



**STEPHENSON
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Planning, Landscape & Environment

Kingmoor ERF Discharge of Planning Conditions pursuant to planning permission 1/18/9012

Supporting Statement for Tranche B:
Conditions 10, 14, 16, 17, 28 and 32

March 2021

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Document history

	Name	Date
Author	[REDACTED]	26/02/2021
Technical Reviewer	[REDACTED]	26/02/2021
Approved	[REDACTED]	26/02/2021

1 Introduction

1.1.1 An application was submitted by Stephenson Halliday on behalf of Fortum Carlisle Limited and Kingmoor Park Properties Limited to Cumbria County Council on 10/06/2016 which sought permission for the following:

“Erection of an energy from waste plant including reception and fuel processing hall, boiler house and air cooled condensing building and associated operations including 70 m high flue stack, 2 no silos for storage of fuel, 4 no silo for the storage of ash, car parking and new access roads, gatehouse, utilities building, weighbridge, and balancing pond”

1.1.2 Permission was granted for this proposal on 24 October 2016.

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1.1.3 Subsequent to the approval, a S73 application was submitted to Cumbria County Council under reference **1/18/9012**, which was approved by Cumbria County Council on 29th January 2019.

1.1.4 The planning permission is subject to a suite of planning conditions as set out within the Decision Notice, some of which require to be discharged by the planning authority prior to works commencing on site.

1.1.5 This Supporting Statement and its associated Appendices have been prepared in order to address these pre-development conditions.

1.1.6 The development conditions have been divided into two tranches (A and B) which have been submitted separately to Cumbria County Council. The Supporting Statement and documentation to discharge the Tranche A Conditions was submitted 26 February 2021 and includes the following Conditions:

- Condition 6 – Land Contamination and Site Investigation
- Condition 8 - Construction Management Plan
- Condition 13 – Reversing alarms
- Condition 18 - Design and layout of proposed weighbridge
- Condition 19 – Colour scheme and samples of materials
- Condition 22 – Lighting scheme
- Condition 23 – Fencing
- Condition 30 – Archaeology
- Condition 31 – Ecological exclusion fencing
- Condition 34 - Bird nesting /roosting prevention measures
- Condition 37 – Odour monitoring scheme
- Condition 38 – Air pollution monitoring scheme

1.1.7 The following Conditions are included in Tranche B and form the basis of this submission:

- Condition 10 – New access road drawings
- Condition 14 – Cycleway and footway link
- Condition 18 – Surface Water Drainage
- Condition 17 – Site levels buildings and materials
- Condition 28 – Landscape Masterplan
- Condition 32 – Ecology, Natural England license for great crested newts

1.1.8 We have prepared and submitted a document tracker which accompanies the drawings and reports submitted to discharge Conditions 10, 14, 16, and 17. Please refer to Appendix 1 - Kingmoor ERF Conditions 10, 14, 16 & 17 Document Tracker.

1.2 Condition 10 - New access road drawings

1.2.1 Condition 10:

“No development shall commence until detailed drawings providing the construction details including surfacing material (to be bituminous or cement bound materials), drainage and junction layout, of the new access road have been submitted to and approved in writing with the Waste Planning Authority. The access road shall be constructed and made available for use prior to any construction works starting on the site.:

1.2.2 In relation to Condition 10 please refer to Appendix 2 for detailed drawings of the new access road construction. Appendix 2 contains the following drawings:

- 064071-CUR-00-XX-DR-C-90100-P01_ProposedLevels
- 064071-CUR-00-XX-DR-C-95001-P01_HighwaysGA
- 064071-CUR-00-XX-DR-C-95003-P01_ExternalWorks
- 064071-CUR-00-XX-DR-C-95101-P01_AlignmentProfile
- 064071-CUR-00-XX-DR-C-95102-P01_Contours
- 064071-CUR-00-XX-DR-C-95103-P01_CrossSections
- 064071-CUR-00-XX-DR-C-95201-P01_VehicleTracking
- 064071-CUR-00-XX-DR-C-95501-P01_HighwayDrainage

1.3 Condition 14– Cycleway and Footway Link

1.3.1 **Condition 14 states:**

“No development shall commence until details of a cycleway and footway link between the application site and the nearest public highway have been submitted to and approved in writing with the Waste Planning Authority. The approved cycleway and footway shall be in place and made available for use before the development is brought into operational use.

