

AGENDA MANAGEMENT SHEET

Name of Committee **Regulatory Committee**

Date of Committee **11th July 2006**

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

Summary The application seeks 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.

At the 13th June 2006 meeting of the Regulatory Committee Members resolved to defer the application in order to enable Officers to draw up a revised list of conditions to reflect comments/observations raised during consideration of the matter and to investigate community benefits that may be appropriate to offset the impacts of the development.

For further information please contact Matthew Williams
Planning Officer
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Would the recommended decision be contrary to the Budget and Policy Framework? Yes/No

Background Papers

CONSULTATION ALREADY UNDERTAKEN:- *Details to be specified*

- Other Committees Regulatory Committee – 13th June 2006.
- Local Member(s)
- (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

.....

Health Authority

.....

Police

.....

Other Bodies/Individuals

.....

FINAL DECISION

YES/NO (If 'No' complete Suggested Next Steps)

SUGGESTED NEXT STEPS :

Details to be specified

Further consideration by this Committee

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To Council

.....

To Cabinet

.....

To an O & S Committee

.....

To an Area Committee

.....

Further Consultation

.....

Regulatory Committee - 11th July 2006

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

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

Recommendation

That the Regulatory Committee authorises the grant of 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 subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

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 report, attached as **Appendix A**.

1. Background

- 1.1 This application was deferred at the 13th June 2006 meeting of the Regulatory Committee in order to enable Officers to draw up a revised list of conditions to reflect comments/observations raised during consideration of the matter and to investigate community benefits that may be appropriate to offset any the impacts of the development.

2. Conditions

- 2.1 **Appendix B** of the Committee Report reported to the 13th June 2006 meeting of the Regulatory Committee contained a list of suggested conditions should the Committee have been minded to approve the application. The suggested conditions covered matters including; provision of surface water drainage works, implementation of a litter management plan, phased restoration of the site, hours of operation, measures to control noise emissions, measures to control dust emissions, measures to ensure integrity of soils on site, measures to prevent the deposit of mud and litter on the highway, measures to secure satisfactory restoration of the site. A copy of the Committee Report to 13th June 2006 meeting of Regulatory Committee is attached as **Appendix A**.
- 2.2 At the 13th June 2006 meeting of the Regulatory Committee Members indicated a desire for Officers to revisit this list of conditions in order to amend and reinforce them in the light of matters raised and discussed during consideration of this proposal. Issues raised by Members for further consideration and where appropriate incorporation within the conditions include; litter control on and off site, regular liaison with local residents, creation of a bund around the perimeter of the site, odour control, setting of an end date for completion of landfilling and restoration to agriculture.
- 2.3 Litter has been raised as a concern by residents and the Parish Council and has been recognised as having been a problem in the past. A condition requiring the submission of a litter management plan prior to the commencement of the development proposed in the original Committee Report has now been strengthened to ensure the plan includes measures to prevent litter leaving the site, including erection of litter fencing where appropriate, and measures to retrieve any litter that leaves the site, including Bubbenhall Wood and along the Public Highway.
- 2.4 A liaison meeting, involving both the operator of the landfill and adjoining quarry, has been held in the past with local residents. However, a liaison meeting has not been held in recent time. Liaison groups act as a forum whereby concerns regarding operations can be raised and addressed and residents can be kept up to date with progress with operations on site. Liaison meetings with residents can be a useful mechanism for addressing problems or concerns that may arise from time to time. It is suggested that a liaison group, to include representatives from the Parish Council and nearby residents, be formalised and secured via a Section 106 Agreement.

