Application No: 1/15/9004  
District: Carlisle  

Applicant: Cubby Construction Ltd  
Knights Drive  
Kingmoor Park Central  
Carlisle  
Parish: Rockcliffe Parish Council  
Received: 31 July 2015  

PROPOSAL: Section 73 application to 1/06/9004 to amend condition No. 11 to allow 50 vehicles per day  

LOCATION: Kingmoor Rockcliffe Industrial Estate, Rockcliffe, Carlisle, Cumbria, CA6 4RN
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 a Section 73 planning application to amend condition no 11 of planning permission 1/06/9004 to allow 50 vehicles per day.

2.2 Planning permission was granted for the site in 2006 (1/06/9004 – for a waste recycling and transfer station). The site area is approximately 1.3 ha. The site consists of hard standing to stockpile construction waste such as concrete brick and soil prior to sorting, crushing and screening into reusable product. Any residual waste would be disposed of site to Hespino Wood landfill.

2.3 Approximately 20,000 tonnes of soil, subsoil, road plainings, concrete brick and other suitable materials are stored and processed annually. The material is stockpiled and then hired crushers and screens are used to process the material to produce aggregate for use in the construction industry. All the plant is mobile, and would be moved around the crushing and screening area. The site is enclosed by a galvanised palisade fence approximately 2m high and landscaped, including a 3m high earth bund along the north and western boundaries with tree planting.

2.4 Material is generated from the construction and demolition industries and all the raw materials are generated off site. As far as practically possible the material is processed at source to produce a clean product e.g. with brick rubble as much timber, plastic and all other contaminants removed prior to delivery to the recycling facility. The maximum height of the stockpiles is 4m.

2.5 All material is transported in bulk tipper lorries. The material that is processed arises in an area no more than 30 miles from the site and it is unlikely generally to exceed 20 miles due to the economics of transporting the material. The route for traffic is from the A7 at Kingstown Broadway via Parkhouse Road towards Rockcliffe then approaching the site from the north (unless servicing local sources in the Rockcliffe or Cargo area). The average number of vehicles entering the site when it is being used is likely to be between 5 and 15 per day with a maximum of 50 in rare cases. It is anticipated that there will be many days when the site is not accessed by vehicles as it will not be a continuous operation.

2.6 The existing operating hours of working for loading/unloading and stockpiling materials are Monday to Friday 0700-1900, Saturdays 0700-1300 with no working Sunday and/or Bank/Public Holidays. The proposed working hours for screening and crushing are Monday to Friday 0800 – 1800, Saturday 0800 – 1700 with no working on Sundays.

3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 Carlisle City Council Planning state the site lies within 250 m of a residential property and any vehicles travelling to and from the site would need to travel past a number of residential properties. The existing conditions limit the working hours and restrict the number of vehicle movements, which help to ensure the proposal does not have a significant adverse impact on local residents. Allowing
HGVs to access the site 24 hours a day and allowing extra vehicles to access the site would have a significant adverse impact on the local residents that lie in close proximity to the site and those that live on the routes that would be used by HGVs accessing the site. It is considered that the existing conditions should be retained as worded.

3.2 Carlisle City Council Environmental Health state the recommendation by planning is supported. Late night operations on site and associated vehicle movements has the potential to give rise to complaints from residents. In the event of excessive noise from the site a noise investigation would be required and where necessary enforcement action taken.

3.3 Highway Authority state no objection.

3.4 Environment Agency state no comment.

3.5 Kingmoor Parish Council state we feel that 24 hour operations in a rural setting is inappropriate and should not be allowed to happen. There is a restriction on HGV operating hours at BSW Timber Yard and we feel the same should apply at this site. We also have concerns that there is no highway report especially with regard to the damage to the road which may be caused by an increase in the flow of traffic.

