

**AGENDA MANAGEMENT SHEET**

<b>Name of Committee</b>	<b>Regulatory Committee</b>
<b>Date of Committee</b>	<b>2nd May 2006</b>
<b>Report Title</b>	<b>Bubbenhall Landfill Site - Amendment to Profile and Restoration of Landfill</b>
<b>Summary</b>	This report recommends that the Regulatory Committee makes a site visit to Bubbenhall Landfill Site, Western Lane, Bubbenhall prior to determining the application for full planning permission to vary the profile of the site to ensure adequate post-settlement gradients are achieved to promote surface water drainage across the site; and to alter the restoration scheme at Bubbenhall Landfill site, Western Lane, Bubbenhall.
<b>For further information please contact</b>	Matthew Williams Planning Officer Tel. 01926 412822 matthewwilliams@warwickshire.gov.uk
<b>Would the recommended decision be contrary to the Budget and Policy Framework?</b>	Yes/No
<b>Background Papers</b>	Application and Environmental Statement received 28/2/2006. Letter from British Pipeline Agency, dated 6/3/2006. Letter from The Country Side Agency, dated 3/3/2006. Letter from Department of Environment, Food and Rural Affairs (Defra), dated 10/3/2006. Letter from Warwick District Council, dated 30/3/2006. Letter from Coventry Airport, dated 28/3/2006. Letter from Rugby Borough Council, dated 31/3/2006. Letter from Bubbenhall Parish Council, dated 20/3/2006. Letter from Ryton on Dunsmore Parish Council, dated 9/3/2006. Letter from Highways Agency, dated 20/3/2006. Letter from the County Museum, dated 21/3/2006. Letter from Eathorpe, Hunningham, Offchurch, Wappenbury and Weston Under Wetherley Parish Council, dated 3/4/2006.

**CONSULTATION ALREADY UNDERTAKEN:-**

*Details to be specified*

- Other Committees  .....
- Local Member(s)  Councillor M Doody – see paragraph 2.1.  
(With brief comments, if appropriate)
- Other Elected Members  .....
- Cabinet Member  .....  
(Reports to The Cabinet, to be cleared with appropriate Cabinet Member)
- Chief Executive  .....
- Legal  I Marriott – agreed.
- Finance  .....
- Other Chief Officers  .....
- District Councils  Warwick District Council – No comments.  
Rugby Borough Council – No objection.
- Health Authority  .....
- Police  .....
- Other Bodies/Individuals  Bubbenhall Parish Council, Eathorpe,  
Hunningham & Offchurch Wappenbury & Western  
Joint Parish Council, Ryton on Dunsmore Parish  
Council, County Museum, Environment Agency,  
Defra, English Nature, Coventry Airport, British  
Gas Transco, British Pipeline Association,  
Countryside Agency, Highways Agency – see  
paragraph 2.

**FINAL DECISION**

**YES/NO**

*(If 'No' complete Suggested Next Steps)*

**SUGGESTED NEXT STEPS :**

*Details to be specified*

- Further consideration by this Committee  13th June 2006.

- To Council  .....
- To Cabinet  .....
- To an O & S Committee  .....
- To an Area Committee  .....
- Further Consultation  .....

**Regulatory Committee - 2nd may 2006**

**Bubbenhall Landfill Site - Amendment to  
Profile and Restoration of Landfill**

**Report of the Strategic Director of  
Environment and Economy**

**Recommendation**

That the Regulatory Committee makes a site visit to Bubbenhall Landfill Site, Western Lane, Bubbenhall, prior to determining the application for full planning permission, to vary the profile of the site to ensure adequate post-settlement gradients are achieved; to promote surface water drainage across the site; and to alter the restoration scheme at Bubbenhall Landfill Site.

APPLICATION NO : W118/06CM007.

RECEIVED BY COUNTY: 28/2/2006.

ADVERTISED DATE : 2/3/2006.

APPLICANT : Waste Recycling Group Limited, 900 Pavilion Drive,  
Northampton Business Park, Northampton. NN4 7RG.

AGENT : Mr M Rigby, Peter Brett Associates, 7 The Crescent,  
Taunton, Somerset. TA1 4EA.

THE PROPOSAL : Application for full planning permission to vary the profile of  
the site to ensure adequate post-settlement gradients are  
achieved to promote surface water drainage across the site;  
and to alter the restoration scheme.

SITE & LOCATION : Bubbenhall Landfill Site, Weston Lane, Bubbenhall  
[Grid ref: 364.713].

See plan in **Appendix A**.

