Application No: 1/17/9006  District: Carlisle

Applicant: Mr Charles Riddell  Parish: Rockcliffe Parish Council
Cumbria Waste Management Ltd
Unit 5A, Wavell Drive
Carlisle
Cumbria

Received: 27 February 2017

PROPOSAL: Extension to existing materials recovery facility

LOCATION: Hespin Wood Resource Park & Landfill Site, Todhills, Carlisle, CA6 4BJ
1.0 RECOMMENDATION

1.1 That planning permission be Granted subject to the conditions set out in Appendix 1 to this report.

2.0 THE PROPOSAL

2.1 Planning permission is sought to extend the existing Materials Recovery Facility building (MRF) by 29m x 10.5m x 7.5m. The extension would be a lean to design with a mono pitch roof. The extension would be constructed of a steel frame with profiled plastisol coated finish in olive green to match the existing building. There would be two vehicular access doors (4m x 5m) on the eastern and western elevations. A personnel door would also be provided on the western elevation. Internally one of the existing wall panels would be removed to allow access into the extension from the existing building.

2.2 The extension would house a baler machine and provide a new baler line which would bale cardboard, paper and plastic. There would be no material awaiting bailing or having been bailed stored externally.

3.0 SITE DESCRIPTION

3.1 Hespin Wood Resource Park is a mixed use Sui - Generis site which operates as landfill site, MRF, Green Waste Composting, aggregates recycling, location of the northern Mechanical Biological Treatment Plant (MBT) and more recently a concrete batching plant.

3.2 Hespin Wood is located to the north of Carlisle close to the M6 motorway. Access to the site is from the All Purpose Road (APR) which forms the C1022 and links to A689 at Parkhouse roundabout which connects to the strategic road networks of M6 and A689.

3.3 Hespin Wood occupies a rural location approximately 7km from Carlisle City Centre. To the east of the site is woodland, ARP road and M6 corridor. And the settlement of Todhills; to the south is U1070 which links Todhills and Rockcliffe, this forms the access road from C1022. There is a woodland area which separates the site from the highway. Blackrigg bungalow is south west of the site; To the west of the site is west coast railway line and a woodland area; to the north of the site is a woodland area and agricultural fields.

4.0 SITE PLANNING HISTORY

4.1 Hespin Wood has operated as Waste Resource Park site since 1976. The site currently operates under planning permission 1/00/9005 “Continuation of waste disposal & amendment of treatment, phasing, levels, reclamation & after-uses”.

4.2 The Resource Park has a number of different elements namely Mechanical Biological Treatment Plant (MBT), Mechanical Recycling Facility (MRF), green waste composting, aggregate recycling, electricity generation compound, leachate plant and asphalt plant. 4.3 Planning permission was granted for Materials Recovery Facility (1/08/9023 – approved 1 October 2009); Section 73 application to amend planning condition 18 of planning permission 1/08/9023 to increase size of MRF Building (1/13/9011 – approved 12 July 2013) and Additional extension to the permitted Materials Recycling Facility Building (1/13/9021 – approved 10 December 2013).
5.0 PLANNING POLICY

5.1 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.

5.2 The Cumbria Minerals and Waste Development Framework’s (CMWDF) Core Strategy 2009-2020 (CS) and Generic Development Control Policies 2009-2020 (GDCP) both adopted in April 2009. The key policies relevant to the determination of this planning application are considered to be:

- Policy CS 1 - Sustainable Location and Design
- Policy CS 8 - Provision for Waste
- Policy CS 9 - Waste Capacity
- Policy DC1 - 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 - Landscape
- Policy DC 13 - Flood Risk

5.3 The emerging Cumbria Minerals and Waste Local Plan 2015-2030 was subsequently submitted to the Secretary of State for examination by an independent Inspector on 9 September 2016. Hearing sessions for the examination were held between on 29 November and 16 December 2016. Following this, a Table of Main Modifications to the Plan was prepared and consulted on between 27 March and 5 May 2017. The Inspector is now in the process of finalising her Report on changes necessary to ensure that the Local Plan is sound and legally compliant. As the emerging plan progresses greater weight can be attached to it in the decision making process.

5.4 The Carlisle District Local Plan 2015-2030 (CDLP) - adopted 8 November 2016. The key policies relevant to the determination of this planning application are considered to be:

- Policy SP1 - Sustainable Development
- Policy SP6 – Securing Good Design

5.5 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 7 - Requiring good design
- Paragraphs 186-187 - Decision Taking

5.6 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.