3.6 Rockcliffe Parish Council state objection to the amended conditions. Working hour restrictions contained within the existing planning condition are not considered to be adhered to by existing site operations. It is therefore considered doubtful that any relaxation regarding working hours would also be adhered too; hence if working hours were increased to 24 hour working, this would cause severe sleep interuption to residents of Rockcliffe. Residents advise that when the wind is in a south-easterly direction noise from the industrial site can currently be heard within the village from 6.00 a.m. Consequently, if 24 hour working is permitted this shall result in severe sleep deprivation for residents of the village; the amount of HGV vehicles using the highway within the village and the Shapwath area are a cause for concern and no increase in vehicle movement numbers would be condoned or supported. HGV vehicles are frequently witnessed using the road through Rockcliffe village – a road unsuitable for this type of vehicle and used as a short cut to Castletown Estates; motorway access at Gretna and the Cumbria Waste Management site. The Parish Council having requested that the village is subject to an HGV weight restriction on numerous pervious occasions; the Rockcliffe industrial estate is considered unsuited to the types of businesses that presently occupy the site. Issues due to noise pollution, HGV vehicles, vermin, flies and odours frequently being experienced and considered detrimental to the residential amenity of residents within the parish; it is felt that if the current operators need to expand/extend their operations at the site, then it may be more pertinent if another suitable location for their future development is determined.

3.7 The local Member - Mrs Val Tarbitt states the village of Rockliffe would be affected by the planning application. The opinions of Rockliffe Parish Councillors have been sought and they strongly feel that a decision should be made after a site visit by Members of DC&R Committee. Rockcliffe is a village that suffers adversely from HGV’s passing through the village from a variety of businesses operating in close proximity to the village. Residents currently experience anti-social noise, dust and traffic volume from these vehicles. Residents are therefore concerned that permission to operate with a change of times would add
to these anti-social activities already affecting their quality of life.

3.8 No representations had been received when this report was prepared.

4.0 PLANNING ASSESSMENT

4.1 The original proposal included a variation to condition no 4 allowing 24 hour working on 15 days per year. This element has now been removed as concern was raised with regards to the unacceptable impacts this would have on the amenities of local residents. The scheme has been amended to allow 50 vehicles per day to access the site. Operating hours would remain as existing 0700 to 1900 Monday to Saturday and 0700 to 1300 on Saturdays with no working Sunday or Bank/Public holidays.

4.2 The site is part of the former RAF14 MU which is now the Kingmoor Rockcliffe Estate. The estate has the benefit of a Certificate of Lawfulness from Carlisle City Council for uses falling within Classes B1 and B8 (light industry and storage or distribution respectively) and Unit C falls within the latter use. The operator took control of the site in 2006, prior to this the site had been vacant for some time.

4.3 The applicant was granted planning permission for a change of use to a Waste Recycling and Transfer Station (1/06/9004) granted 29 June 2006; a further application was submitted in July 2007 (1/07/9013) Section 73 application for variation of condition 11 (traffic) and condition 3 (hours of working) of planning permission 1/06/9004, granted 20 September 2007.

Policy Context

4.4 The development has been considered against national and local plan policies.

4.5 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied. Paragraph 14 sets out a presumption in favour of sustainable development which for decision making means that proposals that accord with development plan should be approved without delay. The additional vehicle movements would meet the needs of the operator to be more competitive and meeting the needs of the Company to be able to expand on vehicle movements.

4.6 Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan. The Development Plan for the area comprises Cumbria Minerals and Waste Local Plan Core Strategy (CS) and Development Control (DC) Policies (adopted 2009) The proposed development conforms with policies CS 1 – sustainable location and design the site is strategically located as the site sits in the open countryside and has good transport links to the strategic road network; DC1 – traffic and transport the development would contribute to reducing waste miles and is close to the strategic road network; DC2 – general criteria the site does have measures in place to monitor noise, dust and emissions and there are mitigation measures in place if there are any issues or concerns raised with regards to noise, dust etc; DC 3 – cumulative environmental impacts the development currently complies with the criteria in the policy; DC4 – criteria for waste management facilities the site does occupy an open countryside location.

