Application No: 6/11/9006  
District: Barrow

Applicant: Neil Price Ltd  
Bouthwood Road  
Barrow-in-Furness

Parish: Dalton with Newton Town Council  
Received: 22 March 2011

PROPOSAL: Integrated Inert Waste Recycling and Disposal Facility  
Goldmire Quarry, Thwaite Flat, Barrow-in-Furness
1.0 RECOMMENDATION

1.1 That planning permission is Granted for the reasons stated in Appendix 1 and subject to the conditions in Appendix 2.

2.0 THE PROPOSAL

2.1 The proposal is to extend the use of the site to include the disposal of inert waste into the southern part of the quarry and the relocation of construction waste recycling operations to the site formerly used for composting and reclamation to provide a fully integrated waste recycling and disposal facility.

2.2 Goldmire quarry is a prominent limestone quarry located to the west of Dalton-in-Furness. The total site area is 7.39 ha. The site has been used for quarrying for around 100 years.

2.3 The quarry is accessed via Thwaite Flat Road which is an unclassified road leading from Park Road. Access to the site crosses the Cumbria coastal railway line at an uncontrolled crossing point. The applicant proposes to continue with the existing scheme of traffic management which consists of restricting HGV access to be via Park Road junction; voluntary speed limit; company vehicles prohibited from using the lay-by which runs parallel to Park Road and retaining advance warning signs adjacent to Thwaite Flat Road; all loaded vehicles to be sheeted; Vehicles must use wheelwash and all HGV drivers are issued with written instructions to comply with these traffic management measures.

2.4 The application is accompanied by a commentary of anticipated environmental impacts. This covers noise and vibration; dust and particulate matter; traffic; surface and ground water management; land stability; public rights of way; landscape impact and nature conservation.

2.5 Operating hours would remain as existing 0700 to 1900 Monday to Friday and 0700 to 1300 Saturdays with no working Sundays, Bank/Public holidays.

2.6 The nearest sensitive receptors to the site are Railway Cottages 350 m, St Helen’s Farm 580 m both north and Park Road Kennels and Cattery 410 m west of the site.

2.7 The most recent planning consents for the site are:

6/06/9014 - Renewal of temporary permission (reference 6/03/9006 & 6/04/9016) for composting and reclamation facility – Activity has ceased

6/06/9006 - Construction waste recycling

6/04/9016 - Raising of existing levels and provision of hardstanding, crushing operations of general waste building materials and retrospective approval for bund formation to south end of site

6/04/9005 - Disposal of inert wastes
3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 Barrow Borough Council – The Councils view has been reaffirmed by the recent High Court ruling that the Cumbria Mineral and Waste Development Framework is unsound. Whilst this proposal relates to the disposal of inert materials rather than landfill, the supporting statement makes reference to the likelihood of this scheme being replaced by one containing the disposal of non-inert waste. Furthermore very little or no detail has been submitted regarding the intensification of the inert waste disposal/recycling including any transportation studies, phasing or restoration/planting etc. In light of the above the authority believes the application should be refused as the necessary technical feasibility studies have not been carried out, both in terms of site allocation and specifically for this development.

3.2 Barrow Borough Council Environmental Health - No objection with regards to contamination and environmental protection. However, would wish to impose noise condition which is on 6/06/9014 “No use, operation or activity for the development hereby permitted shall be carried out so as to give rise to noise levels exceeding 55dB(LAeq) (1 hour) free field as measured at any noise sensitive property.”

3.3 Highway Authority – The proposal would not have any additional adverse impact on the public highway.

3.4 Natural England – The proposal does not appear to raise any significant new soil resource protection or associated reclamation considerations. The site lies close to the Duddon Estuary SSSI and SPA and the Morecambe Bay Sac. However, the proposal is unlikely to have a significant effect on these protected areas.

3.5 Environment Agency – The site is located on an extremely vulnerable groundwater resource. It is one of the least preferable locations for potentially polluting activities such as landfill. There is no objection to the disposal of inert waste. The fill material will have to be strictly inert with no leachate forming potential. The site lies in Flood Zone 1 which is the lowest flood risk status. Surface water run off drains to Goldmire Quarry. Run off to this watercourse should be maintained at existing levels.