- 2.5 Members raised the possibility of creating a bund around the perimeter of the site as a way of mitigating the visual impact of the development. The applicant's landholding gives little scope to create purpose built screen bunds around the perimeter of the site. However, the proposed development would be phased such that the outer periphery of the landfill would be raised and restored initially. This would act, in part, to screen the greater part of the landfilling operations undertaken centrally within the site. The submitted application includes a phasing plan which it would be necessary to complete the works in accordance with.
- 2.6 Members raised the possibility of imposing an end date on any planning permission granted to secure completion of operations on site by a set date. Members were advised during the meeting that imposing an end date on landfill operations may not be appropriate as inputs of waste can be variable. The applicant has subsequently indicated a willingness for any permission granted to be subject to a condition containing a date by which landfilling operations and restoration of the site must be complete. The existing permitted and proposed landfill operations combined would take around 20 years to complete at current annual rates of waste inputs. A condition is therefore proposed requiring restoration of the site to be completed within 20 years of the date of planning permission being granted.
- 2.7 Concern was raised regarding the potential creation of odours, particularly arising when previously tipped and partially decomposed waste is uncovered in order to allow additional wastes to be applied. In order to limit any potential odour impacts the applicant proposes to; restrict the tipping area to as small as possible, to cover all waste at the end of the working day and to restrict uncovering previously deposited waste to the immediate working area. It is considered that restricting the stripping of previously capped areas to that which can be covered by freshly deposited waste by the end of the working day would provide adequate odour control. However, in order to ensure that adequate odour management is put in place it would be appropriate for details of odour control measures to be submitted and agreed. A suitably worded condition is proposed.
- 2.8 A Member raised concern with the tree planting incorporated within the proposed restoration scheme, suggesting that the site should be restored totally to agriculture as currently required. The current approved restoration scheme stems back to a period of time when greater emphasis was given to restoring land to agriculture. Restoration to agriculture is now less of a priority. The proposed restoration scheme, including woodland planting as well as wetland and grassland habitats, offers an opportunity to create linkages between existing habitats which in time would add to the landscape character and nature conservation value of the area. It is therefore considered that the restoration scheme now proposed would be of greater long term benefit to the character of landscape and bio-diversity of the area.

3. Community Benefits

- 3.1 Members requested that Officers investigate what if any community benefits may be appropriate in order to offset any impacts that may arise as a result of the development.
- 3.2 Circular 05/2005 - Planning Obligations published by the Office of the Deputy Prime Minister sets out the circumstances when it would be appropriate to secure planning obligations to offset the impacts associated with a development. The circular states that obligations are intended to make acceptable development which would otherwise be unacceptable in planning terms. In essence planning obligations may be used to mitigate the impact of development or compensate for loss or damage caused by development.
- 3.3 This matter is currently being investigated further and discussions are ongoing with the applicant. This issue will be updated verbally at Committee.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

4th July 2006

Regulatory Committee – 11th July 2006

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

AGENDA MANAGEMENT SHEET

<i>Name of Committee</i>	Regulatory Committee
<i>Date of Committee</i>	13th June 2006
<i>Report Title</i>	Bubbenhall Landfill Site - Amendment to Profile and Restoration of Landfill
<i>Summary</i>	<p>The application seeks 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.</p> <p>At the 2nd May 2006 meeting of the Regulatory Committee Members resolved to make a site visit to Bubbenhall Landfill prior to determining the application. A site visit is scheduled to take place on 8th June 2006.</p>
<i>For further information please contact</i>	Mathew Williams Planning Officer Tel. 01926 412822 mathewwilliams@warwickshire.gov.uk
<i>Would the recommended decision be contrary to the Budget and Policy Framework?</i>	No

Background Papers

Application and Environmental Statement received 28/02/2006.
 Letter from British Pipeline Agency, dated 06/03/2006.
 Letter from The Country Side Agency, dated 03/03/2006.
 Letter from Defra, dated 10/03/2006.
 Letter from Warwick District Council, dated 30/03/2006.
 Letters from Coventry Airport, dated 28/03/2006 & 11/05/2006.
 Letter from Rugby Borough Council, dated 31/03/2006.
 Letter from Bubbenhall Parish Council, dated 20/03/2006.
 Letter from Ryton on Dunsmore Parish Council, dated 09/03/2006.
 Letter from Highways Agency, dated 20/03/2006 & 21/04/2006.
 Letter from the County Museum, dated 21/03/2006.
 Letter from, Eathorpe, Hunningham, Offchurch, Wappenbury and Weston Under Wetherley Parish Council, dated 03/04/2006.
 Letter from English Nature, dated 19/04/2006.
 Letter from Environment Agency, dated 15/05/2006.

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 – comments incorporated.
- Finance
- Other Chief Officers
- District Councils Warwick District Council – see paragraph 2.2
 Rugby Borough Council – see paragraph 2.3
- Health Authority

Police

Other Bodies/Individuals Bubbenhall Parish Council, Eathorpe, Hunningham & Offchurch Wappenbury & Western JPC, Ryton on Dunsmore Parish Council, County Museum, Environment Agency, Defra, English Nature, Coventry Airport, British Gas Transco, British Pipeline Association, Countryside Agency, Highways Agency.

FINAL DECISION **YES/NO** (*If 'No' complete Suggested Next Steps*)

SUGGESTED NEXT STEPS :

Details to be specified

Further consideration by this Committee

To Council

To Cabinet

To an O & S Committee

To an Area Committee

Further Consultation

Regulatory Committee - 13th June 2006

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

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

Recommendation

That the Regulatory Committee authorises the grant of 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, subject to the conditions and for the reasons contained in **Appendix B** of the report of the Strategic Director for Environment and Economy.