1.3.2 In relation to Condition 14 please refer to Appendix 3 which provides a detailed drawing of the cycleway and footlink between the Application Site and the nearest public highway. Drawing reference is 064071-CUR-00-XX-DR-C-95001-P01_HighwaysGA.

1.4 Condition 16– Surface Water Drainage

1.4.1 Condition 16 states:

“No development shall commence until a scheme detailing the surface water drainage system and grey water capture system, prepared in accordance with Section 12 - Surface Water Drainage of the Flood Risk Assessment (Appendix 12.1 of the Environmental Statement) has been submitted to and approved by the Waste Planning Authority. The scheme shall include details of how the following will be achieved:

- a. the capture of grey water for re use on the site;*
- b. the mitigation of any negative impact on surface water from the development on flood risk outside the development boundary*
- c. that no flooding will occur on any part of the site for a 1 in 30 year event unless designed to do so;*
- d. that no flooding will not occur to any building in a 1 in 100 year event plus 30 % to account for climate change*
- e. that where reasonably possible flows resulting from rainfall in excess of a 1 in 100 year 6 hour rainfall event are managed in conveyance routes (plans of flow routes etc.)*
- f. the management and maintenance of the scheme.*

The approved scheme shall be implemented in full prior to the development being brought into use and thereafter maintained throughout the operational life of the site.”

- 1.4.2 A detailed surface water drainage system has been prepared and provides the detail required to discharge Condition 16. Please refer to Appendix 4 which contains the Drainage Strategy report which includes calculations and drawings. Document reference is 064071-CUR-00-XX-RP-C-002-V03_Kingmoor drainage strategy.

1.5 Condition 17 – Site Levels, Building Levels and Materials

1.5.1 Condition 17 states:

“No development shall commence until details of all building(s)/structure(s) including finished site and ground floor level in relation to existing site levels and adjoining land and buildings have been submitted to and approved in writing by the Waste Planning Authority. The details shall include the proposed grading and mounding of land areas, cross sections through the site and relationship with the adjoining landform and buildings. The development shall be carried out in accordance with the approved details.

1.5.2 In relation to Condition 17, please refer to Appendix 5 for a drawing providing detail of site and ground floor levels, which includes proposed grading and mounding of land areas. Cross section drawings are provided and submitted to discharge Condition 19 which is included in the Tranche A suite of documents. Appendix 5 Drawing reference is 064071-CUR-00-XX-DR-C-90100-P01_Proposed Levels.

1.6 Condition 28 – Landscape Masterplan

1.6.1 **Condition 28 states:**

“The landscaping scheme shown on Planning Drawing 08 Landscape Masterplan shall be implemented within the first available planting season on completion of the construction phase of the development”

1.6.2 The Landscape Masterplan (drawing reference -Figure 6.6) was submitted in 2018 as part of the Planning Application. The Landscape Masterplan has been resubmitted to discharge Condition 28 and reflects and accommodates drainage design amendments.

1.6.3 The landscape masterplan is consistent with Condition 17 with respect to site levels, finished ground levels, mounding of land areas and relationships with adjoining land and buildings.

1.6.4 The revised Landscape Masterplan is presented in Appendix 6.

1.7 Condition 32 – Ecology- Great Crested Newts

1.7.1 Condition 32 states:

“The development hereby permitted shall not commence until a Natural England licensed scheme of great crested newt mitigation has been granted in accordance with CHAPTER 7 'Mitigation' of the Hesketh Ecology report 'Great Crested Newt Survey, Kingmoor Park, Carlisle' submitted as Appendix 7.2 of the Environmental Statement.

1.7.2 In accordance with Condition 32 of the consent, a copy of the European Protected Species Mitigation Licence granted by Natural England has been obtained and is presented in Appendix 7.

1.7.3 The Applicant applied to Natural England for a modification to the existing licence based on the change in Programme from the original planning application dates.

1.7.4 Appendix 7 contains the following documents:

- License Covering Letter 2017-29917-EPS-MIT-2
- License 2017-29917-EPS-MIT-2
- Annex 2017-29917-EPS-MIT-2
- Work Schedule 16.12.20

Appendices

Appendix 1 - Conditions 10, 14, 16 & 17 Document Tracker

Appendix 2 - New Access Road Detailed Drawings

Appendix 3 - Cycle and Footway Link Drawing

Appendix 4 - Kingmoor ERF Drainage Strategy

Appendix 5 - Site and Ground Floor Levels Drawing

Appendix 6 - Landscape Masterplan

Appendix 7 - European Protected Species Mitigation Licence