3.6 Network Rail – It is recognised that the number of vehicle movements across the railway has increased in recent years, however it is considered the modern type of level crossing construction and that Neil Price Ltd is abiding by the Special Instructions locally agreed with Network Rail, we do not foresee at this time any problems regarding the use and operation of the level crossing.

3.7 Dalton With Newton Town Council – No response to consultation had been received at the time of drafting this report.

3.8 The local Member - Mr B Bleasdale has been notified.

3.9 Six letters of representation have been received. All these letters raise objections to the proposal on the following grounds:
a) Thwaite Flat Road and the junction with Park Road are not suitable for the traffic that is and/or would be generated;
b) There is a danger from the unmanned rail crossing;
c) There is a risk of increased vermin;
d) Tree cover would be lost;
e) There would inevitably be an increase in traffic which is unacceptable;
f) Existing HGV erodes verges which are either muddy in wet weather or generate dust during dry periods;
g) HGVs leaving the quarry unsheeted;
h) The condition of the wheelwash on the site is inadequate.

4.0 PLANNING ASSESSMENT

4.1 The proposal is for the disposal of inert waste in the southern part of the quarry and the relocation of construction waste recycling operations to be sited in the lower part of the quarry to provide a inert waste recycling and disposal facility. Inert material is waste that would not break down or degrade over the course of time.

4.2 The proposal would provide a void space of 850,000 m³ which would be filled at an average 27,500 m³ per annum (equating to around 38,000 tonnes per annum) over a 30 year period this would coincide with the anticipated permitted life of the quarry which expires in 2042.

Policy Context

4.3 Recently published National Planning Policy Framework does not give specific weight to inert waste disposal and land filling sites this is considered under saved Government guidance in Planning Policy Statement 10 (PPS):- Planning for Sustainable Waste Management sets out the Governments general policy for recycling of inert material. The overall objective of Government policy on waste, as set out in the strategy for sustainable development, is to protect human health and the environment by producing less waste and by using it as a resource wherever possible.

4.4 Planning policies relevant to this development are set out in the Core Strategy and Generic Development Control Policies of the Cumbria Minerals and Waste Development Framework (MWDF). The MWDF was adopted in April 2009 so they provide up to date policies against which the application can be considered.

4.5 MWDF Core Strategy policy 13 commits Cumbria to meeting the regional apportionments, but goes further to pick up the local situation within the county and in particular the large geographic area it covers. It requires provision to take account of the pattern of quarries in the county and the areas they supply as well as dispersed nature of settlements and transport routes.

4.6 In assessing need it is also necessary to consider the location. A key principle set out in Core Strategy Policy 1 of the MWDF is to minimise as far as practical “minerals road miles”.

4.7 The site is allocated within Cumbria Mineral and Waste Development Framework – Site Allocations Policies, BA10 this is a first preference for landfill.
4.8 The nearest site available for this type of facility is Bennett Bank landfill site 800 m north of the site which has consent until 2017. There is a clear need to provide a new facility in the area as there are no other facilities capable of taking the quantities of waste or authorised sites within the south of the County. This tip is also used for the mineral waste generated by quarrying operations.

4.9 The applicant already recycles material within the site. The inert non recyclable material is disposed of to an existing tip on site but is nearing capacity. The majority of the other material required for the scheme would be sourced from large utilities and contractors in the area. The amount of waste material which would be required for the proposed scheme is 38,000 tonnes per annum.

4.10 The applicant’s business currently generates 18,000 t per annum which is disposed of in various exempt and licensed sites like Bennett Bank. The remaining 20,000 t would be available from utility contractors and the inert waste from waste transfer stations. The provision of a dedicated inert waste only site within the Barrow Area could help alleviate some of the issues of unauthorised tipping which is currently occurring in the Furness Area.

4.11 The site is a prominent site located to the west of Dalton and can be seen when leaving Barrow on the A590 and Park Road. The site sits within the open countryside and has a wide ranging vista. The landscape is characterised as rolling lowland which has well managed fields and high hedges.

4.12 The site is partially screened by woodland to the western part of the site, some additional planting has recently taken place within the site and when established would further reduce the impact of the quarry on the surrounding landscape.