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**1. Application Details**

1.1 The application seeks planning permission for the revision of the final restored landform of Bubbenhall Landfill. In essence consent is sought to increase the

restoration profile of the landfill site in height. This would relate to both the pre-settlement and post-settlement profile of the site. The proposed development relates to an increase in the height of the landfill only and would not extend the landfill beyond its existing boundaries.

- 1.2 The proposed development would produce a final, post-settlement landform around five metres higher than currently permitted. In order to achieve this post-settlement landform it is proposed to create a pre-settlement profile 10 metres higher than currently permitted. The proposed works would require the deposit of an additional 1.15 million cubic metres of waste materials within the landfill.
- 1.3 The application states that the proposed changes are required in order to prevent major difficulties arising through excess and differential settlement, improve the surface water drainage and integrate and ensure compatibility of the site landform with the surrounding landscape.
- 1.4 The operating hours of the site would remain as existing and it is not proposed to significantly alter the waste input rates or vehicle movements associated with operation of the landfill. Access would continue to be gained to the site via the existing site access onto Weston Lane.
- 1.5 The proposal also seeks to amend the approved agricultural afteruse of the site to give more emphasis to biodiversity incorporating 19 hectares of woodland and hazel coppice.

## 2. Consultations

- 2.1 **Councillor M Doody** – considers it would be a good idea for Members to make a site visit prior to determining the application in order to fully consider the issues relevant to the proposal.
- 2.2 **Warwick District Council** – no comments to make on the application.
- 2.2 **Rugby Borough Council** – no objection to the proposal.
- 2.3 **Bubbenhall Parish Council** – wish to record their objection to the application for the following reasons:-
  - (i) We would question the need for such an application. The compaction problems that have resulted in dips in the current landscape can be resolved with far less impact to the local community by having a less commercially driven solution. Open up the current pits and refill to previously agreed levels and reseal would be sufficient to resolve the current described issues. Importantly maintain the current agreed timescale for the closure of the pit.
  - (ii) We would question the need for additional tipping to this extent. We are aware of new guidelines on recycling, that there are plans in place for new incinerator facilities and that the requirements for landfill will have been met through these and other facilities. Warwickshire does not need this facility to be extended.

- (iii) The final contours are unreasonably high. After settlement and compaction, this will result in an abnormally high contour that will look completely out of place with the surrounding landform. References to Packington tip are prevalent in this argument and would suggest that this request far from attempting to resolve an environmental issue caused by unexpected levels of settlement or poor management of the site is purely being used to maximise Waste Recycling Group (WRG) business profits.
- (iv) The extension of the life of this pit is 12 plus years from the originally accepted schedule is unacceptable. The village and surrounding areas have been beleaguered by pits for a considerable time. No guarantees can be given to the final extension to the closure of the pit. It is open ended. Residents of Bubbenhall and in particular Pagets Lane and Western Lane have had to withstand unacceptable levels of disturbance, noise and air pollution. We are now being asked to accept at least a further 12 years of upheaval and this is simply not acceptable. No compensation has been offered to any of the residents and no benefits can be envisaged.
- (v) The Bubbenhall Woods is a site of strategic scientific interest, is the largest ancient woodland left in Warwickshire and is being treated deplorably. Take a walk in the woods. It is to the shame of the Waste Recycling Group that they have allowed such levels of litter to be left to rot affecting the local animal communities (remember there is a protected Dormouse population established there) as well as causing regular infestations of flies to the local Pagets Lane and other surrounding communities.
- (vi) Overall an unacceptable resolution to a problem that should have been foreseen and resolved with minimal impact to the local community. The resolution is not to damage the local community for an extended length of time and to leave an unnatural mark on the landscape for ever more but to repair the bogging with minimal fuss and to leave the area as it was originally agreed – as low level farmland.

2.4 **Eathorpe, Hunningham & Offchurch Wappenbury & Western Joint Parish Council** – most strongly object to the application, the visual impact alone of which would be an enormous intrusion. The time extension of additional 12 years, which even then could be further extended, is unacceptable. Fully support all comments made by Bubbenhall Parish Council.

2.5 **Ryton on Dunsmore Parish Council** - object on the grounds that the land should be returned to recreational use by the community within the Green Belt.

2.6 **County Museum** – recommend that a Great Crested Newt Survey is carried out prior to the determination of the application in order to determine the possible presence of a European Protected Species.

2.7 **Environment Agency** – no comments received as of 7/4/06.

