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Application for Planning Permission

The Town and Country Planning Act 1990

The Town and Country Planning (Development Management Procedure) (England)
Order 2015

Applicant:

North West Regeneration Ltd
Unit A Kingmoor Park Rockcliffe Estate
Rockcliffe
Carlisle
CA6 4RW

Part 1 - Particulars of Application

Date of Application: 30 November 2023

Application Number: 1/23/9005

Proposal: Establishment of an Energy from Waste facility comprising of a Solid Recovered Fuel (SRF) fed Gasification Plant with a 23m high flue stack and associated synthetic gas fuelled Combined Heat & Power (CHP) generation engines and other associated ancillary equipment, machinery, plant and development including the formation of new hard-surfaced areas and drainage infrastructure; and the erection of a modular office and welfare block building [Revised Proposal Description]

Location: Land adjacent to former Unit D, Kingmoor Park Rockcliffe Estate, Rockcliffe, Carlisle, CA6 4RW

Part 2 - Particulars of Decision

In pursuance of the powers under the above Act and Order Cumberland Council hereby gives notice that **Planning Permission has been Refused** for the carrying out of the development referred to in Part 1 hereof and as described and shown on the application and plan(s) submitted, subject for the following reasons:

Reason for Refusal

That it has not been sufficiently demonstrated that all forms of emissions from the proposal (those to air and noise), in combination with existing waste activities on the site, would not adversely impact upon public community health of nearby local residents and businesses and that the perceived harm has not been adequately addressed.

The proposal is therefore considered to not be compliant with Cumbria Minerals & Waste Local Plan Policy DC6, Carlisle District Local Plan policies SP9 and CM5 which set out that the Council will only support development which would not lead to an

adverse impact on health, and paragraph 198 of the NPPF which requires planning decisions to take into account the likely effects (including cumulative effects) of pollution on health.

Date: 24 June 2025

Signed:



Michael Barry
Assistant Director of Inclusive Growth &
Placemaking

Advisory Statement

- i) The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and in accordance with the presumption in favour of sustainable development, as set out within the [National Planning Policy Framework](#), however in this instance it has not been possible to support this application proposal.
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Notice to Applicant of Rights of Appeal

- Where an application has been refused the applicant is entitled to appeal to the Secretary of State in accordance with the provisions of section 78 of the Town and Country Planning Act 1990.
- Appeals must, however, be made within six months of the date of this notice. Appeal forms can be submitted electronically at -
[Gov.uk/appeal-planning-decision](https://www.gov.uk/appeal-planning-decision)
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions,, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor can he render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of part VI of the Town and Country Planning Act 1990.

Further Information

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- The government website ([Gov.uk/topic/planning-development/planning-permission-appeals](https://www.gov.uk/topic/planning-development/planning-permission-appeals)) contains a range of planning-related guidance and services, which are useful at both the application and appeal stage.