4.13 The proposed restoration land form would replicate Hagg Hill before quarrying commenced in the area. The land form would tie in with the natural ground.

4.14 The quarry is accessed via Thwaite Flat Road which is an unclassified road leading from Park Road to the hamlet of Thwaite Flat. The access crosses the Cumbria coast railway line at an uncontrolled level crossing. The traffic management plan which is currently in place would remain implemented should planning permission be granted this comprises of routing restriction, voluntary speed limit over the 200 m of Thwaite Flat Road from the junction of Park Road, prohibiting HGVs from using the lay-by which runs parallel to Park Road, retaining advance warning signs and road marking on either side of Park Road/Thwaite Flat junction, all vehicles to be sheeted, wheel washing of HGVs on leaving the site and written instructions to HGV drivers visiting the quarry.

4.15 There are currently no restrictions on the number of vehicles that access the site. Currently vehicle movements for both quarry and recycling operations equate to 89 loads per week, 16 per day, 1.7 per hour. It is proposed that this would increase to 96 loads per week, 18 per day and 1.9 per hour. There would be a marginal increase in the number of vehicles using Thwaite Flat Road. The Highway Authority and Network Rail have raised no concerns over the slight increase in vehicle movements.
Noise, Dust and Vibration

4.16 The main source of noise, dust and vibration arise from vehicles and machinery operating within the quarry void. These are currently controlled by conditions imposed on planning permission 6/98/9009 which ensure that noise levels do not exceed 55dB(LAeq) (1hour) freefield at identified noise sensitive locations (Railway Cottages and St Helens Farm), machinery shall be fitted with effective silencers, no vehicles or plant shall be fitted with audible reversing warning system and the operator shall maintain a water bowser or other dust suppression system. It would be considered necessary to continue to impose these conditions should consent be granted.

Flood Risk/Surface/Groundwater

4.17 The site is located within Flood Zone 1 and has little potential of flooding. The site is not susceptible to surface water flooding. The Environment Agency has raised no objection to the proposal subject to this being used solely for the disposal of inert material. They consider the site unsuitable as a landfill site as there is a potential of pollution from leachate. A suitably worded condition would be imposed on the granting of any planning permission ensuring the site should only be used solely for the disposal of inert material.

4.18 Surface water run off is to Goldmire Beck and settlement tanks to the west of the site. Surface water run off from the inert waste would be collected in the settlement tank and monitored to ensure that there is no pollution.

4.19 Groundwater facility is 500 m to the north of the total catchment area of a Source Protection Zone, the Outer Protection Zone is more than 2 km south east of the site. The site slopes to the west of the application site, groundwater that penetrates the overlying glacial drift and alluvium is assumed to follow this. Groundwater monitoring boreholes have been installed, this allows monitoring of water samples to ensure that the development is not causing pollution to groundwater.

Nature Conservation

4.20 The site is known as Goldmire Valley County Wildlife Site. The proposed development would not have any further adverse impact on the site due to the current quarrying and other operations currently taking place within the site of the proposed development.

Public Rights of Way

4.21 There would be no impact on any public rights of way in the area. The nearest public rights of way are Thwaite Flat Road 300 m to the west of the site, St Helens 600 m to the north and Poaka Beck 500 m south of the site. There are no public rights of way through the site.

Phasing, Restoration and Aftercare

4.22 It is proposed to phase the quarry operations in three phases. Phase 1 – northern end upper benches, phase 2 – north end quarry floor and phase 3 southern end. In order to develop the proposed inert waste facility the site phasing would need to be amended phase 3 would need to operate ahead of phase 2.
4.23 The 2003 restoration scheme would be replaced by the revised restoration scheme submitted as part of this proposal. This scheme proposes tree planting on the west and north slopes of the inert waste landform after every 5 m increase in height. Phase 3 works include: Grassland seeding to the north and upper west slopes on the inert waste landform would be, tree planting the existing 60 m bench, restoration blasting and grassland seeding final quarry faces/benches and finally grassland seeding over the northern end of the finished quarry floor.

4.24 Planting and seeding scheme has been considered in line with Cumbria Wildlife Trusts recommendation of 1 December 2011. The proposed scheme reflects the existing woodland mix of the Goldmire Valley and the grassland mix.

