Application No: 1/15/9006  
District: Carlisle

Applicant: Mr R Allan  
North West Recycling  
Kingmoor Rockcliffe Estate  
Carlisle

Parish: Rockcliffe Parish Council  
Received: 18 November 2015

PROPOSAL: The change of use of one building unit B and site K to waste management and ancillary operational development and alterations to increase the height of the landscaping mound and additional landscape planting. Retrospective consent for the erection of security fencing.

LOCATION: North West Recycling, Unit B & K, Rockcliffe Industrial Estate, Kingmoor Park, Carlisle, CA6 4RW
1.0 RECOMMENDATION

1.1 That planning permission is Granted subject to the conditions in Appendix 1.

2.0 THE PROPOSAL

2.2 The proposal is for the change of use of unit B and site K to waste management and ancillary operational development; new drainage scheme including settlement ponds; increase areas of hardstanding; new fencing around perimeter of site (retrospective), stockpiles and bays and increasing the height of the landscaping bund to 4 m with enhanced planting scheme.

2.3 Kingmoor Rockcliffe Estate currently operates under a Lawful Development Certificate issued by Carlisle City Council for the site to operate under Use Classes Order B2 (light industry) and B8 (Storage and distribution).

2.4 The proposed works involve:

Unit B is an industrial building which is currently being used for storage. It is proposed that this building would be used for waste management purposes i.e. segregating waste and mixed construction waste storage and treatment; baling of paper and plastics and sorting of wood waste;

Site K is the site of a former building which had fallen into disrepair and has now been demolished. The area has been cleared and it is proposed to be used for storage and processing of inert waste;

Screening/fencing. A 2 m high fence (retrospective element of the proposal) has been erected around the site. This is mainly around the perimeter of site K. It is proposed to create a new bund along the southern boundary to 4 m in height to provide screening from the C1016;

New drainage system to unit B and area K is proposed. This is proposed as sealed drainage units within the building, creation of 2 settlement ponds and reed bed system;

Storage bays and stockpiles are proposed adjacent to unit B. Stockpiles are proposed to a height of 6 m in this area close to the industrial building;

2.5 Access to the site is from the C1016 which connects the A689 (Carlisle Northern Development Route) to Rockcliffe road. This is a two way road which allows traffic direct access on to the strategic road network of the CNDR and M6.

2.6 North West Recycling currently provide a recycling service. The type of waste which is currently accepted by the site is refuse collection waste, mixed municipal waste, skip waste, dry mixed recycling (i.e. cardboard, plastics, metal packaging), green waste, residual waste from treatment of municipal waste. The site has an Environmental Permit issued by the Environment Agency to process these wastes.

2.7 North West Recycling currently employs 80 members of staff and it is envisaged that an additional 30-35 jobs could be created as a result of this proposal.

3.0 CONSULTATIONS AND REPRESENTATIONS

3.1 Carlisle City Council Planning state no objection subject to the following observations: The site is located approximately 140 m south east of the nearest
property known as “Bankend”. The 24 hour operation of the site should be resisted as the proposal would have the potential to result in a detrimental impact on the living conditions of neighbouring residents through unacceptable noise and disturbance. Any consent should be subject to condition requiring the submission of details for a scheme for adequate disposal of surface water. Any consent should be subject to a landscaping condition to ensure that the site is suitably screened. Any consent should be subject to condition requiring the compliance with the Method Statement complied with by Ash Bennett Ecology Ltd in respect of Great Crested Newts. Any consent should be subject to a landscaping condition to ensure that the site is suitably screened. Any consent should be subject to condition requiring the compliance with the Odour Management Plan. Any permission should be conditioned restricting the location and heights of the proposed external stockpiles and storage of empty skips. Consideration should be given to the potential use of external areas around the building for the storage of material which could be unsightly over time. A condition should be imposed controlling this; and the site is within Hadrian’s Wall World Heritage Site Buffer Zone.

3.2 **Carlisle City Council Environmental Health** state no objection in principle to this application. However, we would like to draw your attention to the problem of vermin and pests which have been previously associated with the site. This includes flies, rats and seagulls. We would recommend that food waste is covered, contained and managed in such a way as to prevent a food source to vermin. Suitable pest control contracts should be in place to manage pests and also to deal with any potential infestation.

