

MATTER FOUR APPENDICES

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Appendix 1– Minerals Strategy

Submission to CCC MWMP

Cumbria County Council seems to have overlooked Flusco Lodge Quarry, Stainton, Penrith, Cumbria for its draft Minerals and Waste Local Plan 2015 to 2030. This despite having identified the site in 2007 in its Minerals and Waste Development Framework both as a potential waste management site and as a potential quarry site for limestone and sandstone building stones and aggregates. In 2011 the site was put forward to Cumbria County council Minerals and Waste Local plan programme as a Sustainable Development Project Given the changes since then it should have been considered for the Cumbria Minerals and Waste Local Plan 2015 to 2030.

1. Quarrying SP7/D12

The site is ideal for use of the dormant quarry and brickworks as a environmentally friendly, low impact quarrying operation. This would extract the stone mechanically, without explosives, using skilled labour. It has significant reserves of both hard Carboniferous limestone suitable for building stone and orange grey Carboniferous sandstone Bore holes show that there are four metres of hard carboniferous limestone over one and a half metres of sandstone. The product range would include hand dressed walling stone, gate stoops, architectural ‘wild stones’ and stone armour for river bank protection. Burnt lime would be an additional product made in the traditional manner using the old kiln on site and wood fuel to produce a range of traditional lime mortars.

to provide building stone for new buildings to match the local vernacular building materials and for the repair of existing vernacular buildings. The orange grey Carboniferous sandstone is needed for repairs as it was used extensively locally for the window and door surrounds in the local buildings prior to the introduction of the hard red Permian sandstone in about the mid 19th century.

In addition limestone could be burnt in the C19th kiln after restoration. The quick lime to be used to produce traditional lime plasters and lime putty for local building work. Associated with this could be a traditional building skills centre and an information centre featuring vernacular Cumbrian architecture, materials and methods.

2 Green waste composting SP3/DC9

Given its location, screening and access the site is ideal for green waste windrow composting.

3. Recycled and Landfill using inert waste for the restoration SP3/DC11

Using inert waste for the restoration of the old mineral workings and the A66 landfill area not restored Wimpey Ltd as required by their planning permission. The site has been used for such activities in the past and has been accepted in the CCC as a potential transfer station site (appendices 1 and 2)

The site

Flusco Lodge quarry has a long history of industrial use. It has certainly operated with its lime kiln since the 1860s. In 1955, under the 1947 planning legislation, an area of 7ha was granted planning permission for quarrying and brickworks. Permission was subsequently granted to extend the quarry to the east for ten years. Due to the establishment of the Lake District National Park about 40% of the quarry now lies within the park. Under the 1999 Environment Act both parts of the 7 ha of the quarry were classified as dormant. Following the break in quarrying and brick making operations the quarry was used to deposit spoil during the dualling of the

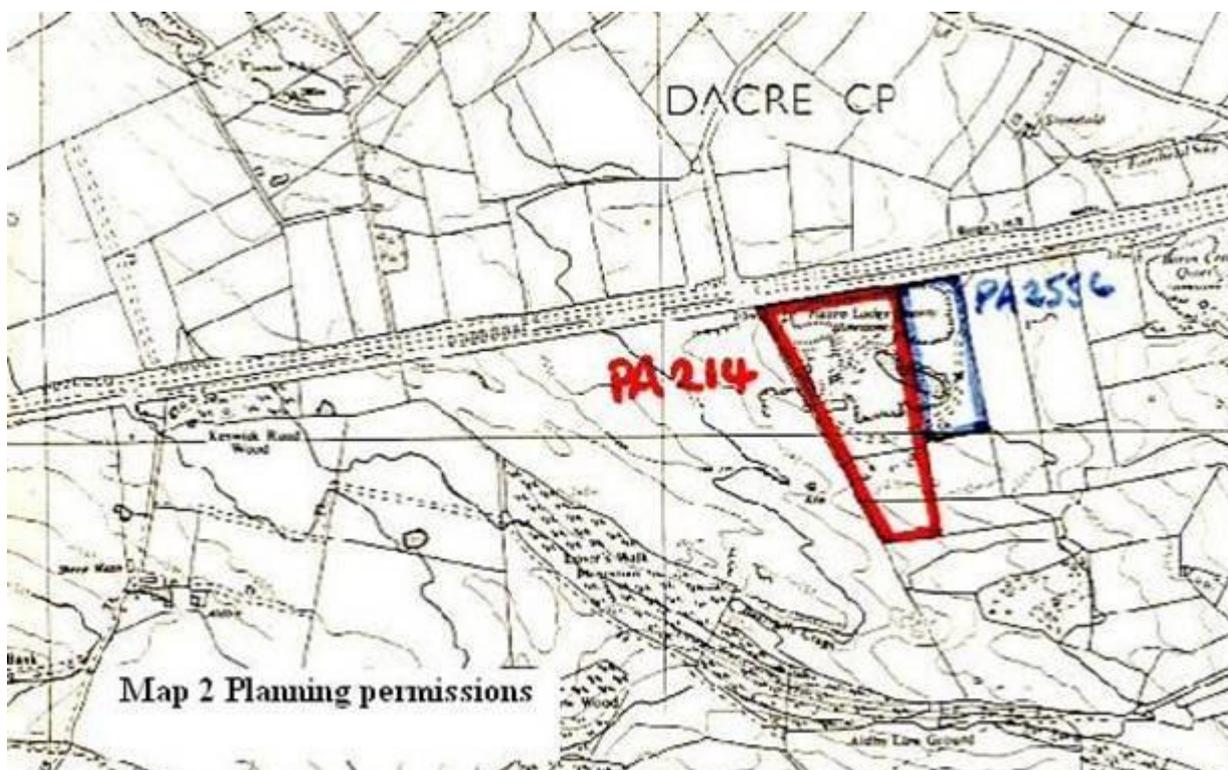
A66 Stainton bye-pass and subsequently during the next phase of building the second carriageway of the A66. The landfill area was not restored Wimpey Ltd as required by their planning permission. Permission was then given to build one of a pair of petrol filling stations on part of the quarry abutting the A66. The development was started but has yet to be completed. The next use of the quarry was by the privatised arm of Cumbria County Council for recycling and depositing inert waste during the resurfacing of the M6 at Penrith. In 1995 a submission was made for part of the quarry to be included in the Eden District Council's five year plan as suitable for industrial use. This was rejected by the council. However the inspector after considering the proof of evidence presented recorded in his report that the site was suitable for some form of industrial use. The next use of the quarry was as an adventure centre for mini racing car events, quads and of the road driving. This was granted following a noise test for the effect of this on the village of Stainton. Following a serious fire at Alba Proteins factory, the owners were approached by Eden District Council planning officers to see if they would consider allowing the factory to relocate to the site. This suggestion was rejected.

Following consultations in 2007/8 Cumbria County Council identified the site in its Minerals and Waste Development Framework both as a potential waste management site and as a potential quarry site for limestone and sandstone building stones and aggregates.