Application No : W118/06CM007

Received By County : 28/02/2006

Advertised Date : 02/03/2006

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**.

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. The landfill extends to a little under 40 hectares in area.
- 1.2 The proposed development would produce a final, post-settlement landform around 5 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. 0700 to 1700 hours Monday to Friday and 0700 hours to 1200 hours on Saturdays.
- 1.5 It is not proposed to significantly alter the waste input rates to the site which is currently around 100,000 tonnes per annum. At these rates of input the proposed development is likely to result in land filling operations taking a further 11 years to complete (beyond the existing estimated 9 to 10 years operating life of the site).
- 1.6 Vehicle movements associated with operation of the landfill would continue at current rates generating an average of 145 vehicles (290 movements) entering and leaving the site each day. Operations on site would be expected to generate a maximum of 200 vehicles (400 movements) entering and leaving the site each day. Land filling operations generate a range of HGV's accessing the site including, refuse collection vehicles, skip lorries and bulk waste vehicles. Access would continue to be gained to the site via the existing site access onto Weston Lane.
- 1.7 The proposal also seeks to amend the approved agricultural after use of the site taking account of the County Biodiversity Action Plan, the adjacent SSSI in Bubbenhall Wood and to establish 19 hectares of woodland and hazel coppice, as well as wetland and grassland habitats.

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.
- 2.3 **Rugby Borough Council** – no objection to the proposal.
- 2.4 **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 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.

- (iv) 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.
- 2.5 **Eathorpe, Hunningham and Offchurch Wappenbury and Western JPC** – 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.
- 2.6 **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.
- 2.7 **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.
- 2.8 **Environment Agency** – consider that due to increase in gradient, discharges of surface water and rates of runoff may increase slightly. However, do not consider that this poses a significant impact. Having considered the use of the site at present and the potential increases in surface water runoff which may result from changing the profile of the site consider these to be sufficiently minimal that they could be effectively attenuated on the site. Therefore do not wish to raise an objection to the proposed development. However, in the absence of an assessment of current and predicted increases in volumes of surface water run off from the site wish to see a condition imposed on any planning permission granted requiring a scheme of surface water drainage works to be submitted and approved.
- 2.9 **Defra** – it is appropriate to specify agriculture as an after use. If minded to approve the application conditions are suggested which should enable the land to be satisfactorily restored .
- 2.10 **English Nature** – from a nature conservation perspective the assessment appears reasonable. Welcome the inclusion of the Local Biodiversity Action Plan and the SSSI in the assessment process. Welcome the emphasis given to nature conservation in the restoration proposals and support the concept behind the woodland planting and linking the existing woodlands with planting. Accept that the buried geological features of the SSSI would not be affected by the revised scheme.
- 2.11 **Coventry Airport** – following a meeting with the consulting engineer and Bubbenhall Landfill Site, the Airport's immediate concerns over the development of the site have now been alleviated. Provided that current bird management practices are maintained, regular communication between the Landfill site bird manager and the Airport is established, and the programme for the development is undertaken 1 phase at a time. The next phase of the development shall not

be started until the previous phase has been completed in its entirety. On this basis, the Airport is happy to remove its holding objection to this application.

- 2.12 **British Gas Transco** - no comments received.
- 2.13 **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.
- 2.14 **Countryside Agency** – no comments.
- 2.15 **Highways Agency** – content that the proposed development will not result in a detrimental impact to the safe and free flow of traffic upon the A45 Trunk Road.

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

4. Observations

Site and Surroundings

- 4.1 Bubbenhall Landfill Site is located approximately 1 kilometre to the south of Bubbenhall village. The site is adjoined to the north/north-east by Bubbenhall Wood, to the south/south-east by agricultural land and to the north/north-west by land currently subject to mineral extraction.
- 4.2 The nearest property to the site is Waverley Lodge Farm which lies immediately adjacent to the south-western boundary of the site. The dwelling itself is

approximately 40 metres from the boundary of the site. However, a second dwelling currently being built in the garden of this property is located closer to the boundary of the landfill. The next nearest properties are a small group of dwellings located to the east of the site at York Farm which is at the end of Pagets Lane. The nearest of these dwellings is situated 60 metres from the boundary of the landfill. Weston Fields Farm, which includes two dwellings, is located 200 metres to the south of the site.