Possible nuisance caused to nearby premises including light overspill, noise and odour issues should also be controlled and managed in such a way as to prevent causing a statutory nuisance. Noisy activities on site and vehicle movements should be restricted to suitable times in order to prevent disturbance to any nearby residential premises.

3.3 **Highway Authority and Local Lead Flood Authority** state the submitted design & access statement & transport statement have clarified the applicant’s proposals & whilst most address the concerns of the Highway Authority & Local Lead Flood Authority there are several issues which cause us some concern. However, these can be mitigated by imposing conditions. I can therefore confirm the Highway Authority has no objection to the application subject to the following conditions.

“The total number of laden heavy goods vehicles either entering or leaving the site shall not exceed 104 on any weekday or 28 on Saturdays with no movements permitted on any bank holidays or Sundays. A record of all laden heavy goods vehicles leaving the site each day shall be maintained by the operator at all times and access to this record shall be afforded to the Local Planning Authority on request.”

“An annual report reviewing the impact on laden heavy goods vehicles should be carried by the Highway Authority at the expense of the applicant and submitted to the Local Planning Authority for approval.”

3.4 **Environment Agency** state no objection.

3.5 **Rockcliffe Parish Council** state objection to the above retrospective application for the following reasons:-

North West Recycling has and continues to, operate out-with its current planning
permissions regarding:-

- site operating days, times and hours;
- the movements of waste via HGV’s and the routing of customers vehicles via the village of Rockcliffe. Cumbria County Council Highways Department is asked to request that vehicles are not routed through the village of Rockcliffe and that the applicant submits a clear travel plan to this effect;
- the unauthorised processing of food waste and vegetable matter – despite protestations to the contrary. Residents living adjacent to the area having reported increased levels of vermin activity, ‘plagues’ of flies and foul smells originating from the site. It should also be noted that planning permission has recently been passed by Carlisle City Council to build further residential dwellings within 400m of the site. Given this, it is suggested that the County Council request an independent report on the processing of food waste and the impact this may have on vermin levels in the area;
- that the shredding of wood should be undertaken indoors only.

Planning Officers are also requested to examine the current levels of floodlighting used on the site at night - as it is considered very obtrusive by adjacent residents.

Due to the above, Rockcliffe Parish Council does not support the application for retrospective consent, due to the disregard North West Recycling has shown to residents and the Local Planning Authority to date. To give additional scope to their operating practices would result in further, more serious breaches of planning regulations - to further detriment to the residents living in the area.

Rockcliffe Parish Council would suggest that if North West Recycling wishes to expand its current operation then this should be done on an alternate site that is situated closer to the Northern Ring Road and away from residential dwellings and areas of Outstanding Natural Beauty or SSSI’s - such as Rockcliffe.

3.6 Rockcliffe Parish Council response to further information received (02/02/16) states that Rockcliffe Parish Council would like to add the following comments to its original ‘objection’ submitted on the 16th December 2015, following receipt of the revised notice and additional documentation.

**Site Access Instructions**

The proposals advise that HGV traffic moves from the site using Route 1 (from and to the North & East) and Route 2 (from and to the South and West). This implies that there is, and will be, no traffic from and to the site using the C road from Shapwath and the Gretna junction at the Nursery. Cllrs consider that traffic movements on this road and through the village of Rockcliffe are increasing and that this can be substantiated by the larger amounts of litter that can be witnessed on the highway. Under Access (page 17) it is stated that ‘NWR are not aware of any complaints from the village about vehicle movements’. This statement is considered factually incorrect, as this issue has been raised on many occasions and via meetings between the Parish Council and NWR. Minutes held are available to verify this. It is therefore requested that the routing of the vehicles via the site access plan is made mandatory, through an
Hours of Operation
Confirmation is required concerning working hours and days as some discrepancy appears to occur within documentation contained within the application. Planning application No. 1/11/9001 permission notice, Condition 2 stated that the operating hours were 7.00 to 18.00 Monday to Friday, 7:00 to 15.00 Saturdays and that no loading or transportation of materials or operation of the plant or machinery shall take place on Sundays or Bank or Public holidays. This seems to conflict with information contained within the planning document (Page 18) that advises that ‘the operating hours are currently 7:00 to 19:00 Monday to Friday, 7:00 to 17:00 Saturdays and 7:00 to 17:00 Sundays and Bank Holidays. The extension of working hours is not supported due to the impact this would have on residential amenity to those living adjacent to the site and Rockcliffe village.