4.25 The restoration would be subject to a five year aftercare programme which would be controlled by an appropriately worded condition.

**Barrow Borough Councils Concerns**

4.26 Barrow Borough Council raised a number of concerns with regards to insufficient information being submitted as part of the application. The applicant has now submitted the outstanding information which related to source of waste material, vehicle movements, phasing of the proposed scheme and final restoration of site. The County Council are satisfied with the additional information submitted.

4.27 Barrow Borough Council were concerned with the supporting documents making reference to the likelihood of the scheme being replaced by one containing the disposal of non-inert waste. The applicant has confirmed that this is not the case and a condition would be imposed on the granting of any planning permission restricting deposit of inert material only.

4.28 Barrow Borough Council have been consulted on the additional information submitted and to-date no response has been received.

**Concern of Local Residents**

4.29 Local residents of Thwaite Flat have raised concerns with regards to the impact the proposal would have on the highway and junction of Thwaite Flat Road and Park Road, danger from the unmanned level crossing, increased risk of vermin, loss of trees, increase in traffic, erosion of verges, HGVs leaving the site unsheeted and the wheelwash being inadequate.

4.30 A site visit was undertaken with Planning Officers, Highways Officer, Applicant and Agent to discuss the impact of the development would have on the section of road in question. The Highway Authority are satisfied that the proposal would not impact on the junction, there would be no significant increase in traffic and erosion of verges.

4.31 Network Rail would object to any significant increase in traffic crossing the unmanned level crossing the proposed development would not have an increase in traffic crossing the level crossing.

4.32 The proposal is for the disposal of inert material only, there would be no increase in vermin on the site.
4.33 With regards to HGVs leaving the site unsheeted and HGVs not using the wheelwash these elements forms part of the traffic management plan which is subject to an appropriately worded condition. No complaints have been received by the County Council since August 2008.

Human Rights Act 1998

4.34 The proposal will have a limited impact on the visual, residential and environmental amenity of the area. Any impacts on the rights of local property owners to a private and family life and peaceful enjoyment of their possessions (Article 8 and Article 1 of Protocol 1) are minimal and proportionate to the wider social and economic interests of the community.

Conclusion

4.35 With the pending closure of Bennett Bank Landfill Site there is a clear need to provide a new facility in the area as there are no other facilities capable of taking the quantities of inert waste or authorised sites within the south of the County. This inert tip is also used for the mineral waste generated by quarrying operations.

4.36 Whilst local residents have raised concerns with regards to certain elements of the scheme with regards to impact on the highway and increase traffic on the level crossing. Both the Highway Authority and Network Rail are happy with current methods of control which are in place.

4.37 I consider that against the background of the site operating as an active quarry with a limited lifespan and recycling plant the additional impact associated with the disposal of inert waste within the site would not have a detrimental or significant affect on environmental impacts of the area, the amenities of local residents and impact on highway safety. I recommend that planning permission is granted.

Paul Feehily
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Contact

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Background Papers

Planning Application File Reference No. 6/11/9006

Electoral Division Identification

Dalton South ED - Mr B Bleasdale

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THE TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

Summary of Reasons For Grant of Planning Permission

1. This application has been determined in accordance with the Town and Country Planning Acts, in the context of national and regional planning policy guidance and advice and the relevant development plan policies.

2. The key development plan policies taken into account by the County Council before granting permission were as follows:

**Cumbria and Lake District Joint Structure Plan 2001-2016 (Saved Policies)**

**Policy E37 – Landscape Character**

Development and land use change should be compatible with the distinctive characteristics and features of Cumbria’s landscape types and sub types. Proposals will be assessed in relation to:

1. locally distinctive natural or built features
2. visual intrusion or impact
3. scale in relation to the landscape and features
4. the character of the built environment
5. public access and community value of the landscape
6. historic patterns and attributes
7. biodiversity features, ecological networks and semi-natural habitats and
8. openness, remoteness and tranquillity.

**Cumbria Minerals and Waste Development Framework (CMWDF)**

**Generic Development Control Policies (GDCP) 2009-2020**

**Policy DC1 – Traffic and Transport**

Proposals for minerals and waste developments should be located where they:

a. are well related to the strategic route network as defined in the Local Transport Plan, and/or
b. have potential for rail or sea transport and sustainable travel to work, and
c. are located to minimise operational "minerals and waste road miles".