Background

- 4.3 Land filling operations are currently undertaken at Bubbenhall Landfill under the provisions of a planning permission granted in 1992 (W118/901511), although land filling operations commenced on site in the early 1980's. Prior to landfill operations taking place sand and gravel was extracted from the site. Mineral extraction continues to be undertaken on adjacent land by Smiths Concrete. The landfill and mineral extraction operations share the same site access and facilities including wheel wash and weighbridge.
- 4.4 The site is operated as a non-hazardous landfill accepting a mix of household, industrial and commercial wastes. Infilling of the site is undertaken on a phased basis in a series of 22 self contained cells. Many of the cells around the periphery of the site have been infilled and restored. Land filling operations are currently focused on the centre of the site where a number of cells remain to be filled. Based on current levels of waste inputs, around 100,000 tonnes per annum, it is estimated that it will take a further 9 to 10 years, or until 2015/2016 to complete infilling of the site in accordance with the approved restoration profile.
- 4.5 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.
- 4.6 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.
- 4.7 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. The application states that the current situation is not sustainable and requires action to rectify it.

- 4.8 Studies undertaken by the Environment Agency indicates that a total settlement range of 20% to 30% of the post-filling waste thickness should be utilised for modern landfills – equivalent to 25% to 43% surcharge over the final post-settlement restoration profile (Environment agency, Stability of Landfill Lining Systems R&D Technical Report).
- 4.9 Site specific assessment of settlement over the landfill undertaken in association with this application has identified settlement of up to 3.3 metres has occurred to date across parts of the site that have been filled to the currently approved pre-settlement ground levels. To date settlement as a percentage of the original waste thickness has been seen up to 47%. Clearly far in excess of the approved 15% settlement allowance.

Policy

- 4.10 Bubbenhall Landfill is located within the Warwickshire Green Belt as identified within the Warwick District Local Plan. Within the Green Belt there is a general presumption against inappropriate development. Policy ENV1 of the Warwick District Local Plan makes it clear that within the Green Belt the rural character of the area will be retained, protected and wherever possible enhanced by safeguarding areas of mainly open countryside to take account of the interests and needs of agriculture and forestry and to provide a source of recreation and enjoyment. Policy DAP1 of the Warwick District Local Plan – Revised Deposit Version 1996 – 2011 further states that uses of land which preserve the openness of the Green Belt and do not conflict with the purpose of including land within it will be permitted in appropriate circumstances.
- 4.11 Planning Policy Guidance Note (PPG) 2 – Green Belts sets out the purposes of the Green Belt that include preventing urban sprawl and safeguarding the countryside from encroachment and maintaining openness. When any large-scale development or redevelopment of land, including the tipping of waste, occurs in the Green Belt it should so far as possible contribute to the achievement of the objectives for the use of land in Green Belts. The key objectives include; to retain attractive landscapes and enhance landscapes near to where people live, improve damaged and derelict land around towns, to secure nature conservation interest and to retain land in agricultural, forestry and related uses.
- 4.12 Planning Policy Statement (PPS) 10 – Planning for Sustainable Waste Management acknowledges the need to protect Green belts but recognises the particular locational needs of some types of waste management facilities when determining planning applications. These locational needs, together with the wider environmental and economic benefits of sustainable waste management, are material considerations that should be given significant weight in determining whether proposals should be given planning permission.

- 4.13 The operational phase of the proposed development would have a visual impact in this Green Belt location. However, this is unlikely to be much greater than the existing land filling operations undertaken on site. The proposed restoration scheme seeks to replicate adjoining woodland landscape features enhancing the landscape character of the area. It is therefore considered that in the long term the restored site would not conflict with the aims and purpose of the Green Belt.
- 4.14 Government policy seeks to move waste management up the 'waste hierarchy' focusing on reduction, re-use and recycling as preferred waste management options with disposal by landfill as the last resort. However, PPS10 recognises that disposal by landfill remains a means of waste disposal which must be adequately catered for.
- 4.15 Policy ER.9 of the Warwickshire Structure Plan also seeks a reduction in waste going to landfill, in line with the Governments national policy. Policy GD.1 of the Plan seeks to provide for a pattern of development which nurtures Warwickshire's legacy of distinctive towns and villages, countryside, environmental wealth and heritage which continue to make it an attractive place to live.
- 4.16 The adopted Waste Local Plan for Warwickshire also encourages recycling and seeks a reduction in the amount of waste taken to landfill sites. However, the Plan recognises the role landfill has as a waste management option with policy 3 specifically relating to land filling. Notwithstanding this the Waste Local Plan does not envisage a need for significant net overall increase in landfill capacity during the Plan period. The policy states that proposals for new or extensions to landfill facilities for the disposal of waste will only be approved in one of five particular circumstances. This includes where there is a need for additional landfill capacity. Currently there is no overriding need for additional landfill capacity. The proposed development would clearly increase the capacity of the landfill by over 1 million cubic metres. However, it is acknowledged that the main purpose of the proposal is not to create more landfill capacity but to secure a satisfactory site restoration in long term. The creation of additional void space is to some degree a consequence of amending the restoration profile.
- 4.17 Land filling is also permitted by Policy 3 where the proposal would secure the restoration of a mineral working. Land filling operations at Bubbenhall are associated with the restoration of former mineral workings. Levels of settlement seen across restored areas of the landfill to date have resulted in areas with little or no gradient to shed surface water and in places depressions have formed resulting in ponding of surface waters. This water is likely to penetrate the cap creating greater volumes of leachate which will require treatment. This is undesirable and unsatisfactory in terms of site restoration. The proposed development would achieve satisfactory post settlement contours enabling surface waters to be adequately managed. This would secure satisfactory and sustainable restoration of the former mineral working in the long term. Therefore is considered that the proposed development accords with Policy 3 of the Waste Local Plan.