Highway Flooding
The highway from Rockcliffe to Cargo suffers from regular pollution and flooding at the point where the beck (that flows through the site) passes under the road on its way to the River Eden - some 400m away. Extending the capacity of the site by between 75% and 100% will only exacerbate the problems currently experienced. Additionally, again concerns have been raised about some of the information provided within the documentation to support the application. The document, Application for Planning Permission, Town and Country Planning Act 1990, Section 12 - Assessment of Flood Risk advises that the applicant states that the site is not a) within 20 metres of a watercourse (stream or beck) and b) will not increase the flood risk elsewhere?. It is considered that in both cases, the answer should have been Yes, because a beck/stream clear separates Site K from the rest of the site and the C classified road passing the site regularly floods onto the road the point where it passes under the road, on its way to joining the River Eden 400 metres away. The application indicates that NWR intends to increase the drainage from the site into the said beck/stream.

3.7 Local Member V. Tabitt state I fully support the objections lodged by Rockcliffe Parish Council and would be willing to speak at the Committee Meeting.

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

4.0 PLANNING ASSESSMENT

Description and Location of the Site

4.1 The site is part of the former RAF14 MU which is now known as Kingmoor Rockcliffe Estate. The Kingmoor Rockcliffe 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 and distribution respectively). Kingmoor Rockcliffe Estate is a satellite site of the much larger Kingmoor Industrial Park to the north of Carlisle. Kingmoor Park Heathlands Estate to the east of the application site also forms a satellite site.

Planning History

4.2 The applicant purchased unit A in 2009, and has subsequently purchased unit B and site K. The applicant has been operating from unit B and site K under the
permission issued by Carlisle City Council for use classes B1 and B8 (light industry and storage and distribution) and is now looking at expanding the business activities. The planning history for unit A consists of:

1/11/9001 - Variation of conditions 17, 19 and 20 of planning application ref:
1/09/9002 – conditional approval dated 22 June 2011

1/10/9021 - Section 73 Application to amend Condition 19 in order to alter site layout and deletion of Condition 20 of Planning Permission 1/09/9002 – Withdrawn

1/09/9002 - Change of use from an industrial building (for B8 use) to a Materials Recycling Facility to enable the sorting and recycling of waste materials – Conditional approval 19 March 2009

Planning Policy Context

4.3 Section 38(6) of the Planning & Compulsory Purchase Act 2004 provides that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Government policy is a material consideration that must be given appropriate weight in the decision making process.


- Policy CS 1 – Sustainable location and design
- Policy CS 9 – Provision for waste
- Policy DC 1 – Traffic and transport
- Policy DC 2 – General criteria
- Policy DC 3 – Cumulative environmental impacts
- Policy DC 4 – Criteria for waste management facilities
- Policy DC 12 - Landscaping

4.5 A consultation on the Preferred Options for the new Cumbria Minerals and Waste Local Plan 2014-2029 took place in Spring 2015. A targeted consultation on further sites subsequently put forward closed on 9 November 2015. Consultation on the version of the plan intended to be submitted is currently programmed for March 2016. As the new emerging plan is currently some way from being adopted, it can only be attributed extremely limited weight in the decision making process.

4.6 Carlisle City Council Local Plan 2001-2016 Written Statement (September 2008):

- Policy EC1 – Primary employment areas
- Policy CP1 – Landscape character
- Policy CP2 – Biodiversity
- Policy CP10 – Sustainable drainage systems

4.7 The emerging Carlisle District Local Plan 2015-2030 has been submitted to the Planning Inspectorate for examination this was examined on 19-20 January 2016 with adoption anticipated for early 2016.
The National Planning Policy Framework (NPPF) which was published on 27 March 2012 and the national online Planning Practice Guidance (PPG) suite, which was launched in March 2014, are material considerations in the determination of planning applications. The following sections and paragraphs of the NPPF and/or PPG are considered to be relevant to the determination of this application:

- Paragraphs 6-10 - Achieving sustainable development
- Paragraphs 11-14 - The presumption in favour of sustainable development
- Delivering Sustainable Development
  - Section 1 - Building a strong, competitive economy
  - Section 4 - Promoting sustainable transport
  - Section 7 - Requiring good design
  - Section 11 - Conserving and enhancing the natural environment.

PPG – ID 28 - Waste

The National Planning Policy for Waste (NPPW) was published on 16 October 2014. This sets out the government’s current waste policy to be taken into account by waste planning authorities and forms part of the national waste management plan for the UK. This has also been taken into account.