6.0 CONSULTATIONS AND REPRESENTATIONS

6.1 Carlisle City Council Planning Department: No objection.

6.2 Rockcliffe Parish Council: Object for the following reasons: Road Infrastructure – the impact that any additional road traffic movements (due to expansion of the facility) will have on a minor, county roads adjacent to the site. These roads already being subject to high levels of HGV movements from this site and other industries in the area; Residential amenity – the impact that further extension of the site would have on the residential amenities for Todhills residents – dwellings being situated within 400m of the site. Items of concern raised include noise levels from traffic movements and production; odour and dust levels production process, light pollution from delivery vehicles and the site lighting and residential disturbance due to working 7 am to 7 pm 7 days per week; Litter – the area suffers from high levels of roadside litter and expansion would add to this. The Parish Council requests that Members undertake a site visit.

6.3 CCC Highway Authority: Taking into account the existing use, it is considered that the proposal will be unlikely to have a material effect on existing highway conditions. No objection to the proposal.

6.4 CCC Lead Local Flood Authority: Taking into account the existing use, it is considered that the proposal will be unlikely to have a material effect on existing highway conditions. No objection to the proposal.

6.5 Carlisle City Council Environmental Health Department: No response received.

6.6 Environment Agency: No response received

6.7 Fire Officer: No objection.

6.8 The application has been advertised in the local press and by site notice on the site. Neighbouring properties and the local county councillor were notified.

6.9 County Councillor Val Tarbitt: The site lies close to Todhills. Concern is raised for the residents of the hamlet and the potential effects for further development on their quality of life. The operation will be from 7 am to 7 pm; traffic movements are not mentioned. Also Rockcliffe village and its access road could suffer from increased heavy vehicular traffic. Litter is also a problem in the area. Councillor Tarbitt requests the Committee visits the site.

6.10 No representations have been received.

7.0 PLANNING ASSESSMENT

7.1 The key planning issues relevant to the proposed schemes are considered to be: Planning Policy, design, scale, access and transport, environmental considerations.

Planning Policy

7.2 Cumbria Minerals and Waste Development Framework’s (CMWDF) Core Strategy 2009-2020 (CS) and Generic Development Control Policies 2009-2020
7.3 Policy DC1 (Traffic and Transport) requires sites to be located where they are well related to the strategic road network and minimise operational road miles; Policy DC2 (General Criteria) requires developments to demonstrate noise levels, no significant degradation of air quality (from dust and emissions) and ground stability have been addressed. Consideration should be given to surrounding land uses and protected species and appropriate routes and volumes of traffic and other mitigation measures; Policy DC3 (Cumulative Environmental Impacts) consideration should be given to impacts on local communities; all environmental aspects, type, size and number of vehicles, impacts on the wider economy and impact on local amenity and recreation facilities; Policy DC4 (Criteria for Waste Management Facilities) requires development to conform with locational and other criteria will be permitted on active quarries and landfill site and on suitable industrial estates; Policy DC12 (Landscape) requires development to be compatible with the distinctive characteristics and features of Cumbria’s landscapes and should avoid significant impacts on the natural landscape, capacity of the landscape to accept development and consider the effects; Policy DC13 (Flood Risk) requires development to be located in the lowest probability of flooding (Zone 1). Where there is no reasonable available sites in Flood Zone 1 a flood risk assessment must take into account flood vulnerability of the development.

7.4 Carlisle City Local Plan 2015-2030 (adopted 16 November 2016). Policy SP1 (Sustainable Development) states a positive approach will be taken that reflects the presumption in favour of development contained with NPPF. Permission will be granted unless there are material considerations which indicate otherwise; Policy SP6 (Securing Good Design) states developments will be assessed against design principles including height, scale, massing and material.

7.5 National Planning Policy for Waste (October 2014) sets out the Government’s ambition to work towards more sustainable and efficient approach to resource use and management. Delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy and helping to secure the re-use, recovery or disposal or waste without endangering human health and without harming the environment. The National Planning Policy for Waste should be read in conjunction with the NPPF, the Waste Management Plan for England and National Policy Statements for Waste Water and Hazardous Waste.