- 2.8 **Defra** – it is appropriate to specify agriculture as an afteruse. If minded to approve the application conditions are suggested which should enable the land to be satisfactorily restored.
- 2.9 **English Nature** - no comments received as of 7/4/06.
- 2.10 **Coventry Airport** – due to the large scale change in the size and height of the Bubbenhall Landfill Site I would have expected this important element to have been carried out and included in the planning application. I would assume that due to the nature of the site that there has been bird control measures in the past, but due to the size of the change I would suggest that this fundamental change in the environment would require a re-assessment.

As you can appreciate the conflict between birds and aircraft can be potentially fatal, and any increase in bird attractants around the aerodrome has to be considered with this eventuality in mind. As such I would like to raise an objection to this planning application until such time the Airport can be satisfied that any mitigation has been included or the Airport is satisfied that any mitigation has been included or the airport is satisfied that there is no increase in bird attractants resulting from this development.

- 2.11 **British Gas Transco** - no comments received as of 7/4/06.
- 2.12 **British Pipeline Association** – no objection in principle to the proposals but wish to ensure that any works in the vicinity of the pipelines does not affect the overall integrity and that they are carried out in accordance with our safety requirements.
- 2.13 **Countryside Agency** – no comments.
- 2.14 **Highways Agency** – make holding objection, on grounds that insufficient information has been provided in support of the planning application to ensure the A45 and A46 Trunk Roads continue to serve their purpose as part of a national system of routes for through traffic, in accordance with Section 10(2) of the Highways Act 1980, by minimising disruption on the Trunk Road Network and in the interests of road safety.

### 3. Representations

- 3.1 Representations have been received from two local residents:-

The Bungalow, Weston Fields Farm, Weston Lane.  
Piece Barn Farm, Leicester Lane.

raising concerns/objection to the proposed development on the following grounds:-

- (i) Landscape impact of revised restored profile.
- (ii) Visual impact of ongoing operations.
- (iii) Timescale of operations.
- (iv) Noise – elevated working heights.

- (v) Odour – particularly when existing waste is uncovered.
- (vi) Proposal major change from original approved agricultural restoration.
- (vii) Mud and dirt on the highway – existing wheel wash and road sweeping regime not adequate.
- (viii) Litter from site and vehicles accessing the site.

## 4. Observations

- 4.1 Bubbenhall Landfill Site is located approximately one kilometre to the south of Bubbenhall Village. Landfilling operations are currently undertaken at Bubbenhall Landfill under the provisions of a planning permission granted in 1992. The site is operated as a non-hazardous landfill accepting a mix of household, industrial and commercial wastes. The existing approved restoration scheme permits the site to be restored to a gently convexed landform returned to agricultural use. The approved landform allows for 15% settlement of the deposited material. Settlement is the process by which the material deposited within the landfill site gradually reduces in volume through decomposition and compression.
- 4.2 The application indicates that the understanding of settlement within landfills has increased significantly in the period since infilling of the site commenced and it is now accepted that settlement is greater than previously thought. The application states that it is important when completing and restoring a landfill site that the final post-settlement landform is such that it sheds rainfall and does not allow water to pond on the surface. It is indicated that where gradients are not sufficient to promote surface water runoff and ponding occurs, water will penetrate the cap constructed over the landfill. This will lead to the creation of greater volumes of leachate which will require management/treatment. It is stated that one of the key goals in post-closure landfill site management is to minimise leachate generation due to its pollution potential.
- 4.3 The application states that experience at Bubbenhall landfill demonstrates that the currently approved restoration levels are not going to be sufficient to produce an acceptable final post settlement landform. It is stated that evidence of this can be seen across the site, particularly in the northern and eastern parts of the site, where despite having been surcharged by the permitted 15%, the surface has now settled to levels well below the approved post settlement profile just a few years after completion, ie. well before settlement is expected to be complete. Parts of the site now have no perceptible gradient with localised concave formations allowing ponding to occur.
- 4.4 The application states that the current situation is not sustainable and requires action to rectify it.
- 4.5 In a letter dated 7th March 2006 the applicant agent formally requested that prior to the determination of this planning application a formal site visit be made to the site by elected Members of the Regulatory Committee. This request was discussed at the Chairs briefing held on Monday 13th March when elected Members present concluded that, given the scale and importance of this application a site visit would be desirable and that this request should be put to elected Members at the next meeting of the Regulatory Committee to be held on