4.7 The Draft Cumbria Minerals and Waste Local Plan 2014 to 2029 (Regulation 18
Consultation) (February 2015) contains policies which are relevant to the proposed development: SP1 – Presumption in favour of sustainable development the development complies with numerous sustainable development policies within the local plan; DC 1 – Traffic and transport the development reduces waste road miles; DC2 – general criteria the site does have measures in place to monitor noise, dust and emissions and there are mitigation measures in place if there are any issues or concerns raised with regards to noise, dust etc; DC 6 – cumulative environmental impacts the development currently complies with the criteria in the policy; DC 9 criteria for waste management facilities the site does occupy an open countryside location. However, the Draft Cumbria Minerals and Waste Local Plan 2014 to 2029 (Regulation 18 Consultation) (February 2015) is currently in consultation stage and it therefore has little weight in the determination of this application.

4.8 Carlisle City Council Local Plan 2001-2016 Written Statement (September 2008) has no specific policies relating to traffic generation.

4.9 The proposed amendment to Condition No 11 to increase traffic numbers raises no issues or concerns with regards to National and Local Policies. The Highway Authority has raised no objection to the increase in vehicle numbers.

**Transport**

4.10 The application site is located on Kingmoor Park Rockcliffe Estate approximately 6 km north of Carlisle City Centre. The Rockcliffe Estate is a satellite site of the Kingmoor Park Industrial Estate to the north of Carlisle. The site has good access to the strategic road network including the M6 and A595.

4.11 The original planning application 1/06/9004 restricted the number of vehicles to 15 which equates to 2 vehicles per hour. The current proposal would increase traffic movements to 50 which equate to 1 every 15 minutes during the 12 hour approved operations (0700 – 1900).

4.12 At the time of planning application 1/06/9004 (June 2006) the Carlisle Northern Development Route (CNDR) was under construction thereby any increase in vehicle movements on the local highway network raised significant concerns. However the CNDR opened in 2012 this has significantly improved access from the local roads onto the strategic road network.

4.13 Since the original planning application 1/06/9004 for the change of use to a Waste Recycling and Transfer Station a planning application was submitted for the adjacent site for change of use from an industrial building (for B8 use) to the development and operation of a materials recycling facility to enable the sorting and recycling of waste materials (1/09/9002) approved 19 March 2009. There is no restriction on vehicle movements or numbers of vehicles attached to this planning permission.

4.14 The proposed increase in vehicle numbers would not have a significant impact on the highway network. The Highway Authority has raised no objection to the increase in vehicle numbers.

**Other Concerns**

4.15 Concern has been raised by the Local Member and both Kingmoor and Rockcliffe Parish Council’s with regards to the transport route. The main concern is HGV’s
accessing the village of Rockcliffe. A condition was imposed on planning
permission 1/07/9013 condition no 12 which requires all HGV’s to turn left at the
site entrance onto the C1016 Rockcliffe/Cargo to Kingmoor road unless for a
local site. This is to prevent HGV’s passing through the village of Rockcliffe.

4.16 The condition worded “All HGV’s leaving the site shall turn left onto the C1016
(Rockcliffe/Cargo to Kingmoor road) and connect directly onto the CNDR, unless
travelling to local sites which cannot reasonably be accessed by that route”
would be imposed should planning permission be approved for the increase in
vehicle numbers. This would prevent HGV’s from accessing the village of
Rockcliffe.

Human Rights Act 1998

4.17 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

4.18 The proposed variation of condition no 11 to planning permission 1/06/9004
would not have a significant impact on the amenities of local residents or on
highway safety. Since the opening of the CNDR HGV impacts on Rockcliffe
have significantly reduced as the majority of the traffic heads south to the CNDR
and then onto the strategic road network. The Highway Authority has raised no
objection to the increase in vehicle numbers.