Main Planning Issues

The key planning issues relevant to the proposal are the expansion of the current waste transfer station and the impacts this would have with regards to effects on residential amenity; noise and dust; impacts on the highway; landscape and visual receptors in the locality and nature conservation:

Residential Amenity

The Kingmoor Rockcliffe Estate is allocated in Carlisle City as a Primary Employment Area (Policy EC1) subject to there being no adverse impacts on residential amenity or the local environment.

The Kingmoor Rockcliffe Estate is located approximately 600 m south east of the village of Rockcliffe. The application site is approximately 880 m from the village. The nearest residential properties are Bankend Farm, which is approximately 140 m south east and Moss View 440 m north of the application site. The site occupies a rural location to the north of the City of Carlisle approximately 5 km north of the city centre. There is a current planning application awaiting determination by the Planning Inspectorate for residential development approximately 700 m north west of the application site.

The Kingmoor Rockcliffe Estate has a number of businesses which operate from the site including NW Recycling, Andidrain, Cubby and Riever Lodges. NW Recycling (unit A) is a materials recycling facility to enable the sorting and recycling of waste materials; Andidrain is an industrial cleaning service; Cubby is a waste recycling and transfer station and Riever Lodges construct bespoke residential lodges. Operation hours are generally 0700 to 1800, however it is understood that Andidrain do occasionally undertake some 24 hour operations.

The main impact to residential amenities would be noise from activities from the proposed development, any increase in traffic movements, odour and from out of hours working. These concerns are addressed below.
Noise, Dust and Odour

4.15 There is a potential for noise to arise from the overall site due to the existing mixed activities which are undertaken on Rockcliffe Estate. The activities of this development would be mainly undertaken within an industrial building with some outdoor working. Due to the location of the application site in relation to the nearest residential receptors, noise impacts would not be above current activities. No formal complaints have been received with regards to noise from activities on the industrial estate and Carlisle City Council or Parish Council have not raised concerns with regards to noise impacts from the site.

4.16 Dust may be an issue during windy conditions or dry weather. A condition providing for a dust suppression system being available on site would be required.

4.17 Odour may become an issues when certain wastes are disposed of on site, which would be mainly when mixed waste including waste from catering and hospitality establishments is delivered by refuse collection vehicles. These waste sources are prioritised and sorted within 2 days of receipt. An odour management plan is in place to deal with odours and this is further controlled by the Environmental Permit issued by the Environment Agency.

Traffic and Transport

4.18 The Kingmoor Rockcliffe Estate is located on the C1016 (A689 roundabout to C1015 Rockcliffe) road. The road is a two lane carriageway which serves numerous business activities, village of Cargo and provides access to the village of Rockcliffe.

4.19 A transport statement has been submitted as part of the planning application. It is anticipated that approximately 80 vehicles per day (40 in/40 out) would access the site. This would equate to 4 vehicles per hour, 1 vehicle every 15 mins.

4.20 The Highway Authority has raised no objection to the proposed development. However, the Highway Authority has requested that a limit be imposed on the number of HGV’s which can leave the site on a weekday being 104 (52 in/52 out) and 28 on a Saturday (14 in/14 out) and an annual report is undertaken to assess the impact on HGV’s on the highway. It is proposed that appropriately worded conditions are imposed to monitor HGV movement.

4.21 External site access instructions are in operation which requires users of North West Recycling to enter from A689 (CNDR) along C1016 to the site. There is also an internal site routing plan in place which requires vehicles entering Rockcliffe Estate via unit A and using the internal road network to the south of the site to access unit B and site K. This avoids movement of HGV’s along the main estate road.

4.22 Concern has been raised by the Local Member and the Parish Council with regards to HGV’s accessing the village of Rockcliffe. Site instructions are issued by the operator to drivers who are visiting North West Recycling this includes a routing plan which precludes HGV’s entering the village of Rockcliffe. Whilst the applicant can control their own drivers and where necessary have dismissed drivers in the past, they can only advise private users to North West Recycling of the site rules.
4.23 The site currently provides a much needed facility to the area and helps reduce waste road miles by providing a service close to an extensive urban area. The proposed control of the number of vehicles to the site would ensure there would be no over intensification of vehicles to the site. With these factors taken into account it is considered the development complies with Cumbria MWLP Policy DC1 controlling transport movements and reducing minerals and waste road miles and Policy CS1 as the site provides a facility for the recycling of waste close to its source.