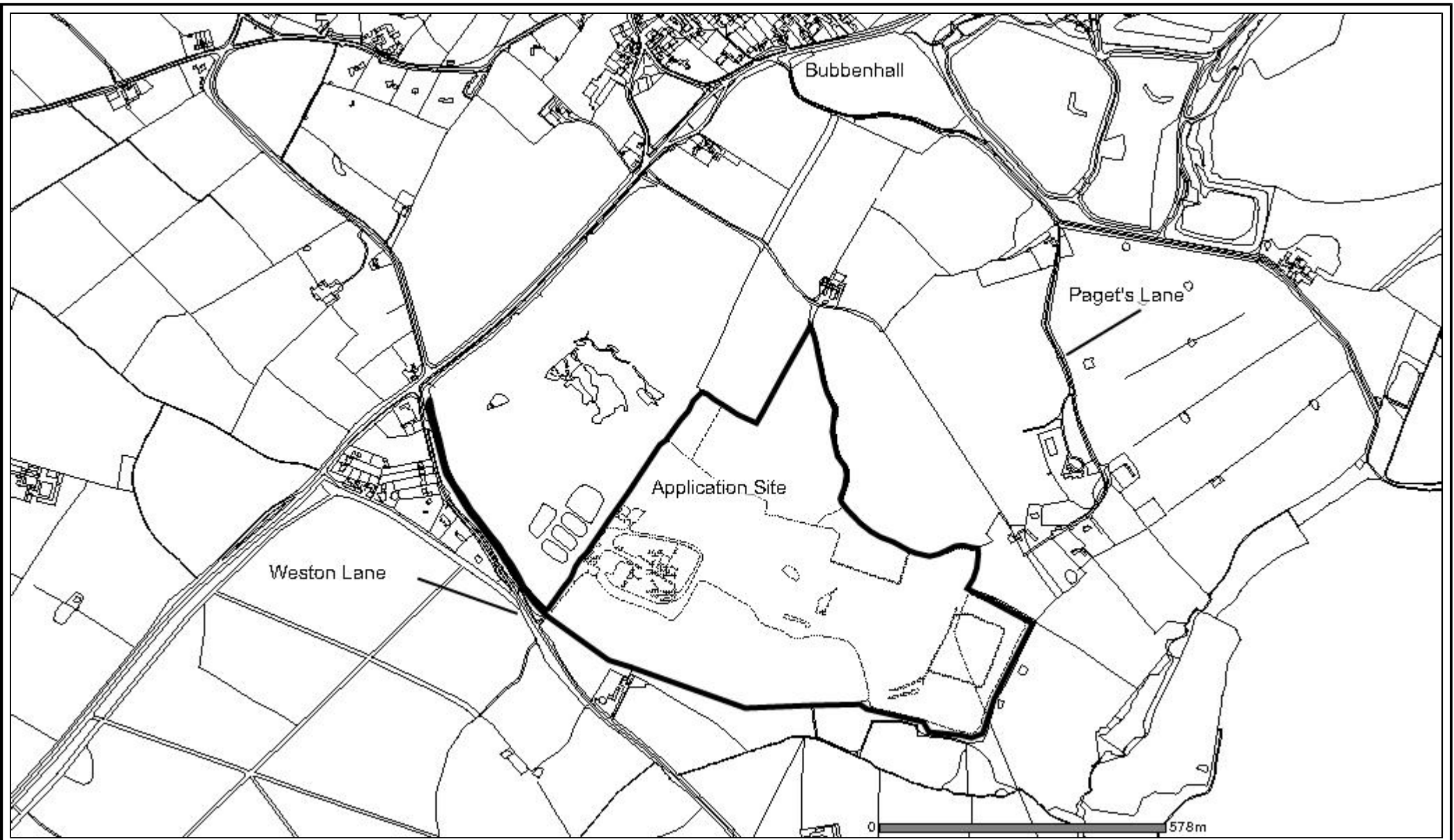


2nd May 2006. This request is supported by Councillor Doody, the Ward Member.

- 4.6 It is currently envisaged that the application will be reported to 13th June 2006 meeting of the Regulatory Committee for determination. Given the nature and complexity of the proposed development it is considered that a site visit prior to determining the application would assist Members with considering the issues relevant to the proposal. It is therefore suggested that Members make a site visit to Bubbenhall Landfill prior to a full report with recommendation being reported to 13th June 2006 Regulatory Committee.

JOHN DEEGAN  
Strategic Director of Environment and Economy  
Shire Hall  
Warwick

13th April 2006



Scale 1: 10678

Ref No. W118/06CM007

Drawn Janet Stevens

Regulatory Committee 2nd May 2006

Subject

**Bubbenhall Landfill Site**



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