- 4.18 Policy 1 of the Waste Local Plan sets out the environmental considerations, including; visual impact, odour, noise, dust, traffic, impact upon features of nature conservation, etc, that should be taken into account when considering all waste applications.

Environment and Amenity

Visual Impact

- 4.19 There are two issues to be addressed in terms of visual impact, the impact during land filling operations and visual impact of the proposed restoration scheme.
- 4.20 The application site is an existing operational landfill. Existing operations are clearly visible from Western Lane to the south of the site and dwellings at Waverley Lodge Farm and Weston Fields Farm. Footpath W150a skirts the southern and eastern boundary of the site and also affords clear views across the site. Dwellings at York Farm to the south-east of the site are currently largely screened from day to day tipping operations as the area of the landfill closest to these properties has been restored. However, under the current proposals restored areas would be stripped and additional waste added. Operations on site would then be visible, although partially screened by boundary hedgerows, from these properties.

Noise

- 4.21 Potential noise impacts associated with land filling operations include, waste vehicles accessing the site, tipping of waste, operation of plant and machinery associated with compacting waste and stripping and replacing of capping materials and soils. These activities are all currently undertaken at Bubbenhall Landfill and are not believed to have been a cause for complaint. The proposed development would generate the same potential impacts albeit at more elevated levels as tipping cells increase in height.
- 4.22 Noise assessment undertaken indicates that the proposed development would have minor or no significant impacts in all but one location, junction of Pit Hill and the A445 in front of Old Farm House, where there would be moderate impact. Without mitigation this area would experience slightly higher noise levels. In order to limit potential impacts it is proposed to undertake works to increase the height of the landfill around the outer edge of the site first in order that this may afford noise sensitive properties some screening of operations within the central parts of the site. In addition the outer edge of the landfill in the direction of Old Farm House would be raised slightly to form an earth bund which would reduce noise at this location to a minor impact.
- 4.23 The Environmental Health Officer at Warwick District Council has raised no concern in respect of noise impacts.

Dust

- 4.24 Movement of vehicles across the site, unloading of waste, stripping, stockpiling and replacing of soils all have the potential to generate dust emissions. Dust mitigation measures employed in association with existing land filling operations on site include; damping down haul roads, suspending soil stripping in windy conditions, seeding soil mounds, keeping the tip face moist and restricting vehicle speeds on site which appears to adequately control dust emissions. The proposed development would result on operations likely to create dust taking places at elevated levels as the active tipping cells increase in height. This has the potential to exacerbate any dust impacts. However, it is considered that continued good management of site operations would prevent dust from becoming a cause for complaint. The Environmental Health Officer at Warwick District Council has raised no concern in respect of dust impact.

Odour

- 4.25 Odour is potentially generated as the result of odorous waste being deposited on site and from landfill gas generation. Existing operations on site has in the past result in complaint regarding odour. However, it appears that these have been attributable to a green waste composting facility that also operates on site rather than land filling operations. An odour assessment undertaken in association with the application indicates that the current impact from landfill activities is small, with only slight and very intermittent odours detected close to the site boundary.
- 4.26 The proposed development would involve removing the cap, uncovering, previously deposited waste. This has the potential to release odours from old decomposing waste and be a cause for complaint. In order to limit any potential odour impacts it is proposed to restrict the tipping area to as small as possible, to cover all waste at the end of the working day and to limit uncovering of previously tipped waste to the working area. Landfill gas is currently and will continue to be actively managed and used to generate electricity at two on site generators thus limiting odour release.
- 4.27 Landfill operations by there very nature generate odour. However, through good management of operations on site odour can be minimised and adequately managed. The Environmental Health Officer at Warwick District Council and Environment Agency have raised no concerns in respect of odour.