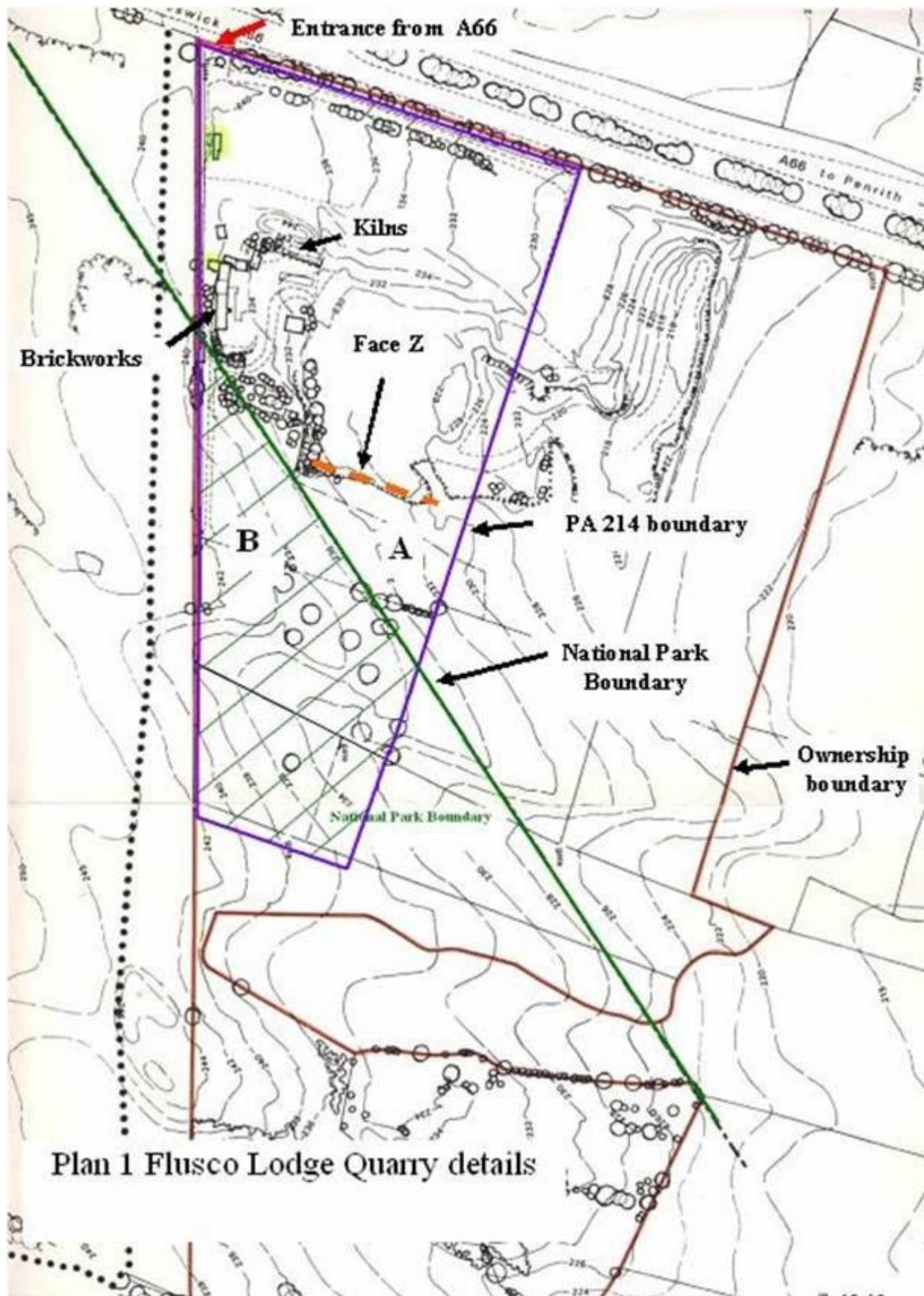
In 2011 an approach was made by L & W Wilson for a lease for quarrying, waste recycling and inert materials dispo



Map 1 Site location



Map 2 Planning permissions



*FILE COPY - DO NOT REMOVE

No. K77

CUMBRIA COUNTY COUNCIL

CONTROL OF POLLUTION ACT 1974
PART 1

CONDITIONS SPECIFIED IN SITE RESOLUTION

NAME, ADDRESS AND LOCATION
OF THE SITE TO WHICH THE
RESOLUTION RELATES

Flusco Lodge Quarry
Stainton
Penrith
Cumbria

PURSUANT TO THE PROVISIONS OF SECTION 11(3) (e) of the CONTROL OF POLLUTION ACT 1974, IT WAS RESOLVED BY THE DIRECTOR OF HIGHWAYS AND TRANSPORTATION of the COUNCIL on the eighth day of April 1992, that the ABOVE MENTIONED SITE BE OPERATED IN ACCORDANCE WITH THE CONDITIONS CONTAINED IN THE SCHEDULE ANNEXED HERETO.

Date..27 April 1992...

Signed.....*[Signature]*.....

Director of Highways and Transportation

2 Permitted Wastes

2.1 Solid Waste

Only solid wastes of the following description shall be deposited.

2.1.1 Inert Material

Not more than 200 tonnes per day.

Inert material shall consist of:

- 2.1.1.1 soil, sand, clay, stone, concrete, bricks, slate, glass, and ceramic materials. Such inert material must not be contaminated with any leachate forming materials, including any of the following wastes (which are listed for the purposes of illustration only): paper, cardboard, foodstuffs, animal flesh, vegetable matter, plaster, plasterboard, wood, timber, sawdust, textiles, metal and plastic objects,
- 2.1.1.2 hard bonded asbestos products arising from building demolition or construction work.
- 2.1.1.3 bituminous and asphaltic material consisting only of hardened material arising from the demolition of road or car park surfaces.

NO WASTE ARISING FROM GULLEY CLEANSING OPERATIONS SHALL BE DEPOSITED.

2.2 Agricultural Waste

No waste from premises used for agriculture within the meaning of the Agriculture Act 1947 shall be deposited, other than inert waste as defined in Condition 2.1.1.

2.3 Liquid Waste, Clinical Waste, Special Waste and Difficult Waste

No liquid waste, clinical waste (as defined in The Collection and Disposal of Waste Regulations 1988), special waste (as defined by The Control of Pollution (Special Waste) Regulations 1980), or difficult waste (as listed in Appendix 7c of Waste Management Paper 26) shall be deposited.

2.4 Demountable Containers

No waste shall be delivered to site in demountable containers.

TOWN AND COUNTRY PLANNING GENERAL DEVELOPMENT ORDER 1988
NOTICE UNDER ARTICLE 12
APPLICATION FOR PLANNING PERMISSION

Proposed development at Flusco Lodge Quarry, Stainton

I give notice that Cumbria County Council is applying to Cumbria County Council for deemed planning permission to develop' areas for:-

- a) inert landfill;
- b) storage and transfer of inert materials;
- c) storage and transfer of mulch and compost materials;

on land at Flusco Lodge Quarry, Stainton.

Any owner of the land or tenant who wishes to make representation about this application should write to the County Planning Officer, Cumbria County Council, County Offices, Kendal, Cumbria, LA9 4RQ by 13 April 1993.