7.6 The Waste Framework Directive 2008/98/EC introduced new provisions in order to boost waste prevention and recycling as part of the waste hierarchy. It requires waste to be managed without endangering human health and harming the environment, and in particular without risk to water, air, soil, plants or animals, without causing a nuisance through noise or odours, and without adversely affecting the countryside or places of special interest.

7.7 The Waste (England and Wales) Regulations 2011 requires everyone involved in
waste management to take in the transfer of waste all reasonable measures to apply the waste hierarchy.

7.8 Government Review on Waste Policy in England 2011 sets out the objective of aiming for a zero waste economy in which material resources are re-used, recycled or recovered whenever possible and only disposed of as the option of last resort. There is a clear requirement that materials are re-used, recycled or recovered where possible and only disposed of as a last option. There is a clear requirement to drive the treatment of waste up the hierarchy from landfill. The Government Review provides support for Energy from Waste facilities such as that proposed, not only in the context of waste management but also having regard to low carbon/renewable energy provision and climate change.

7.9 Waste Management Plan for England (2013) provides an analysis of the current waste management situation in England and sets out how Government Policy would support the implementation of the revised WFD.

Design and Scale

7.10 The design of the building is a lean to structure on the western elevation of the existing building. The extension would be located on an existing yard area which is currently not accessible to vehicles. The design and colour of the extension would match with the existing building and would be 29m x 10.5m x 7.5m small scale in comparison to the existing main building.

Access and Transport

7.11 Access to Hespin Wood is from APR (C1022) which accesses the U1070 and Hespin Wood Resource Park. Once on the Resource Park access to the MRF is via the internal road system. The site operates a two way vehicular route system around the site. The existing vehicular arrangements will be retained and there would be no increase in vehicle numbers to the building.

7.12 Access to the existing MRF for HGVs is on the eastern elevation this will be retained as the access to the main building. The proposed extension would not impact on manoeuvrability of HGV’s within this section of the site.

Environmental Considerations

7.13 Noise: There is the potential for noise from the operations which would include the running of machinery and operations within the building. The nearest residential property to the extension is Blackrigg Bungalow which is located 350m south west of the application site. There is currently existing noise from the operations and from background traffic noise of the M6. The proposed operations would not give rise to any increase in background noise levels.

7.14 Dust: Dust from the operations would be mainly from operations undertaken in the building and would not be an issue outside the building or seen outside the curtilage of the overall Hespin Wood site from the activities within the MRF.

7.15 Construction Activities: There would be an increase in construction traffic during the construction phase of the building. Construction activities could be controlled by condition to ensure details of the construction compounds, car parking, delivery of material, temporary lighting, provision for manoeuvring, loading and unloading of vehicles and means of receiving material are submitted for approval.
7.16 Environmental Permit for facility: The MRF has a permit from the Environment Agency which allows the facility to process up to 40,000 tonnes of material per annum. The planning permission for the MRF restricts the amount of tonnage which can be processed through the MRF to 40,000 tonnes. There is no proposal to change this.

7.17 County Councillor Tarbitt has raised concerns for the residents of Rockcliffe regarding operational hours, vehicle movements and litter in the area. The building currently operates between the hours of 07.00 to 19.00 thereby there would be no change to existing operations. There would be no increase in vehicle numbers with the proposed extension and litter would be contained within the building. It is considered a site visit would not meet the criteria for site visits and is not necessary.

7.18 Rockcliffe Parish Council has raised concerns with regards to impacts of additional traffic to the site; impact on the amenities of local residents and increase in litter problems.

7.19 Impacts of additional traffic: Hespin Wood currently does not have a restriction on the number of vehicles which can operate from the site. The Local Highway Authority have assessed the extension to the existing MRF facility and have raised no objection to the extension as they consider that the proposal will be unlikely to have a material effect on existing highway conditions. The site is accessed from strategic road system along a small section of country lane, which has weight restrictions once passed the entrance to the site. Also there is signage for vehicles leaving the site access which states that all vehicles must turn left avoiding the country lanes and the village of Rockcliffe.

7.20 Impact on the amenities of local residents: The proposal is to extend the existing internal MRF facilities. There would be no impact on the amenities of local residents from noise, odour or dust levels as the activities would all be undertaken in an enclosed building to the west of the existing facilities which is further away from the residents of Todhills. There is also the All Purpose Road and M6 Motorway separating the residents and the application site.