Litter

- 4.28 Concern has been raised regarding wind blown litter leaving the site. This is a particular concern in respect of the impact of litter upon Bubbenhall Wood. Wind blown litter can be a problem on landfills and becomes a greater potential impact when tipping waste at elevated levels. The operator employs measures including; litter pickers, erecting litter fencing around tipping faces and suspending tipping during periods of high wind to limit problems with litter blowing off site. Given that this has been highlighted as an existing concern it is

considered that it would be appropriate for details of litter control measures to be submitted and agreed. A suitably worded condition is suggested.

Residential Amenity

- 4.29 The nearest properties to the site are those located at Waverley Lodge Farm which lies immediately adjacent to the south-western boundary of the site, York Farm immediately to the east of the Landfill and Weston Fields Farm located to the south of the site.
- 4.30 The existing dwelling is situated 40 metres from the boundary of the site. However, a second dwelling currently being built in the garden of this property is located almost immediately adjacent to the boundary of the landfill. These properties have clear views across the landfill. York Farm is a group of six dwellings located at the end of Pagets Lane to the east of the landfill. The nearest dwelling is situated 60 metres from the boundary of the landfill. Views of the landfill from these properties are restricted to the south-eastern corner of the site. Weston Fields Farm, which includes two dwellings, is located 200 metres to the south of the site. The landfill is clearly visible from these properties.
- 4.31 Existing land filling operations on site are to a greater or lesser extent visible from near by properties. Increasing the height of the landfill to pre-settlement levels 10 metres above the existing approved levels would result in the site being more visually prominent. However, the proposed works would be phased such that land filling operations nearest these sensitive receptors are completed at the earliest opportunity. Thus acting in part as a screening feature of operations within central areas of the site. In addition areas of the site closest to Waverley Lodge Farm and York Farm would be completed using soils, which would further limit impacts.
- 4.32 With good management of day to day site operations the proposed development is unlikely to have any greater impact on residential amenity than existing landfill activities on site. Although clearly the site would be operational for a prolonged period of time.

Surface Water Run-Off

- 4.33 The proposed reprofiling of the landfill is sought to provide adequate gradients to promote surface water run-off. The Environment Agency have highlighted that the increased gradients could result in discharges of surface water and rates of runoff increasing slightly. However, they do not consider that this is likely to pose a significant impact. Having considered the use of the site at present and the potential increases in surface water runoff which may result from changing the profile of the site the Environment Agency consider these to be sufficiently minimal that they could be effectively attenuated on the site. However, in the absence of an assessment of current and predicted increases in volumes of surface water run off from the site would like a condition imposed on any planning permission granted requiring a scheme of surface water drainage works to be submitted and approved. A suitably worded condition is suggested.

Ecology

- 4.34 The application relates to an active landfill which has been substantially disturbed by quarrying and landfill operations. The site therefore contains no features, apart from boundary hedgerows, that existed prior to mineral extraction taking place. Consequently, the site is considered to be of limited ecological interest. Notwithstanding this, the County Ecologist indicates that ponds on site may provide suitable habitat for Great Crested Newts. Great Crested Newts and their habitat are protected under the 1981 Wildlife and Countryside Act and are also a European Protected Species. The County Ecologist therefore indicates that a newt survey should be carried out prior to determination of the planning application. The applicant has commissioned a newt survey the results of which should be available in time for the Committee Meeting.
- 4.35 Badgers are known to be active in the area and Dormice are present in Bubbenhall Wood. Existing land filling operations on site are not believed to have negative impacts in respect of these species or their habitats. Increasing the volume of the landfill and operational life of the site are unlikely to result in any greater impact.
- 4.36 The proposed development incorporates a revised restoration with a greater emphasis on nature conservation based after use which in the long term would be beneficial to the ecology of the site and enhance adjoining habitats. Additional woodland would provide a physical link between existing woodland areas creating a natural corridor between the established ancient woodland areas.

Cultural Heritage

- 4.37 The application site and surroundings have been the subject of significant archaeological finds recovered in connection with past mineral extraction. Waverley Wood and Bubbenall Wood are one of the most important Palaeolithic sites in Britain. Part of Bubbenhall Wood is designated a Site of Special Scientific Interest in recognition of this. Substantial remains of Palaeolithic river channel deposits survive beneath the landfill. The proposed development would only affect areas currently being landfilled and would not impact upon previously undisturbed land. Therefore, the proposed development would result in no greater impact upon features of archaeological interest.
- 4.38 Weston Fields Farm, situated 200 metres to the south of the landfill, is a grade II listed building. The proposed development represents a continuation of existing operations and would therefore have little difference in respect of impact on the listed building. The restored site would blend in with the landscape and in the long term have no adverse impact on the setting of the listed building.

