

Dear Ms Petersen,

Objections to Retrospective Permission for 1/18/9006 (as amended by 1/21/9004)

Context:

The applicant's screening request for 1/18/9006 shows the proposed plant would primarily aim to send Refuse Derived Fuel (RDF) to the Carlisle incinerator – the highly controversial and much-opposed incinerator that the Council should not have approved. The independent report into the Council's handling of the incinerator planning process found multiple errors and failings. The errors remain uncorrected even though the independent report recommended rapid and transparent rectification of errors.

The initial January planning officer report to the planning committee regarding 1/21/9004 did not mention that 1/18/9006 had expired. The July 2022 report recommended granting retrospective permission even though there had not been adequate consultation on the Council's intentions. Now the Council is reconsulting on its apparent desire to grant retrospective approval to its own company.

Please Consider:

1. The access roads are unsuitable for further increases in the number of HGVs which will impact the air quality and amenity of local residents.
2. The Cumbria Minerals and Waste Local Plan shows maintenance of the woodland at the site to be a "main concern" yet the proposal removes approximately 75% of the broadleaved plantation woodland. The proposal does not demonstrate biodiversity gain.
3. Significant quantities of waste are already sent for use as a fuel from Hespian Wood. There is also capacity that can create up to 150,000 tonnes per annum of Solid Recovered Fuel at nearby North West Recycling. There is already sufficient waste management capacity in Carlisle and Cumbria.
4. The proposal can be expected to result in more waste being brought into Carlisle for processing and disposal. This is contrary to the proximity principle. Carlisle is fast becoming a waste city and this must stop.
5. The site is only a few miles from the Scottish border. Following an independent review, the Scottish government acted to prevent increased quantities of residual waste going for incineration. Since Carlisle and Cumbria have sufficient waste provision, the proposal can be expected to encourage importation of Scottish waste to Carlisle, frustrating Scottish government objectives. Carlisle is fast becoming a waste city and this must stop.
6. Defra has long recognised how a number of waste market failures favour incineration over less environmentally-damaging options. The building of more capacity to create fuel from waste will therefore encourage more waste to be turned into fuel, discourage waste reduction and discourage better ways of dealing with waste such as reuse and recycling.
7. The Government aims to halve the quantity of residual waste used for fuel and landfill by 2042. The proposal can be expected to *increase* the quantity of residual waste destined for combustion and would not achieve the reduction required to meet the Government's aim.
8. The proposal has not provided evidence that only waste that is currently landfilled would be processed into RDF. The proposal does not consider whether better alternatives exist for any of the source waste. The proposal does not consider whether landfill may be environmentally preferable to incineration for some of the waste. The proposal does not say that wastes that could be recycled would not be made into RDF and there are reasons to consider that the RDF produced would be likely to include recyclable material.

9. The Cumbria Minerals and Waste Local Plan describes Hespian Wood as a landfill site (not a “Waste Management Park”). The site is considered withdrawn from the list of allocated sites and unsuitable for further waste developments. The proposal is not in accordance with numerous Cumbria Minerals and Waste Local Plan policies (and Carlisle Local Plan policies) including those regarding the location of waste facilities.
10. Landfill operations cease in 2039. Waste management facilities at Hespian Wood remain operational until this time and, for consistency with the Local Plan, these operations must be tied to the duration of landfill operations at the site. Cumbria needs sustainable waste management solutions at appropriate long-term locations, not facilities built for short-term profit at temporary locations.
11. Defra’s definition of RDF shows RDF is a fuel for use in an energy from waste facility. RDF, as defined by Defra, has no other use than its combustion in an energy from waste facility. Making RDF can therefore be expected to result in the subsequent release of all the carbon. The Council has subscribed to the Zero Carbon Cumbria Partnership (ZCCP) 2037 net-zero carbon objective. Neither the applicant nor the Council has shown how the proposal is compatible with this net-zero objective.
12. The proposal’s primary aim, which the proposal also anticipates, is to send the RDF for incineration. The combustion of materials made from fossil fuels, such as plastics, is unsustainable. Therefore, the proposal’s creation of RDF from waste materials which can be expected to include plastics is not sustainable development.
13. The applicant failed to satisfy the pre-development drainage conditions for 1/18/9006. The drainage conditions specified are necessary for managing the risk of pollution and minimising the risk to people and property. The development as described increases surface water run-off. The granting of retrospective permission would remove the pre-development conditions necessary for satisfactory control. The Council must not treat its own company with favouritism and must not assume a company that has failed to comply with pre-development planning conditions will correct its drainage plans after the granting of retrospective permission.

Summary:

The Council must not grant retrospective to its own company for this unnecessary proposal, that has been constructed in breach of the Council’s own planning regulations, that is contrary to the Council’s own plan, that risks frustrating the government’s waste reduction aims, that does not demonstrate compliance with climate objectives, that would have harmful environmental and amenity outcomes, and when the applicant stated that the primary aim is to send waste to the incinerator that the Council should not have approved. Is there no end to the Council’s planning debacle on incinerator-related planning matters?

Finally, please also consider that the Council must not show planning favouritism to its own company and must not allow its own short-term commercial interest to interfere with its planning judgement. Please refuse the application and take enforcement action against this development that has been constructed in breach of planning regulations.

Please acknowledge receipt of this email.

Yours sincerely,

FULL NAME

FULL POSTAL ADDRESS