7.21 The Parish Council and local County Councillor have requested a site visit. It is considered the requests would not meet the County Council’s guidelines for site visits; the proposal is not contentious or particularly complex, the impact is not difficult to visualise or assess from the plans and supporting information, there would not be a substantial benefit from a visit because of the scale or nature of the proposal which is a relatively small extension to an existing building to improve recycling operations and reduce impacts on the environment.

7.22 Litter: No litter would be generated from the proposed extension as all works would be undertaken within an enclosed building.

Human Rights

7.23 The proposal would have a limited impact on the visual, residential amenities in the 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 of the Human Rights Act 1998) are minimal and proportionate to the wider social and economic interests of the community.
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.

8.0 CONCLUSION

8.1 The proposed extension to the existing Material Recovery Facility is a small scale extension in relation to the existing building. The extension would be in keeping with the existing building and raises no issues or concerns with regards to siting, design and means of access.

8.2 The environmental operations of the building are controlled under a permit issued by the Environment Agency which allows up to 40,000 tonnes of material to be processed per annum. There are benefits in undertaking the processing and baling of the proposed materials within an enclosed space as this would reduce the risk of litter being blown outside the site boundary, reduce noise and potential odours associated with the processing activities and produce a better quality of materials for recycling.

8.3 In summary, it is considered 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 proposed, any potential 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. It is therefore recommended that this application be granted subject to conditions.

Dominic Donnini  
Corporate Director Economy and Highways

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Background Papers: Planning Application File Reference No. 1/17/9006  
1/13/9021; 1/13/9011; 1/08/9023

Electoral Division Identification: Longtown - Mrs Val Tarbitt
PROPOSED PLANNING 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 20 February 2017
   b. Planning Statement – dated February 2017
   c. Plans numbered and named:
      i) Figure 1 – Location Plan dated March 2017
      ii) Figure 2 - OS Map Location Plan dated March 2017
      iii) Drawing No HW 147/1 dated September 2016
   d. 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.

Operating hours

3. No operations, including the loading or transportation of waste or operation of plant, shall take place on site outside the hours 07.00 to 19.00 hours daily. 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 protect the amenity of local residents.

Type and quantities of waste

4. Materials to be handled at the MRF shall consist solely of dry, non-odorous wastes.

Reason: To avoid odour.

5. No more than 40,000 tonnes of waste shall be processed on the site in any 12 month period. Details of the total annual throughput of the site for each calendar year shall be made available to the Waste Planning Authority by the 31st January the following year.
Reason: To keep to acceptable levels the impact of lorry traffic on the amenity of local residents and other road users.

**Operational Scheme**

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 does not constitute a nuisance outside the boundaries of the site.*

7. All vehicles under the site operator’s control that are fitted with reversing alarms shall use a white noise type.

   *Reason: To safeguard the amenity of local residents by ensuring that the noise generated in their operation is minimised and does not become a nuisance outside the boundaries of the site.*

8. All vehicles leaving the site shall be in a clean condition to ensure that no slurry, mud or other material from the site is deposited upon the public highway.

   *Reason: To prevent the vehicles carrying material on to the public highway in the interests of highway safety.*

9. All HGV’s entering and leaving the site shall do so via the U1070 from the east.

   *Reason: For the avoidance of doubt and due to highway bridge weight restrictions on the U1070 to the west.*

10. All artificial lighting units installed on the site shall be sited and shielded as to avoid light pollution to residential areas and to the night sky.

   *Reason: To prevent light pollution.*

11. No raw baled or unbale materials or processed baled materials shall be stored outside the Material Recycling Building as extended.

   *Reason: To safeguard the amenity of local residents by ensuring that the opportunity of windblown materials is minimised and does not constitute a nuisance outside the boundaries of the site.*

**Construction Activities**

12. No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Waste Planning Authority. The Plan shall include details of the following:

   a) Contractors compound/parking provision including a plan reserving adequate land for the parking of vehicles engaged in construction operations, including vehicular access;
   b) Management of traffic within and accessing the site;
   c) Means of receiving construction material and identification of potential sources and measures to control noise, dust and vibration
d) Details of temporary lighting during construction;
e) Details of temporary construction/warning signage;
f) Provision for facilities of manoeuvring, loading and unloading of vehicles.

Reason: To ensure the construction is carried out in accordance with the approved scheme.