Landscape Impact

- 4.39 Bubbenhall Landfill site lies within the Dunsmore Plateau Farmlands Landscape Character Area. A generally flat topography is typical of the area. Although the proposed landform would settle to some degree it would retain a domed

appearance. Whilst this is perhaps regrettable in landscape terms there is a clear need to create such a profile in order to secure satisfactory restoration of the site. The proposed blocks of woodland and hedgerow planting would be at home with the landscape character and would therefore in time soften the appearance of the revised landform.

Traffic and Highway Issues

- 4.40 Bubbenhall Landfill is access via a purpose built access off Weston Lane. The access is shared by traffic accessing the adjoining sand and gravel quarrying operations. The current proposal relates to an increase in the void space of the site only and it is not proposed to significantly increase rates of waste input to the site. Therefore, vehicle movements associated with operations on site would remain at existing levels of an average of 145 vehicles (290 movements) entering and leaving the site each day.
- 4.41 Concern has been raised regarding the deposit of mud and dirt on the public highway. The site has a wheel wash and a road sweeper is in regular use which to a large degree maintain the public highway in an adequate condition. A suitably worded condition is suggested to ensure adequate wheel washing and road sweepers are employed at all times.

Restoration

- 4.42 The existing approved restoration scheme is predominantly to agriculture. The proposed revised restoration lays greater emphasis on nature conservation and in time would enhance the landscape character and ecological value of the area.

'Do Nothing' Scenario

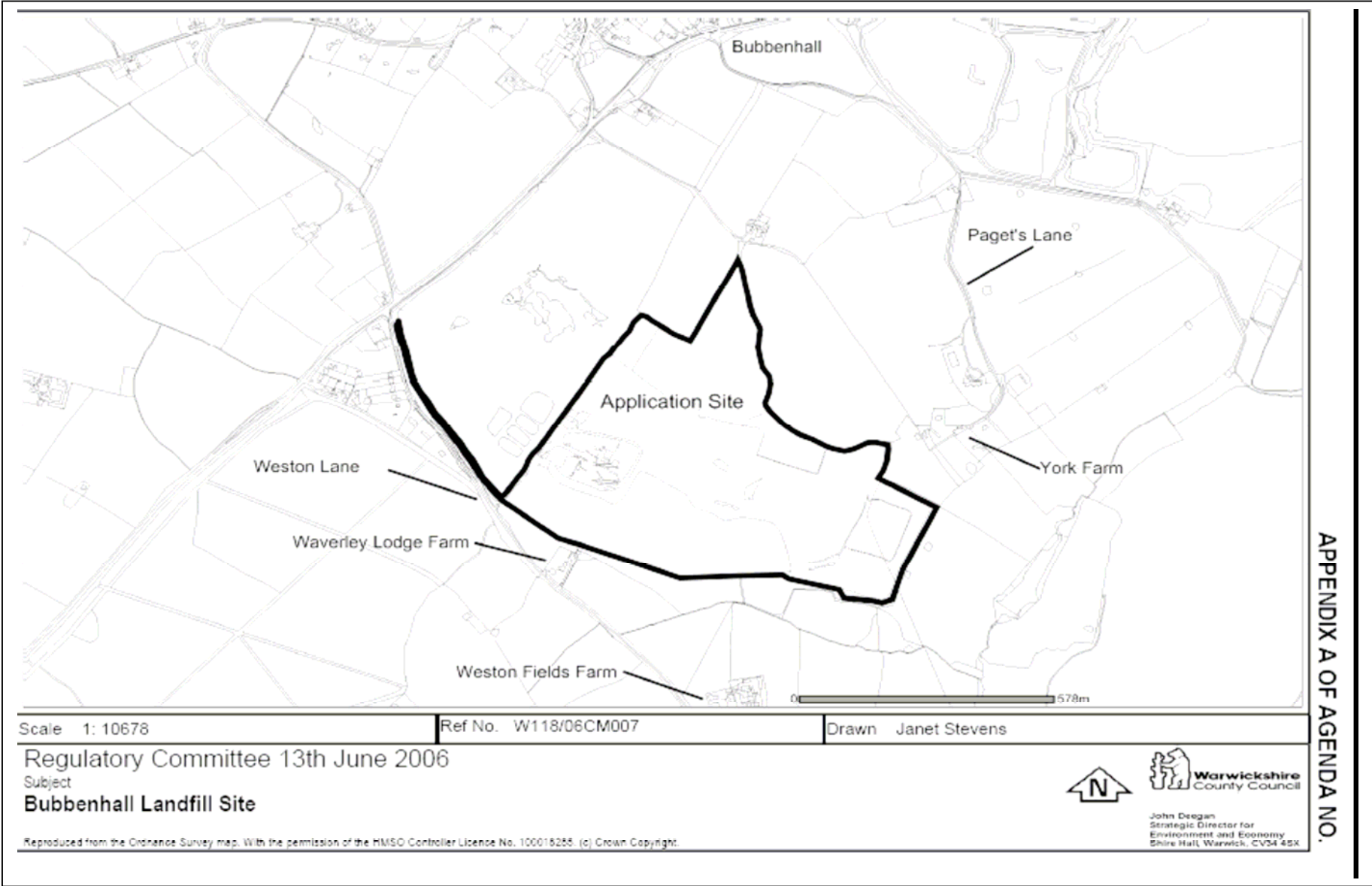
- 4.43 Assessment of site settlement indicates that up to 6 metres of settlement will occur below the approved post settlement levels throughout the site. If not remedied this is likely to result in poor drainage and pooling of water, damage to the engineered cap, increase in leachate generation, gas migration and on-going need for remediation/maintenance works.
- 4.44 The proposed domed restoration profile has been designed to accommodate settlement at the levels now experienced to ensure even post settlement profiles. The 'do nothing' scenario would result in the need for on going maintenance/remediation works to be carried out during the settlement period. Whilst not definitive site settlement is likely to be substantially completed in around 30 years. Remediation works would involve stripping soils and capping materials from previously restored areas to expose waste materials. Additional waste would be added within the approved profile. The cap and restoration soils would then be replaced. This process could need to be repeated as further settlement occurs. The revised pre-settlement levels now proposed would allow the site to be sufficiently surcharged with waste during the operational life of the site to avoid the need to undertake future remediation works and its associated disturbance. Sufficient surcharging of the site at this stage in order to achieve the necessary post settlement contours would allow early restoration/woodland planting of the site.