Mineral developments that are not located as above may be permitted if:

- they do not have unacceptable impacts on highway safety and fabric, the convenience of other road users and on community amenity,
- where an appropriate standard of access and traffic routing can be provided, and appropriate mitigation measures for unavoidable impacts are provided.
Policy DC 2 - General Criteria

Minerals and Waste proposals must, where appropriate, demonstrate that:

a. noise levels, blast vibration and air over-pressure levels would be within acceptable limits,
b. there will be no significant degradation of air quality (from dust and emissions),
c. public rights of way or concessionary paths are not adversely affected, or if this is not possible, either temporary or permanent alternative provision is made,
d. carbon emissions from buildings, plant and transport have been minimised,
e. issues of ground stability have been addressed.

Considerations will include:

- the proximity of sensitive receptors, including impacts on surrounding land uses, and protected species,
- how residual and/or mineral wastes will be managed,
- the extent to which adverse effects can be controlled through sensitive siting and design, or visual or acoustic screening,
- the use of appropriate and well maintained and managed equipment,
- phasing and duration of working,
- progressive restoration,
- hours of operations,
- appropriate routes and volumes of traffic, and
- other mitigation measures.

Policy DC 3 - Cumulative Environmental Impacts

Cumulative impacts of minerals and waste development proposals will be assessed in the light of other land-uses in the area. Considerations will include:

a. impacts on local communities,
b. all environmental aspects including habitats and species, landscape character, cultural heritage, air quality, ground and surface water resources and quality, agricultural resources and flood risk,
c. the impact of processing and other plant,
d. the type, size and numbers of vehicles generated, from site preparation to final restoration and potential impacts on the highway network, safety and the environment,
e. impacts on the wider economy and regeneration,
f. impacts on local amenity, community health and recreation facilities and opportunities.

Policy DC4 – Criteria for Waste Management Facilities

Waste management facilities that accord with Core Strategy Policies 2, 8 and 9, and which do not have adverse environmental impacts, will be permitted if they conform to the locational and other criteria.

a. Proposals for scrapyards, vehicle dismantlers, materials recovery facilities, or transfer and storage facilities to facilitate materials re-use and recycling, including household waste recycling centres, will be permitted on existing or planned industrial estates or at existing waste management sites
h. Proposals for recycling facilities for construction and demolition waste, mineral and other wastes will be permitted at active quarries and landfill sites, and on suitable industrial estates. Proposals for facilities for periods longer than the active life of a quarry or landfill will require to be justified as sustainable development.

Policy DC14 – The Water Environment
Planning permission will only be granted for developments that would have no unacceptable quantitative or qualitative adverse effects on the water environment, including surface waters and groundwater resources. Proposals that minimise water use and include sustainable water management will be favoured.

Cumbria Minerals and Waste Development Framework (CMWDF)
Core Strategy (CS) 2009-2020

Policy CS1 – Sustainable Location and Design
Proposals for minerals and waste management developments should demonstrate that:

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

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

Policy CS 2 – Economic Benefit
Proposals for new minerals and waste developments should demonstrate that they would realise their potential to provide economic benefit. This will include such matters as the number of jobs directly or indirectly created or safeguarded and the support that proposals give to other industries and developments. It will also be important to ensure that minerals and waste developments would not prejudice other regeneration and development initiatives.
Cumbria Minerals and Waste Development Framework (CMWDF)
Site Allocations Policies 2009-2020

Policy SA5 – Additional Non-inert Landfill Capacity
AL 31 Lillyhall landfill, Workington
BA 10 Goldmire Quarry, Barrow (subject to technical feasibility and access improvements)
CA 24 Hespine Wood, near Carlisle
ED 7 Thackwood clay pit

Barrow Local Plan 1996-2006

Policy D1 – County Landscape
The Borough's countryside will be safeguarded for its own sake and non-renewable and natural resources afforded protection. Development will be permitted in the countryside only where there is a demonstrable need that cannot be met elsewhere. Where necessary development is permitted any adverse effect on the rural character of the surroundings should be minimised subject to the developments operational requirement.