Appendix 2

Comments on plan and CCC response

Response to Cumbria County Council MWLP

Response of Cumbria C

Flusco Lodge Quarry:ED5

: Mr Thompson states that Cumbria County Council has not considered the brown field site Flusco Lodge Quarry, Stainton, Penrith. Cumbria for its draft Minerals and Waste Local Plan 2015 to 2030.

This despite having identified the site in 2007 in its Minerals and Waste Development Framework both as a potential waste management site and as a potential quarry site for limestone and sandstone building stones and aggregates.

In 2011 the site was put forward to Cumbria County council Minerals and Waste Local plan programme as a Sustainable Development Project.

Given the changes since then it should have been considered for the Cumbria Minerals and Waste Local Plan 2015 to 2030

In many ways the site is far preferable than the draft's ED1 Blencowe Quarry site at Newbiggin.

The 2010 plan concluded that:

ED5 Flusco Lodge Quarry. Stainton

This site, partly within the National Park, has been suggested for consideration for waste management facilities and for aggregate and building stone quarrying. This is a site in the open countryside. Away from settlements. and whilst a former quarry and brickworks it is not considered to be a suitable location for a built waste management facility - this is not a preferred site.

This was based on incorrect data eg:

"Environmental assets

No Action

There is no comparison to be made. as site ED1 is no longer an allocation for waste management facilities and **it was never considered for mineral extraction. but see Figure 1 below**

Site allocation ED5 was eliminated from consideration during preparation of the MWDF

The comparison is relevant as despite the site having been withdrawn this was on the simple grounds that it was no longer available . The relevant point is that it was chosen and ED5 rejected despite its obvious limitations

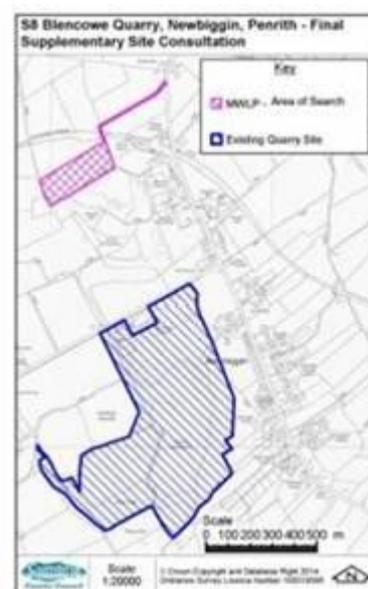


Figure 1

. The site was rejected because it lies in open countryside partly within the Lake District National Park, is away from settlements and, whilst a former quarry and brickworks, was not considered to be a suitable location for built waste management facilities.

A Special Roadside Verge is 50m away, (see A below) on the other side of the A66. It is also 500m from Dalemain House and grounds -Registered Historic Park and Garden, the Lake District National Park boundary runs across the southern part of the site. (see B below)

A public footpath runs along the western edge of the site." (see C below)

A - This is in fact at the far side of a dual carriageway with a wide



The Site Assessment for ED5 *does* say that it lies on the other side of the A66. The distance between the boundary of the former allocation of ED5 and the edge of the area designated as Dalemain historic park and garden is approximately 500m, though it does not take into account heights above sea level.

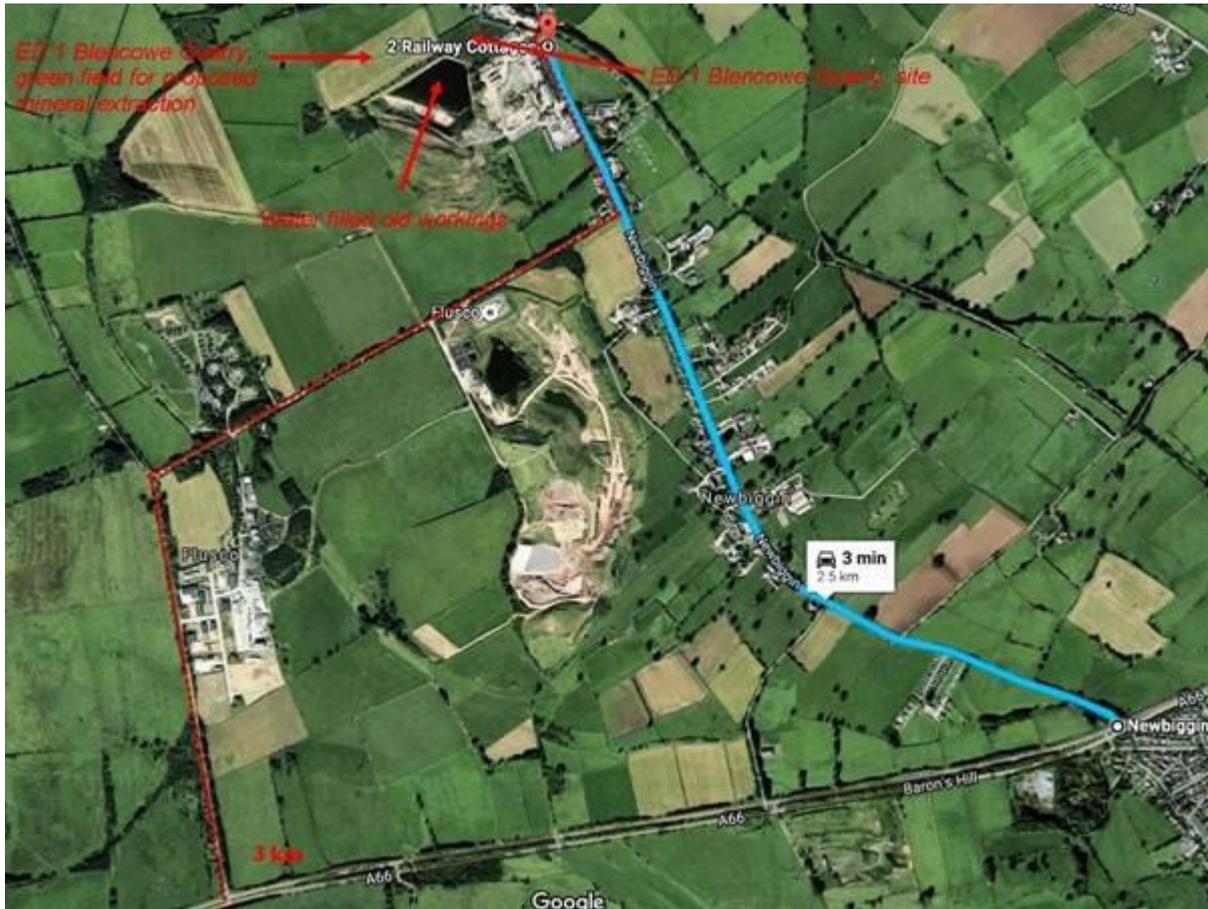
Appendix 3

Accessibility Matrices

For ED1 Blencowe the Accessibility matrix (see below) shows a score of one tick, noting that it is 3km to the A66 with a potential to reduce this to 2km. Given the location of the site and road network it is hard to see how the 33% reduction can be achieved. Even routing vehicles through Newbiggin village only reduces the distance to 2.5km (see Figure 1)