4.24 The opening of the CNDR has reduced a significant amount of traffic on the local highway network. North West Recycling do have measures in place to ensure all drivers turn left from the site and connect on to the strategic highway network of the CNDR. Any drivers found not to obey the site rules are either disciplined or dismissed from employment.

**Landscape and Visual Amenity**

4.25 The application site lies within landscape character sub type urban fringe which consists mainly of agricultural landscapes which have been subjected to urban and industrial influences for a long time and in many parts maintain a rural character.

4.26 The Kingmoor Rockcliffe Estate is a facility which was owned by the armed services and ceased operating in the late 1980's/early 1990's. Since this time the site has developed into an industrial estate and is allocated in Carlisle City Council’s Local Plan as an employment site (Policy EC1). The site has not seen much new physical development by way of new structures as the existing hangers have been utilised to accommodate the current business activities.

4.27 The main visual impact of operations from the site is external storage which can be seen when travelling north along the C1016. Some screen fencing has been constructed along the western boundary with the C1016 as part of the planning permission for unit A (1/09/9002) and there is also some existing screen planting and 1 m high bund along the southern boundary of the site.

4.28 The applicant is proposing to increase the height of the bund and provide a new planting scheme along the southern boundary to help alleviate the impacts of external storage outside the site, especially when seen travelling along C1016 in a northerly direction. The applicant is proposing to increase the height of the bund to 4 m.

4.29 The buildings are existing thereby they already have some impact on the landscape and visual appearance of the area due to these being large structures in the open countryside. The site boundary currently consists of a post and wire fence with the exception of the western boundary to Unit A, which has a close boarded fence to prevent the site from being visible from the C1016.

4.30 In terms of landscape and visual impact there would be little impact from outside the site due to the existing landscape screening. However the external storage proposed would make the site more visually intrusive to users of the C1016. The proposed increase in height of the bund and new landscaping along the southern boundary would shield the site visually to users of the C1016 heading north.

4.31 In terms of landscape and visual impact the proposed development would have
some impact with regards to the external storage of material in relation to site K. However, with the introduction of the new screen bund and landscape planting to the bund this would provide a buffer from workings within the site when seen travelling north along C1016.

4.32 The proposed mitigation measures to increase the height of the screen bund and new landscape planting would provide an enhancement to the site and protect working within the site from being visible to users of the C1016. It is considered the proposed scheme would enhance the visual appearance of the site and would comply with Cumbria MWLP Policy DC 12 and Carlisle City Council Local Plan Policy CP1.

**Settlement Lagoons**

4.33 Two settlement lagoons and a horizontal flow reed bed are proposed on the southern boundary of the site. The settlement lagoons are proposed to deal with surface water run-off from the site.

**Nature Conservation**

4.34 The application site is not located within or close to any protected sites. The nearest protected sites are River Eden Special Area of Conservation and River Eden and Tributaries Site of Special Scientific Interest. The application site is approximately 400 m east of the designated protected sites.

4.35 Approximately 700 m to the south east of the site is Kingmoor Rail Sidings. Kingmoor Rail Sidings is an active yard which processes recycled rail ballast whilst this is a working yard Great Crested Newts are present on site and mitigation measures are in place to ensure they are protected during working operations.

4.36 With the two sites being in close proximity to each other there could be potential of Great Crested Newts translocating to the application site. The applicant has undertaken a study to establish whether or not there are Great Crested Newts on the application site. The survey has established there are currently no colonies of Great Crested Newts on site. However with the introduction of settlement lagoons there is the potential of these becoming breeding ponds for Great Crested Newts over time.

4.37 The mitigation measures proposed to install amphibian exclusion fencing to the ponds would prevent Great Crested Newts establishing on the site.

4.38 The proposed development includes a new landscape bund. The landscape bund would provide an enhancement to improve biodiversity as this would be creating a new habitat to encourage wildlife to the forage, feed and establish home on the bund.

4.39 It is considered this complies with the Carlisle City Local Plan Policy CP2 and protects biodiversity of the application site.

**Employment**

4.40 North West Recycling currently employ 80 members of staff and the proposed increase in operations would create at least 30 new jobs.