Policy D3 – Local Landscape
The following areas are designated as Local Landscapes:
a. Furness Abbey and Mill Beck Valley
b. Goldmire and Hagg Gills Valley and
c. Poaka Beck Valley, north of Dalton
In these areas priority will be given to landscape conservation and therefore development or land use changes detrimental to their distinctive character as Local Landscapes will not be allowed. Where development proposals are of major economic social and environmental benefit and cannot be located elsewhere they will be considered, provided the siting minimises adverse environmental impacts and that it meets high standards of design.

Policy D13 – Wildlife Corridor
Proposals for development or land use changes that adversely affect direct or indirectly, the integrity or wildlife and landscape features such as hedgerows, ponds, woodland or continuity of the Wildlife Corridors will only be approved if the development cannot be accommodated elsewhere and the need for the development clearly outweighs the need to retain that particular section of the wildlife network. Where the development will result in the loss of trees or woodland or other wildlife features the Authority will require the developer to submit a detailed landscaping scheme with the planning application, which must be completed as part of the development, and which must provide for the replacement of trees & other wildlife features lost as a result of the development.

In summary, the reasons for granting permission are that the County Council is of the opinion that the proposed development is in accordance with the development plan, there are no material considerations that indicate the decision should be made otherwise and with the planning conditions included in the notice of planning consent, any harm would reasonably by mitigated. Furthermore, any potential harm to interests of acknowledged importance is likely to be negligible and would be outweighed by the benefits of the development.
Appendix 2
Ref No. 6/11/9006
Development Control and Regulation Committee – 8 May 2012

Conditions

Time Limits

1. This permission shall be for a limited period only expiring on 21 February 2042, by which date the operations hereby permitted shall have ceased, all plant and machinery, including foundations and hardstandings shall have been removed from the site, and the site shall have been restored in accordance with the approved scheme.

Reason: To secure the proper restoration of the site following the approved period for this temporary development, in accordance with Policy DC16 of the Cumbria Minerals and Waste Development Framework, adopted 23 April 2009.

Approved Documents

2. The development shall be carried out strictly in accordance with the approved documents, hereinafter referred to as the approved scheme. The approved scheme shall comprise the following:

a. The submitted Application Form – dated 2 February 2011
b. Supporting Statement – dated 2 February 2011
c. Plans numbered:
   i) Site Plan – dated 2 February 2011
   ii) Existing landform (sheet P101 rev D) – dated 3 November 2008
   iii) Proposed landform (sheet P102 rev D) – dated 3 November 2008
   iv) Landform - surface water collection measures (sheet P103 rev A) – dated 28 August 2010
   v) Landform – restoration proposal (sheet P104) - dated 24 September 2010
   viii) Cross Sections sheet 3 (sheet P303 rev A) – dated 28 August 2010

d. Traffic Management Plan (as detailed in letter dated 27 February 2004)

e. Additional information submitted 23 February 2012 :
   i) Source of waste material
   ii) Vehicle movements
   iii) Proposed phasing of quarrying operations (figure 6, figure 7, drawing no P105, P106, P107, MP-104)
f. Additional information dated 28 February 2012 :
   i) Final restoration of the site
   ii) Drawing no MP-105 – Proposed restoration (dated 27 February 2012)
g. The details or schemes approved in relation to conditions attached to this permission.
h. This Decision Notice

Reason: To ensure the development is carried out to an approved appropriate standard and to avoid confusion as to what comprises the approved scheme.
3. The scheme approved under planning permission 6/11/9006 only relates to the recycling and disposal of inert material.

Reason: To safeguard local watercourses and drainage and avoid the pollution of any watercourse or groundwater resource.

4. An annual report shall be submitted to the Local Planning Authority detailing the:
   - the total number of vehicles visiting the site
   - the percentage of loads that are backhauled
   - the tonnage of imported material which is recycled
   - the tonnage of waste including mineral waste disposal to the inert landfill site.

These reports shall be submitted to the Local Planning Authority by 30 April every year for the life of the permission.

Reason: In the interests of highway safety and local amenity.

5. No operations hereby permitted shall take place on site outside the following hours:
   - 0700 to 1900 Monday to Friday
   - 0700 to 1300 Saturdays
   - nor at any time on Sundays, Bank or Public Holidays.