2. Accessibility	Access to existing rail facilities			NR4 – Manage mineral resources sustainably and minimise waste SP2 – To improve access to services, facilities the countryside and open spaces	Will the option: - improve access to recycling and composting services, where possible within local communities using sustainable transport choices? - reduce waste miles by road and promote the movement of waste by rail and limit or reduce the emission of climate change gases and other air pollutants as a result?	CS
	Access to existing primary road network	✓	Distance to A66 3km – potential alternative access 2km.			
	Potential for rail access	XX				
	Access to proposed primary road network					
	Good local road accessibility					

Figure 1 ED1 Blencowe Quarry, site and routes to the A66



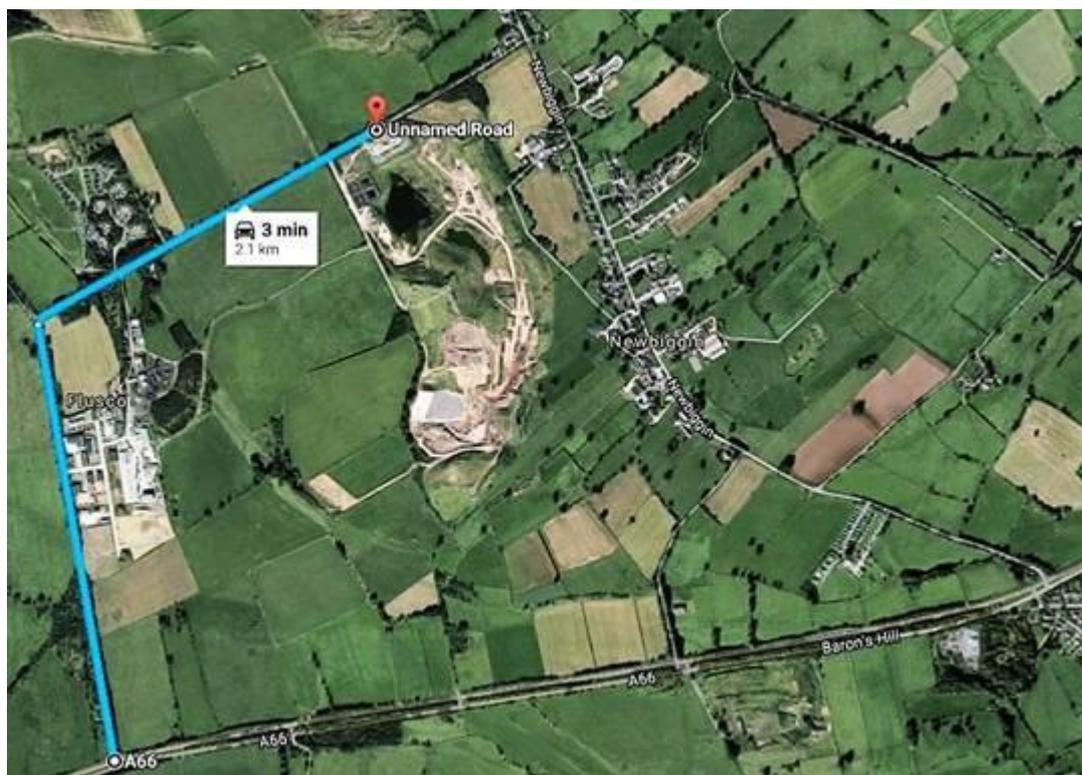
For ED31 Flusco the first Accessibility matrix (see below) score two ticks noting that *it has access to existing primary road net work*. Given the location of the site and road network it is hard to see how this score was achieved. In this case the primary road net work is not the A66 which is 2.1 km away but presumably the unnamed road. (see Figure 2).



This was subsequently modified (see below) to *Close to A66 and then 4km to M6 and the site still gets two ticks(see below)*. Again it is hard to understand how this score was achieved.

2. Accessibility	Access to existing rail facilities		
	Access to existing primary road network	Close to A66 and then 4km to M6 motorway junction	✓ ✓
	Potential for rail access	No potential, but good road access to railway at Penrith	X
	Access to proposed primary road network		
	Good local road accessibility		

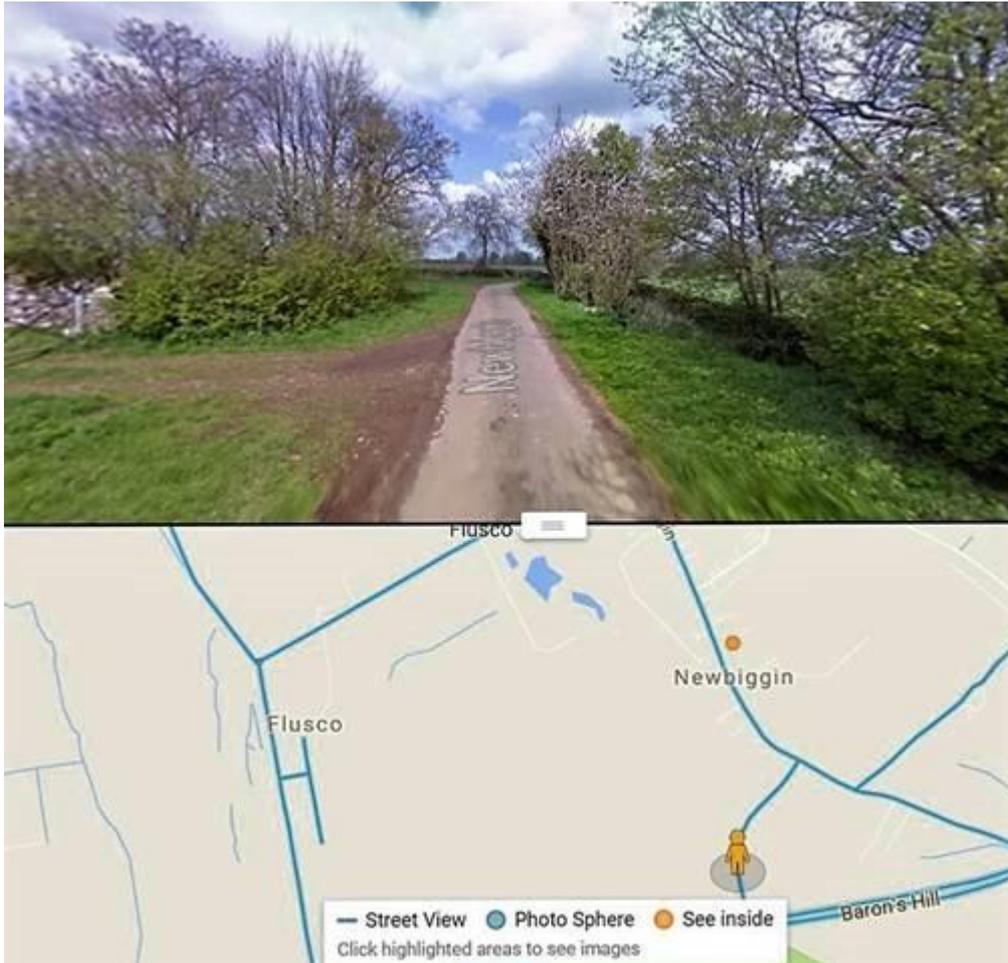
Figure 2 ED31 Flusco, site and routes to the A66



Despite these assurances about access Newbiggin residents have been suffering from the waste operations at Flusco since 2006. The Dacre, Stainton, Newbiggin Community Newsletter reports in February/ March (see below) that following a traffic survey no weight limit could be imposed on the road through the village from the A66 until 2017 but a Unsuitable for Heavy Vehicles sign would be erected. The March/April newsletter (see below) reports that an Unsuitable for Heavy Vehicles sign will be erected to encourage drivers not to go through the village but these are not legally enforceable. Following the erection of the Unsuitable for Heavy Vehicles sign at the Newbiggin/A66 junction vehicles from the east are now taking the next right hand road, Hammershaft Lane (see Figure 3) opposite the entrance to Flusco Lodge Quarry, to drive to ED31 Flusco. This is definitely a single track lane so lorries using it are being confronted by angry farmers driving their tractors and trailers causing chaos before proceeding to drive through Newbiggin.

