treatment. ~~Proposals for energy from waste facilities will be considered under Policy R41.~~ Where appropriate, the haulage of waste by rail or shipping should be pursued at the earliest opportunity. **Policy R46~~9~~**

8.27 The increasing amounts of waste being generated together with the Government's targets for the recovery of value from waste (i.e. recycling and composting) and the reduction in quantities of waste going to landfill, may necessitate the provision of new plant for the recovery of energy from waste. For certain waste streams thermal treatment will be the Best Practicable Environmental Option. Policy R50

8.28 Whilst the thrust of National and European policy is to reduce the amount of waste disposed to landfill sites, they will remain an essential part of waste management provision for the foreseeable future. Although identified in the Waste Hierarchy as the least sustainable waste management option, landfill sites will continue to be needed for residual waste, as well as wastes for which landfill remains the BPEO. Where the content, age and quantity of landfill deposits make it viable for the recovery of energy from landfill gas, then such measures should be incorporated into landfill proposals to maximise environmental benefits. Landfill sites are inappropriate in high value landscapes such as the National Park and AONBs. **Policy R4751**

2. there ~~is~~ are no significant adverse effects on landscape character, conservation interests, environmental infrastructure, transport and local communities on the local community or environment,
3. measures are included to reduce any adverse impact
4. the infill and restoration of existing sites would not be seriously prejudiced, and
5. all practical measures are taken to allow landfill gas to be utilised as an energy resource.

Where it is demonstrated that there is a lack of available mineral voids and that transferring waste to distant sites is not the Best Practicable Environmental Option, then landraise may be permitted. Priority will be given to proposals that contribute to meeting landfill restoration requirements.