4.19 The proposal is supported by both National and Local Plan Policies as the
proposed increase in vehicle movements and existing working hours would
remain as existing and meet the development needs of a local business. (Also
state existing hours of working will remain)

4.20 I recommend that planning permission is granted.

Angela Jones
Assistant Director of Environment & Regulatory Services

Contact: Mrs Jayne Petersen, Kendal,
Tel: 01539 713549.; Email: jayne.petersen@cumbria.gov.uk

Background Papers: Planning Application File Reference No. 1/15/9004

Electoral Division Identification: Longtown - Mrs Val Tarbit
Appendix 1
Ref No. 1/15/9004
Development Control and Regulation Committee – 7 October 2015

THE TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Appendix 1 - Summary of Reasons for Grant of Planning Permission

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

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

Cumbria Minerals and Waste Development Framework [CMWDF] Core Strategy (CS) and Development Control (DC) policies 2009-2020 (Adopted April 2009)

Policy CS 1 - 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 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 DC 4 - 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 below.

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,
b. Developments of facilities involving processing, storage or transfer of non-inert waste in proximity to housing, business uses, or other sensitive industries will only be permitted if enclosed within a building, and adverse emissions controlled through appropriate and well managed equipment,
c. Facilities for physical, chemical or biological treatments of waste will be permitted if they reduce the potential of waste to pollute the environment; and are:
   i. on industrial estates, or
   ii. at non-inert landfill sites where they are needed for pre-treatment, or for treatment of leachate, and will not prejudice good operational standards or the restoration scheme,
d. Open windrow green waste composting will be permitted, where adequate stand off distances can be established to safeguard other land uses from odours and emissions, and development is on:
   i. farms or open countryside locations, or
   ii. isolated industrial estates or waste management sites,
e. Other facilities for composting waste will only be permitted where odours and emissions to atmosphere are controlled by effective enclosure and other techniques,
f. Waste water treatment facilities will be permitted in appropriate locations if proposals have minimised any adverse environmental impacts,
g. In considering energy from waste proposals preference will be given to combined heat and power providers. Proposals located on an industrial site or premises where the waste arises or heat can be used will be favoured,
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.

Draft Cumbria Minerals and Waste Local Plan 2014 to 2029 – Regulation 18 Consultation (February 2015)

Policy SP1 – Presumption in favour of sustainable development

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants to find solutions that mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions of the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant with policies in Neighbourhood Plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

- specific policies in that Framework indicate that development should be restricted.

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 Cumbria Local Transport Plan, and/or
b. have potential for rail or waterborne 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 is provided.

Policy DC2 – General Criteria
Minerals and waste proposals must, where appropriate, demonstrate that:

a. assessments have been carried out, the relevant scope of which have been agreed in advance with the planning authority, and proposals have been designed to address where relevant, impacts on the natural and historic environment or human health;
b. the cumulative effects of multiple impacts from individual site and/or a number of sites in the locality have been taken into account;
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. the overall carbon footprint of the development has been minimised;
e. issues of ground stability, mining subsidence and differential settlement of backfill.

Considerations will include:

- the proximity of sensitive receptors, including impacts on surrounding land uses, and protected habitats and 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 work;
- progressive restoration;
- hours of operation;
- appropriate routes and volumes of traffic; and
- other mitigation measures.

Policy DC6 – Cumulative Environmental Impacts

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

a. impacts on local communities
b. All environmental aspects including habitats and species, visual impact, landscape character, cultural heritage, noise, 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 their potential impacts on the transport network, safety and the environment;
e. Impacts on the wider economy and regeneration;
f. Impacts on local amenity, community health and areas of formal and informal recreation.

Carlisle District Local Plan 2001-2016 – Written Statement (September 2008)

No specific policies
Paragraph 14: At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision taking.

For decision taking this means: approving development proposals that accord with the development without delay.

Paragraph 20: To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st Century.

The National Planning Policy Framework (March 2012) is also a material consideration, and has been taken into account in this report with reference to:

**Paragraph 14**

At the heart of the National Planning Policy Framework is a *presumption in favour of sustainable development*, which should be seen as a golden thread running through both plan-making and decision-taking.

**Paragraph 14**

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 - Proposed Conditions

Approved Documents

1. The development shall be carried out in accordance with the approved documents, hereinafter referred to as the approved scheme. The approved scheme shall comprise the following:
   b. Plans numbered:
      i) Plan – CLS6
      ii) Site layout plan – 14704/02B
      iii) Location plan – 14704/01
   c. The details or schemes approved in relation to conditions attached to this permission.
   d. 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.