<p>News from Dacre Parish Council www.dacreparish.org.uk</p>	<p>Dacre Parish - Councillor Details</p>	
<p>Traffic through Newbiggin</p>	<p>Alan Rich (Chairman) 01768 483910 a.j.rich@gmx.co.uk David Brass 01768 890247 info@lakesfreerange.co.uk John Cameron 017684 83336 millrigg@tiscali.co.uk Bob Price 01768 840640/07790 784635 bob@theprices.me.uk Chris Bolton 07969 626373 chris.bolton@vertigodisplays.com Judith Derbyshire 01768895418 judithdacreclr@gmail.com Joe Faulkner 07749 364248 Nav4adventure@gmail.com Pat Ellithorn 017684 86446 pellithorn@aol.com David Mallinson 017684 86162 lodgefarm@hotmail.co.uk There are still 2 vacancies. If anyone is interested in applying for co-option, contact the Clerk Becc Carter 077866 78283 dacreparishclerk@yahoo.co.uk</p>	
<p>Late last year the operators of the recycling centre at Flusco applied for an extension to the expiry date of their planning permission. The parish council took the opportunity to again raise with the County Council the issue of traffic accessing the centre through Newbiggin. Measures to minimize traffic flow had been part of the original 2005 application, but were never implemented.</p>	<p>Dacre Parish Council meetings 2016 - Mondays 7pm</p>	
<p>As a result the site operators have now drawn up a plan as follows :-</p>	<p>22nd February - Dacre Village Hall 21st March - Blencow Village Hall 18th April - venue TBC 9th May - Jury Meeting - Newbiggin Village Hall 16th May AGM & Annual Parish Meeting - Newbiggin VH 20th June - Blencow Village Hall 18th July - Dacre Village Hall 19th September - venue TBC 17th October - Dacre Village Hall 21st November - Blencow Village Hall 16th January 2017 - Newbiggin Village Hall</p>	
<ul style="list-style-type: none"> • operators of HGVs using the site are to instruct their drivers to avoid Newbiggin, instead using the Aldby junction; • the sign on the west-bound A66 at the Stainton/Newbiggin junction will be modified to read "Recycling Centre, Flusco Landfill," directing traffic onwards to the Aldby junction (at present the sign only directs traffic to the landfill site, and does not mention the recycling centre); • a sign has been erected at the exit to the Recycling Centre encouraging users to turn left out of the site instead of right into Newbiggin; • CCCs and EDC' s Recycling Centre web-pages will be modified to omit the address of the site as 'Newbiggin,' to ask users to avoid Newbiggin, and to provide a preferred route map to the Aldby junction (both have already made the changes.) 		
<p>None of these measures have any legal status, and will depend on the goodwill of users of the recycling centre. However, it is hoped this will result a reduction in the recycling traffic through the village. It is expected that most of these measures will be in place within the next three months, although the A66 signs may take longer as they have to be agreed with the Highways Agency.</p>		
<p>HomeSeekers Register - for those looking to buy a low-cost home</p>		

Figure 3 Hammershaft Lane route from the A66



Flusco Lodge Quarry ED5 also scores two ticks (see below) but in the Summary of overall assessment at the end of the matrix it has the caveat 'Direct access onto A66 may be an issue for Highways Agency.' In fact the suitability of the access to ED5 Flusco Lodge has been cleared with the Highways Agency and in addition the site has an existing permission to construct a new access from the A66 to the east of the current access at the site of an existing planning permission for a petrol filling station.

2 Accessibility	Access to existing rail facilities			NR4 – Manage mineral resources sustainably and minimise waste SP2 – To improve access to services, facilities the countryside and open spaces
	Access to existing primary road network	✓✓	Site access details, including visibility splays, may be an issue.	
	Potential for rail access	xx		
	Access to proposed primary road network			
	Good local road accessibility			

Summary of overall assessment: Direct access onto A66 may be an issue for Highways Agency. This is a site in the open countryside, away from settlements, and whilst a former quarry and brickworks, is considered to be a suitable location for a built waste management facility.

To sum up the Accessibility matrices for the three sites are flawed

Appendix 4

Sequential Approach Matrices

For ED1 Blencowe the Sequential Approach matrix (see below) the waste site two ticks for being brownfield and two for being allocated for waste management or employment use with the comment that part was allocated as employment land in the Eden District Council (EDC) 1996 Local Plan. Subsequently as a search area for minerals it gained two crosses as a greenfield site. Yet still was considered a suitable site for mineral working.

ED5 Flusco Lodge was given one cross as a green field site with the caveat that although most of the site was brownfield that within the National Park was greenfield.

As stated in Part 1 the only part that Cumbria's MWDP can consider is that outside the National Park. A correct assessment would be one tick as a brownfield site with the note that another part of site is within the National Park.

It gained a further two crosses as it was not allocated as employment land in the EDC 1996 Local Plan. It is interesting to note that at the enquiry into EDC 1996 Local Plan the inspector agreed to our representation that the site was well hidden and suitable for some suitable industrial use but that '*EDC seemed intent on converting greenfield sites* [North Lakes Business Park site] *to brownfield sites and converting brownfield sites to greenfield sites*' [Flusco Lodge]. Given that the inspector was an independent authority on planning matters the EDC exclusion of Flusco Lodge as an employment site must carry little weight. Interestingly in 1997 EDC recommended approval of an application for the site for limestone quarrying and processing that would employ people. (see Figure 1).