**Operating Hours**
4.41 The applicant originally requested 24 hour working from the application site. At the request of the Planning Officer this was deleted from the proposal. It is proposed that operating hours be the same as unit A to be consistent 0700 – 1800 Monday to Friday and 0700 to 1500 on Saturdays with no working Sundays or Bank/Public holidays. This would also ensure that material is processed more quickly thereby reducing the impact of odour which may arise over holiday periods.

Other Considerations

4.42 Rockcliffe Parish Council and Local Member V. Tarbitt have raised concerns with regards to the operations proposed. Their concerns are operating hours; HGV movements; unauthorised processing of food waste; wood shredding; and floodlighting;

4.43 Operating hours - it is proposed that the site would operate the same hours as unit A: 0700 to 1800 Monday to Friday, 0700 to 1500 Saturdays and no working on Sundays, Bank and Public holidays. The site is an existing industrial estate which operates under a Lawful Development Certificate issued by Carlisle City Council. The operating hours of unit B and site K can be controlled under this planning permission. However, there is currently no restriction on the site under the Lawful Development Certificate issued by Carlisle City Council.

4.44 HGV movements – concern has been raised with regards to HGV’s entering the village of Rockcliffe and the number of vehicles on the highway. The applicant has produced site instructions which require all HGV’s to turn left on C1016 and enter the strategic road network by the Carlisle Northern Development Route. This document is available to all drivers and visitors to the site. With regards to vehicle numbers a condition is proposed to impose a restriction on the number of HGV’s which can leave unit B and site K. The Highway Authority have recommended that 104 (52 in/52 out) HGV movements per week day and 28 (14 in/14 out) on weekends/public holidays is acceptable. The traffic study submitted with the planning application has identified that 80 vehicles (40 in/40 out) would visit the site each weekday. It is not unreasonable to restrict the number of vehicles from the site as part of this planning permission to ensure controls are in place given the highway classification.

4.45 Unauthorised processing of food waste – The site is for waste management operations and as such there are times that odour becomes a problem especially during times of warm weather or prolonged periods of unprocessed wastes. An odour management plan is in place for the site which is required as part of the Environmental Permit issued by the Environment Agency.

4.46 Wood shredding indoors – There is no legislation or requirement for this to be undertaken indoors.

4.47 Floodlighting – There is some lighting on the existing building. No new lighting is proposed as part of this planning application.

4.48 Carlisle City Council have requested a condition be imposed that procedures are put in place to tackle any pests that may be attracted to the development, namely rats, flies and gulls. An appropriately worded condition would be imposed should planning permission be granted.

4.49 A Member site visit took place on 3 February and a number of concerns were
raised which have been put to the applicant and any response will be reported on
the update prior to committee meeting.

Human Rights

4.50 The proposal would have a limited impact on the visual, residential and
environmental amenity of the area but it is considered that those impacts would
be insufficient to interfere with the rights of the applicant and satisfactory controls
could be imposed on the proposed development to protect the amenities of the
most affected residents. The 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) would be minimal and proportionate to the wider social
and economic interests of the community and could be satisfactorily controlled by
planning conditions.

Conclusion

4.51 The proposed development is to extend the current facilities which are currently
undertaken in unit A. The proposed development would enhance the range of
facilities which are currently undertaken and allow improved running of the site.

4.52 Whilst concerns have been raised from the Local Member and Parish Council,
controls by way of appropriately worded conditions can be imposed to ensure the
site is controlled and managed in an appropriate manner.

4.53 It is considered the expansion of the facilities can be adequately controlled by
appropriately worded conditions whilst securing existing employment and provide
new employment, enhance biodiversity, controlling noise, dust, odour, controlling
impacts on the highway and safeguarding residential amenity.

4.54 The site is allocated as Primary Employment Area and complies with policies
within Carlisle City Local Plan and Cumbria MWLP. The site also provides a
facility which is supported by NPPF and PPG as the site provides a facility for re-
cycling and reuse of a waste material

4.55 In summary, it is considered that the proposed development is in accordance
with the development plan and there are no material considerations that indicate
the decision should be made otherwise than in accordance with the development
plan. The planning conditions proposed would mitigate, any potential harm
which is likely to be negligible and would be outweighed by the benefits of the
development. It is therefore recommended that this application be granted
subject to conditions.