However, this condition shall not operate so as to prevent the use of pumping equipment, and the carrying out, outside these hours, of essential maintenance of plant and machinery used on site.

Reason: To protect the amenities of local residents.

6. The traffic management plan shall be adhered to at all times.

Reason: In the interests of highway safety and local amenity.

7. No loaded lorries shall enter or leave the site unsheeted, except loads with a large quantity of reinforced concrete.

Reason: In the interests of highway safety and local amenity.

8. The noise levels arising from the development shall not exceed 55dB(LAeq) (1 hour) freefield at any of the locations listed below:
   - Railway Cottages, Thwaite Flat.
   - St Helen's Farm, Dalton in Furness.

Reason: To protect the amenities of local residents.

9. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with and use effective silencers.

Reason: To minimise the disturbance from operations on local residents.
10. Any audible reversing warning system used on mobile plant shall be a white noise type only.

    Reason: To minimise the disturbance from operations on local residents.

11. Before the commencement of development in phase 2, noise monitoring measures shall be implemented in accordance with a scheme to be submitted in writing to the Local Planning Authority for approval. The scheme shall cover:

    - noise monitoring locations
    - frequency of measurements
    - availability of results for inspection by the local planning authority
    - modelling procedures
    - procedures to be adopted if noise limits go above a certain level
    - prevailing weather conditions and comments on any significant noise sources which are audible.

    On receiving written approval the scheme shall be implemented in its entirety.

    Reason: To enable the effects of the development to be adequately monitored during the course of operations.

12. The operator shall maintain on site at all times a water bowser, or other dust suppression system, together with an adequate supply of water and during periods of dry weather shall spray the access road, haul roads, plant and stockpiling areas to satisfactorily suppress dust so that it does not constitute a nuisance outside the site.

    Reason: To prevent dust from the development having an unacceptable impact on the amenity of local residents or the environment.

13. Throughout the life of this permission the developer shall protect and support any ditch, watercourse or culvert passing through the permission area, or satisfactorily divert it and shall not impair the flow or render less effective drainage on to and from adjoining land.

    Reason: To safeguard local watercourses and drainage and avoid the pollution of any watercourse or groundwater resource.

14. All existing hedges, walls, fences and gates around the perimeter of the workings shall be maintained and made stockproof until restoration is completed. Where an operational boundary does not coincide with an existing stockproof boundary, stockproof fencing with gates at every opening shall be provided prior to the commencement of operations in that part of the site and maintained until restoration is completed.

    Reason: To ensure that stock do not enter the working area.

RESTORATION/AFTERCARE

15. The site shall be restored in accordance with the scheme dated 28 February 2012.

    Reason: To secure the proper restoration of the site to agricultural and nature conservation use and its subsequent aftercare, in accordance with Policy DC16 of Cumbria Minerals and Waste Development Framework.
16. Prior to grassland seeding a scheme detailing aftercare for grassland areas shall be submitted to and approved in writing by the Local Planning Authority. This scheme shall include:

- the aims and objectives for grassland management
- the cutting/grazing regime
- treatments to prevent the grassland becoming rank
- investigation and reseeding of failed areas
- criteria for assessing when restoration is completed and the 5 year aftercare period begins

When approved the scheme shall be implemented in full.

**Reason:** To secure the proper restoration of the site to agricultural and nature conservation use and its subsequent aftercare, in accordance with Policy DC16 of Cumbria Minerals and Waste Development Framework.

17. Not less than once each year during the aftercare period there shall be a formal review, under the provisions of Section 72(5) of the Town and Country Planning Act 1990, to consider the operations which have taken place on each restored phase and to agree a programme of management for the coming year which shall be adhered to by the operator. The parties to be invited to attend this review shall include the mineral operator, the Local Planning Authority, owners and occupiers of the land and Natural England. At least 2 weeks before the date of each review the operator shall provide all people attending the meeting with a record of the management and operations carried out on each phase during the period covered by the review and a proposed programme of management for the coming year.

**Reason:** To secure the proper aftercare of the restored land and to allow its return to as high a quality as possible, in accordance with Policy DC16 of Cumbria Minerals and Waste Development Framework.