Figure 1

Planning Application Number:	97/9015
Site Address:	FLUSCO LODGE QUARRY PENRITH
Description:	CONSOLIDATING APPLICATION PLUS EXTRA LAND FOR LIMESTONE QUARRYING AND PROCESSING
Application Status:	Live
Date Valid:	29 July 1997
Decision:	
Decision Date:	
Decision Level/Committee:	
Appeal:	No

Case Officer and Phone No.:	Development Control 01768 864671
Applicant Name & Address:	Lakeland Minerals Ltd Flusco Offices Penrith Cumbria
Agent Name & Address:	Stephen Stephenson 1 New Road Kendal Cumbria LA9 4AY

PROPOSED DEVELOPMENT An application has been submitted to the County Council for the determination of a review of conditions together with the incorporation of additional land for limestone quarrying at Flusco Lodge Quarry, Dacre. The Environment Act 1995 provided for a review and updating of planning permissions at Minerals Sites, where the predominant minerals permission was granted before 22 February 1982. This was to ensure that all sites operate to modern standards which reflect best current practice. The current application has been received in respect of this requirement. The relevant extant planning permissions relating to this site were granted under references PA214 on 1 March 1950 and PA2556 on 10 January 1969. The former of these established the principle of quarrying within the area of permission whilst the latter was an additional, but integral additional strip of land which formed part of the quarried area. Under planning condition 2, this additional area was granted permission only to 31 January 1971. To incorporate both the 'Review' scheme and the planning application for the additional area this application has been submitted to cover both, so that if planning permission is granted, one consolidating consent could be issued. The site is bound by the A66 to the north and extends southwards over an area of approximately 22 Ha. Additionally, the boundary between Cumbria County Council and the Lake District National Park Authority runs diagonally across the middle of the site and is therefore within two Mineral Planning authorities. In terms of quarry development, the site is divided by the planning boundary into a northern and southern quarry area. The northern area, which lies within a Landscape of County Importance, has been substantially quarried whilst the southern area has yet to be developed. It is anticipated that the quarrying activities would take place in four phases over a period expected to run until the year 2017. The extraction proposed during this time would yield some 1.8 million tonnes of limestone. The effect of the proposal on residential amenity is expected to be minimal. The nearest dwelling to the site is situated some 600 metres away and with appropriate operational conditions, the level of disturbance could be minimised. The site would be served by the A66, which is dual carriageway at this point. In terms of the visual impact, views of the quarry from the village of Stainton to the east and from the adjacent A66 would be restricted by a combination of tree cover and topography. Additional strategic planting could serve to further screen any activity on the site. Whilst there are longer distance potential views from the higher parts of Penrith, any impact is lost over a distance of 4 Km. It is proposed that following the completion of each of the four phases, progressive restoration work would take place and culminate in a final restoration proposal which would incorporate the planting of broadleaf woodland/tree cover, shrub planting, the establishment of field boundaries and the creation of new agricultural pasture. In terms of blasting, dust and noise levels, it is anticipated that through the imposition of appropriate conditions attached to any grant of planning permission the relative levels of each of these could be satisfactorily monitored.

RECOMMENDATION: That subject to the imposition of appropriate operational, restoration and after-care conditions, the County Council be advised that this Council has no objection to the approval of planning application reference 97/9015.

Appendix 5

Proximity to Housing Matrices

For ED1 Blencowe the Proximity to Housing matrix as a waste site is shown with one cross, as parts of the village within 200metres. Subsequently as a minerals site it is noted that about (sic) 4 houses are within 250 metres and a further 5 houses are within 250 metres of the access road and gets two crosses. In fact some appear to be within about 135 metres of the proposed area

In contrast ED5 Flusco Lodge gets no ticks for having no houses within 250 metres. The nearest house is 690 metres away so what distance does a site need to get even one tick for this matrix parameter?

Appendix 6

Environmental Assets Matrices

For ED1 Blencowe the Environmental Assets matrix the waste site is shown with one tick against *Potential to enhance* - it notes that extension into the old quarry should include enhancement to the Great Crested Newt habitat. How this will be achieved is left open and is probably unanswerable. *Indirect adverse effects to adjacent sites*, the Great Crested Newt adjacent habitat site, gains a question mark but it is noted that the development is unlikely to adversely affect it. As a potential quarry the matrix format has been changed but it is noted that consideration is also needed about impacts on the adjacent Great Crested Newts. It is hard to imagine that the opening of a quarry next to a flooded old quarry workings (shown black in Figure 1 below) in fissured limestone will not have an adverse effect on this aquatic habitat to the detriment of its fauna and flora.

In contrast ED5 Flusco Lodge only gains a question mark even though it is noted that development is unlikely to adversely affect the adjacent UK Priority Habitat of Hay Meadows and Pastures. It gains one tick for no impact on Local Sites or priority species habitats. What is required to gain two ticks.?

Overall the assessments seem to lack academic rigour more driven by wishful thinking than fact.

Figure 1



Appendix 7

Visual and Landscape Matrices

For ED1 Blencowe the Visual and Landscape matrix the waste site is shown with two ticks as not likely to impact on nationally designated landscape areas.

In contrast ED5 Flusco Lodge only gains one cross for this parameter *as the site falls partly within the* Lake District National Park. **As stated earlier the area within the Lake District National Park is not relevant to this Cumbria County Council's Development Plan.** The question is what impact will waste treatment or mineral workings have on the adjacent National Park? Figures 1 shows the OS map of the site with the National Park boundary in orange running on the south of the A66 until it reaches the entrance to ED5 Flusco Lodge. Figure 2 shows it as a three dimensional projection.

Figures 1

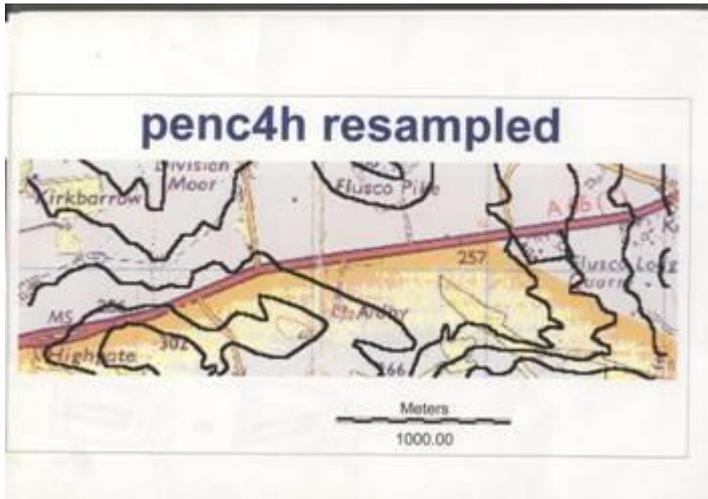
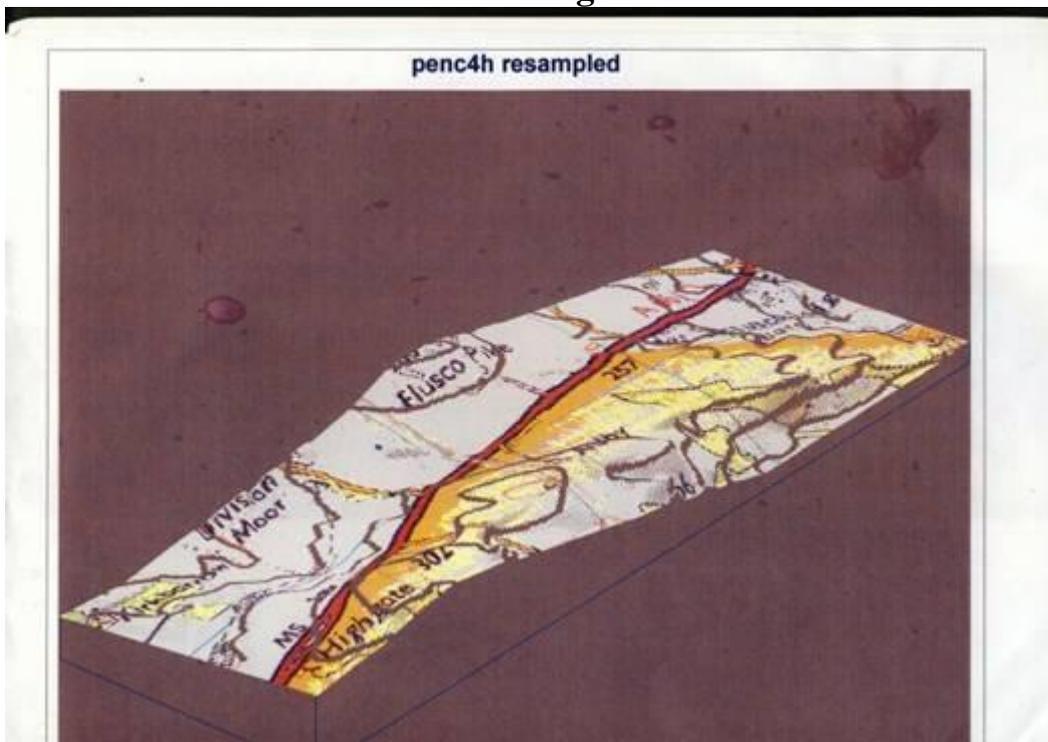