Approved Operations Programme

2. The development shall be carried out strictly in accordance with the approved documents, hereinafter referred to as the approved scheme. Any variation to the approved scheme shall be submitted to and approved by the Local Planning Authority prior to being carried out.

Reason: To ensure that the site operates in accordance with the approved scheme.

Hours of Working

3. No operations, including the loading, unloading or transportation of waste, shall take place on site outside the following hours:

   07.00 to 19.00 hours Mondays to Fridays
   07.00 to 13.00 hours on Saturdays,
   nor at any time on Sundays or Bank/Public Holidays

Working outside these hours may be permitted with the prior written agreement of the Local Planning Authority to effect emergency transfer of waste.

However this condition shall not operate so as to prevent the carrying out, outside these hours, of essential maintenance to plant and machinery used on
Reason: To ensure that no operations hereby permitted take place outside normal working hours which would lead to an unacceptable impact upon the amenity of local residents.

4. Notwithstanding condition 3 above, no processing of construction waste shall take place on any part of the site except between the hours of 08.00 to 18.00 on Mondays to Friday inclusive and 08.00 to 12.00 on Saturdays.

Reason: These activities can generate considerable noise which would have an unacceptable impact upon the amenity of local residents.

Control of Noise

5. If a noise complaint is received a noise control scheme shall be submitted to the Local Planning Authority for approval. This scheme shall include details of a survey of existing background noise levels at the nearest noise sensitive properties or other appropriate accessible locations carried out in accordance with British Standard 4142, 1997. The scheme shall include mitigation and contingency measures to ensure that noise levels dB(LAeq) (1 hour) from the facility shall not exceed background levels. When approved the scheme shall be implemented in its entirety.

Reason: To protect the amenities of local residents in accordance with Policy DC2 of Cumbria Minerals and Waste Local Plan 2009-2020 (April 2009).

6. All plant, machinery and vehicles used on site shall be effectively silenced at all times in accordance with the manufacturers’ recommendations.

Reason: To safeguard the amenity of local residents by ensuring that the noise generated in their operation is minimised and so does not constitute a nuisance outside the boundaries of the site in accordance with Policy DC2 of Cumbria Minerals and Waste Local Plan 2009-2020 (April 2009).

Control of Dust

7. The operator shall maintain on site at all times a water bowser or other dust suppression system together with an adequate supply of water to suppress dust arising on the access road, haul roads, working areas, plant area and stockpiling areas with water in order that it does not constitute a nuisance outside the site.

Reason: To safeguard the amenity of local residents by ensuring that dust does not constitute a nuisance outside the boundaries of the site in accordance with Policy DC2 of Cumbria Minerals and Waste Local Plan 2009-2020 (April 2009).

8. The stockpiles of material shall not exceed 3 metres in height, except with the prior approval of the Local Planning Authority.

Reason: To minimise the visual impact of the development and to safeguard the
amenity of local residents.

Drainage

9. Provision shall be made for the collection, treatment and disposal of all water entering or arising on the site to ensure that there will be no pollution or flooding of watercourses and other land by the approved development.

Reason: To avoid the pollution of any watercourses or groundwater resource or flooding of other land in accordance with Policy DC14 of Cumbria Minerals and Waste Local Plan 2009-2020 (April 2009).

Traffic

10. Except with the prior written approval of the Local Planning Authority no more than 50 HGVs shall visit the site daily.

Reason: To control the amount of heavy goods vehicles on rural roads in the vicinity of Rockcliffe village in the interest of highway safety.

11. All HGV's leaving the site shall turn left onto the C1016 (Rockcliffe/Cargo to Kingmoor road) and connect directly onto the CNDR, unless travelling to local sites which cannot reasonably be accessed by that route.

Reason: To reduce the amount of heavy goods vehicles on rural roads in the vicinity of Rockcliffe village in the interest of highway safety.