Angela Jones
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Background Papers:
Planning Application File Reference No. 1/15/9006

Electoral Division Identification:
Longtown - Mrs Val Tarbitt
Proposed Conditions

Time Limit for Implementation of Permission

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

   Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Approved Scheme

2. The development hereby permitted shall be carried out, except where modified by the conditions to this permission, in accordance with the following:

   a. The submitted Application Form – dated 16 November 2015
   c. Emissions statement – NWR-5.3/17
   d. Odour management plan – revision 3.02
   e. Flood risk assessment – dated 8 September 2014
   g. Great Crested Newts (Triturus Cristatus) Habitat Assessment – October 2015
   h. Great Crested Newts (Triturus Cristatus) Method Statement – October 2015
   i. Site access instructions
   j. Lighting impact of Rockcliffe Estate
   k. A technical design note covering the provision of a sustainable drainage system to treat surface water
   l. Plans numbered and named:
      i) P.01 – site plan
      ii) P.02 – location plan
      iii) P-01-L – Landscaping
      iv) P-01-ES – External storage
      v) 64600? – Silt removal traps
      vi) 646001 – Proposed key drainage areas
      vii) 646002 – Proposed scheme
      viii) 646003 – Conceptual design of intel and settlement pond 1
      ix) P-01-TM – Traffic management plan
   m. The details or schemes approved in accordance with the conditions attached to this permission.

   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. No operations, including the loading or transportation of materials or operation of plant or machinery, shall take place on site outside the hours:
07.00 to 18.00 hours Mondays to Fridays
07.00 to 15.00 hours on Saturdays,

No operations including the loading or transportation of materials, or operations of plant or machinery shall take place on Sundays or on Bank or Public Holidays.

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 site.

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. No waste or skips shall be stacked or stored externally on the site to a height greater than 4 metres above the level of the ground on which they area placed.

Reason: To minimise the potential for there to be any adverse visual impact arising in accordance with Policy DC4 of the CMWDF’s Generic Development Control Policies.

5. Other than private motor vehicles belonging to employees and visitors to the site; no more than 52 HGV’s (104 movements) shall enter and leave the site each day between Monday and Friday and no more than 14 HGV’s (28 movements) shall enter and leave the site on a Saturday. A record of loads entering the site shall be maintained and produced on request to the Local Planning Authority.

Reason: To minimise the potential for conflict with any other uses in the area and minimise the potential for noise generation from operation of the site in accordance with Policy DC1 of the of the CMWDF’s Generic Development Control Policies.

6. All plant, machinery and vehicles used on site shall be effectively silenced at all times and maintained 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.

7. All vehicle loads used to transport materials into or from the site onto the public highway shall be securely sheeted or otherwise covered.

Reason: In the interest of local amenity and highway safety and to prevent release of litter on to neighbouring properties.

8. No vehicles shall leave the site in a condition that would give rise to the deposit of mud, dust or other debris on the public highway.

Reason: In the interests of highway safety.

9. 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.

10. 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 dust 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).

11. Within 3 months of the date of this permission a scheme detailing bird, vermin and other pest control measures shall be submitted to the Local Planning Authority for approval in writing. The scheme shall include:

- Details of the measures to deter bird, vermin and pests becoming accustomed to particular techniques
- A methodology for assessing the ongoing effectiveness of different bird, vermin and pest deterrent methods
- An objective methodology for assessing insecticide
- Detail of control measures and ongoing assessment of effectiveness in relating of mammalian pests
- On a yearly basis a record of the implementation of the foregoing measures shall be submitted to the Local Planning Authority.

The approved scheme shall implemented for the duration of the development hereby permitted.

Reason: In the interests amenities of users of the area and residential amenities.

12. Within 3 months of the date of this permission monitoring locations, methods, procedures and mitigation measures shall be identified and agreed in writing with the Local Planning Authority for the monitoring of odour, noise and dust from the development.

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

13. No fuels, oils, or any other potentially polluting liquids shall be stored within the site except in a tank or multiple tanks set within an impervious bund set on an impervious base and with a capacity of not less than 110% of the tank or tanks if there is multiple tankage. Any fill and draw valves shall be sited within the bund and directed to discharge downward into the bund.

Reason: To prevent any incident of ground or water pollution in accordance with Policy DC3 and DC4 of the Cumbria Minerals and Waste Development Framework 2009.
14. Prior to the construction of the landscaping mound a scheme of soft landscaping and 5 year aftercare plan submitted to and approved in writing with the Local Planning Authority. The scheme shall include the use of locally native plant species.

Reason :- To secure the satisfactory establishment and maintenance of a landscaping scheme in the interests of local and residential amenity.