Figure 2



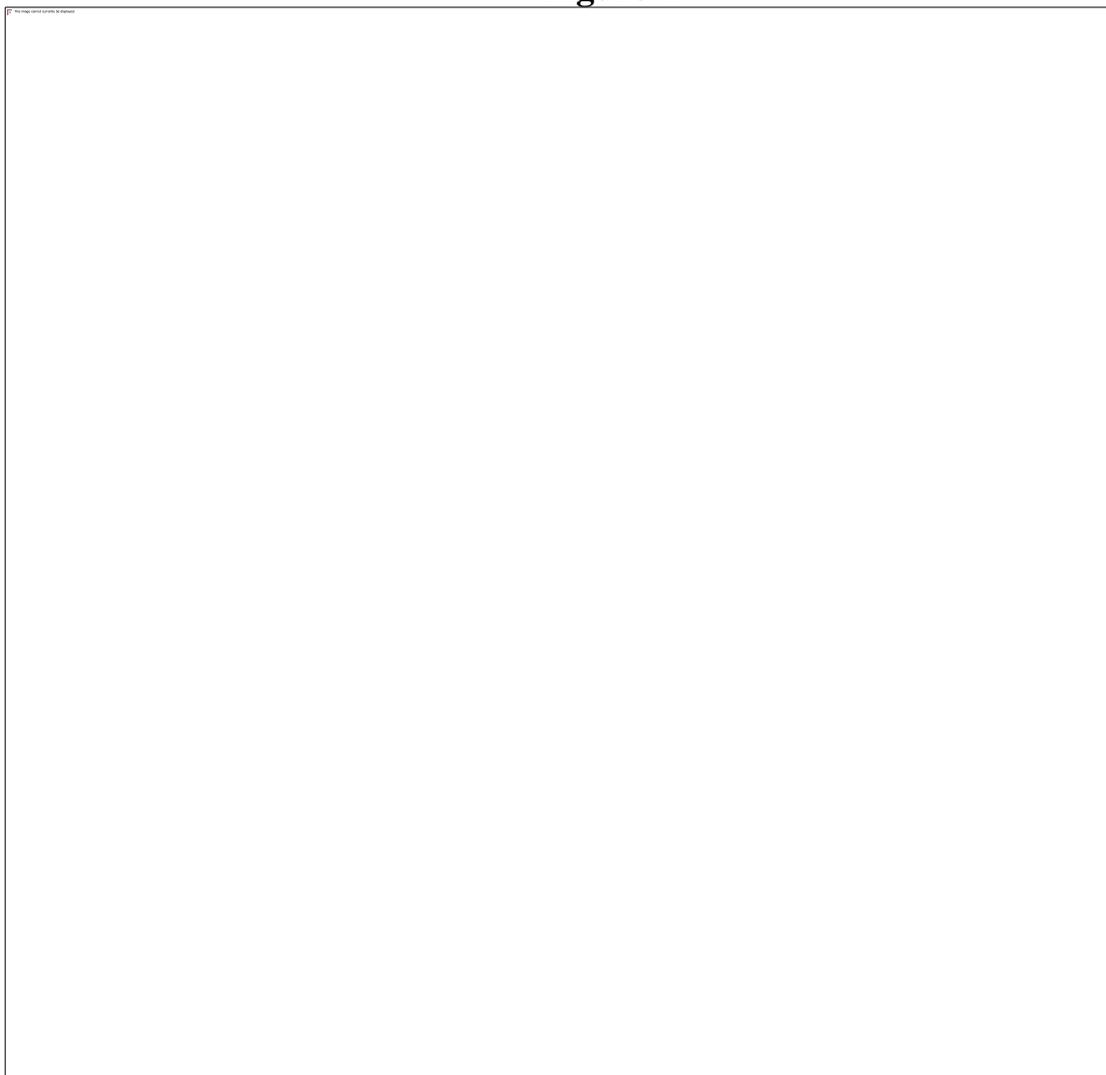
The terrain rises steadily along the A66 until it reaches 257 metres just beyond the quarry entrance. Views of the quarry from the adjacent National Park are very limited as the site is in dead ground and also screened by the field wall the old stone barns and the old 1950s quarry buildings and 60 feet high kilns. In addition the quarry floor is at least ten feet down. Figure 3 shows two low oblique APs of the quarry. The top one is looking in a westerly direction toward the National Park and the second looks at the site from the northwest.

Figure 3



Stress has been given to the adjacent footpath in the National Park inferring the site has a significant impact on it. As mentioned earlier the site is largely screened from the path, in addition it should be remembered that any map simplifies reality, lines on maps are simply lines on maps. The footpath in question was the route for Newbiggin villagers to walk to Dacre Church. Following the map they would have walked over the face of ten feet deep 1800s quarry working only filled 20 years ago. Having survived that they would have to go down two very steep gorse cover scarp slopes. Figure 4 shows the actual footway well away from the site.

Figure 4



Similarly the site is well screened from the A66 (see Figure 5) .



Figure 5

It is not without significance that Eden District Council had no objections to the development of the whole site (see Figure 6 Planning Application 97/9015 below). It can be seen that the landscape factors for the site were closely examined. It noted that *'The northern area, which lies within a Landscape of County Importance, has been substantially quarried whilst the southern area has yet to be developed. It is anticipated that the quarrying activities would take place in four phases over a period expected to run until the year 2017. The extraction proposed during this time would yield some 1.8 million tonnes of limestone. The effect of the proposal on residential amenity is expected to be minimal. The nearest dwelling to the site is situated some 600 metres away and with appropriate operational conditions, the level of disturbance could be minimised. The*

site would be served by the A66, which is dual carriageway at this point. In terms of the visual impact, views of the quarry from the village of Stainton to the east and from the adjacent A66 would be restricted by a combination of tree cover and topography'.

Figure 6

EDC 1997 recommended approval of an application for the site.

Planning Application Number:	97/9015
Site Address:	FLUSCO LODGE QUARRY PENRITH
Description:	CONSOLIDATING APPLICATION PLUS EXTRA LAND FOR LIMESTONE QUARRYING AND PROCESSING
Application Status:	Live
Date Valid:	29 July 1997
Decision:	
Decision Date:	
Decision Level/Committee:	
Appeal:	No
Case Officer and Phone No.:	Development Control 01768 864671
Applicant Name & Address:	Lakeland Minerals Ltd Flusco Offices Penrith Cumbria
Agent Name & Address:	Stephen Stephenson 1 New Road Kendal Cumbria LA9 4AY

PROPOSED DEVELOPMENT An application has been submitted to the County Council for the determination of a review of conditions together with the incorporation of additional land for limestone quarrying at Flusco Lodge Quarry, Dacre. The Environment Act 1995 provided for a review and updating of planning permissions at Minerals Sites, where the predominant minerals permission was granted before 22 February 1982. This was to ensure that all sites operate to modern standards which reflect best current practice. The current application has been received in respect of this requirement. The relevant extant planning permissions relating to this site were granted under references PA214 on 1 March 1950 and PA2556 on 10 January 1969. The former of these established the principle of quarrying within the area of permission whilst the latter was an additional, but integral additional strip of land which formed part of the quarried area. Under planning condition 2, this additional area was granted permission only to 31 January 1971. To incorporate both the 'Review' scheme and the planning application for the additional area this application has been submitted to cover both, so that if planning permission is granted, one consolidating consent could be issued. The site is bound by the A66 to the north and extends southwards over an area of approximately 22 Ha. Additionally, the boundary between Cumbria County Council and the Lake District National Park Authority runs diagonally across the middle of the site and is therefore within two Mineral Planning authorities. In terms of quarry development, the site is divided by the planning boundary into a northern and southern quarry area. The northern area, which lies within a Landscape of County Importance, has been substantially quarried whilst the southern area has yet to be developed. It is anticipated that the quarrying activities would take place in four phases over a period expected to run until the year 2017. The extraction proposed during this time would yield some 1.8 million tonnes of

limestone. The effect of the proposal on residential amenity is expected to be minimal. The nearest dwelling to the site is situated some 600 metres away and with appropriate operational conditions, the level of disturbance could be minimised. The site would be served by the A66, which is dual carriageway at this point. In terms of the visual impact, views of the quarry from the village of Stainton to the east and from the adjacent A66 would be restricted by a combination of tree cover and topography. Additional strategic planting could serve to further screen any activity on the site. Whilst there are longer distance potential views from the higher parts of Penrith, any impact is lost over a distance of 4 Km. It is proposed that following the completion of each of the four phases, progressive restoration work would take place and culminate in a final restoration proposal which would incorporate the planting of broadleaf woodland/tree cover, shrub planting, the establishment of field boundaries and the creation of new agricultural pasture. In terms of blasting, dust and noise levels, it is anticipated that through the imposition of appropriate conditions attached to any grant of planning permission the relative levels of each of these could be satisfactorily monitored.

RECOMMENDATION: That subject to the imposition of appropriate operational, restoration and after-care conditions, the County Council be advised that this Council has no objection to the approval of planning application reference 97/9015.

Thus the impact of waste or mineral working at the site on the adjacent National Park are shown to be acceptable to be acceptable.

Appendix 8

Flusco Lodge ED5

It has been shown in the previous appendices that Flusco Lodge is an acceptable site for both waste and quarry operations. It is not without significance that Eden District Council had no objections to the development of the whole site (see Planning Application 97/9015 see below). It can be seen that the landscape factors for the site were closely examined. It notes that ***'The effect of the proposal on residential amenity is expected to be minimal. The nearest dwelling to the site is situated some 600 metres away and with appropriate operational conditions, the level of disturbance could be minimised. The site would be served by the A66, which is dual carriageway at this point. In terms of the visual impact, views of the quarry from the village of Stainton to the east and from the adjacent A66 would be restricted by a combination of tree cover and topography. Additional strategic planting could serve to further screen any activity on the site. Whilst there are longer distance potential views from the higher parts of Penrith, any impact is lost over a distance of 4 Km.'***

Thus the impact on the adjacent National Park is acceptable

Planning Application Number 97/9015

Site Address FLUSCO LODGE QUARRY PENRITH

Description: CONSOLIDATING APPLICATION FOR EXTRA LAND FOR LIMESTONE QUARRYING AND PROCESSING

PROPOSED DEVELOPMENT An application has been submitted to the County Council for the determination of a review of conditions together with the incorporation of additional land for limestone quarrying at Flusco Lodge Quarry, Dacre. The Environment Act 1995 provided for a review and updating of planning permissions at Minerals Sites, where the predominant minerals permission was granted before 22 February 1982. This was to ensure that all sites operate to modern standards which reflect best current practice. The current application has been received in respect of this requirement. The relevant extant planning permissions relating to this site were granted under references PA214 on 1 March 1950 and PA2556 on 10 January 1969. The former of these established the principle of quarrying within the area of permission whilst the latter was an additional, but integral additional strip of land which formed part of the quarried area. Under planning condition 2, this additional area was granted permission only to 31 January 1971. To incorporate both the 'Review' scheme and the planning application for the additional area this application has been submitted to cover both, so that if planning permission is granted, one consolidating consent could be issued. The site is bound by the A66 to the north and extends southwards over an area of approximately 22 Ha. Additionally, the boundary between Cumbria County Council and the Lake District National Park Authority runs diagonally across the middle of the site and is therefore within two Mineral Planning authorities. In terms of quarry development, the site is

divided by the planning boundary into a northern and southern quarry area. The northern area, which lies within a Landscape of County Importance, has been substantially quarried whilst the southern area has yet to be developed. It is anticipated that the quarrying activities would take place in four phases over a period expected to run until the year 2017. The extraction proposed during this time would yield some 1.8 million tonnes of limestone. **The effect of the proposal on residential amenity is expected to be minimal. The nearest dwelling to the site is situated some 600 metres away and with appropriate operational conditions, the level of disturbance could be minimised. The site would be served by the A66, which is dual carriageway at this point. In terms of the visual impact, views of the quarry from the village of Stainton to the east and from the adjacent A66 would be restricted by a combination of tree cover and topography. Additional strategic planting could serve to further screen any activity on the site. Whilst there are longer distance potential views from the higher parts of Penrith, any impact is lost over a distance of 4 Km.** It is proposed that following the completion of each of the four phases, progressive restoration work would take place and culminate in a final restoration proposal which would incorporate the planting of broadleaf woodland/tree cover, shrub planting, the establishment of field boundaries and the creation of new agricultural pasture. In terms of blasting, dust and noise levels, it is anticipated that through the imposition of appropriate conditions attached to any grant of planning permission the relative levels of each of these could be satisfactorily monitored.

RECOMMENDATION: That subject to the imposition of appropriate operational, restoration and after-care conditions, the County Council be advised that this Council has no objection to the approval of planning application reference 97/9015.

A simple way to remove any impact for ED5 would be to modify the site to include area B plus area C area in the adjacent field to the east - outlined in red in exchange for area D the dormant quarry area in the National Park for an equivalent (see Figure 6).

Figure 6