Conclusion

- 4.45 The proposed development would ensure that adequate post settlement gradients are achieved in order secure the satisfactory restoration of the landfill in the long term. The proposed restoration planting accords with the landscape character of the area and would help to integrate the restored site into the landscape.

JOHN DEEGAN
Strategic Director for Environment and Economy
Shire Hall
Warwick

1st June 2006



Regulatory Committee – 13th June 2006

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

Application No : W118/06CM007

Commencement Date

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: To comply with Section 51 of the planning and Compulsory Purchase Act 2004.

Pre-Commencement

2. The development hereby permitted shall not be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the County Planning Authority. Following approval the drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and pollution by ensuring the provision of a satisfactory means of surface water disposal.

3. The development hereby permitted shall not be commenced until a litter management plan has been submitted to and approved in writing by the County Planning Authority. Such a plan shall include detail of on site management measures to prevent litter leaving the site and measures to retrieve any litter that does blow off site. Following approval the management plan shall be implemented accordingly.

Reason: In the interests of the amenity of the area.

4. Notwithstanding condition 25 the development hereby permitted shall not be commenced until a detailed phased restoration scheme has been submitted to and approved in writing by the County Planning Authority. Such a scheme shall include details of plant species, sizes, densities and numbers. Following approval the scheme shall be implemented accordingly.

Reason: To ensure satisfactory restoration of the site.

General Operations

5. Unless otherwise agreed in writing by the Mineral Planning Authority the development hereby permitted shall be carried out other than in accordance with the submitted application ref. W118/06CM007, Environmental Statement, plans ref. Bubb-Sur-12-05 Plan 1, Bubb-Sur-12-05 Plan 2, Bubb-Sur-12-05 Plan 3, Bubb-Sur-12-05 Plan 4, Bubb-Sur-12-05 Plan 5, Bubb-Sur-12-05 Plan 6, Bubb-Sur-12-05 Plan 7, Bubb-Sur-12-05 Plan 8, Bubb-Sur-12-05 Plan 9, Bubb-Sur-12-05 Plan 10, Bubb-Sur-12-05 Plan 11, Bubb-Sur-12-05 Plan 12 and conditions set out below.

Reason: To ensure a satisfactory standard of development.

6. Except as may otherwise be agreed in writing by the County Planning Authority, none operations or uses authorised by this permission (including the maintenance of vehicles and plant) shall be carried out other than during the following times:-

0700 – 1800 hours Monday to Friday
0700 – 1300 hours Saturday

No such operations shall take place on Sundays or on Bank or Public Holidays.

Reason: In the interests of the amenities of nearby residents.

7. Except as may otherwise be agreed in writing by the County Planning Authority, no lorries shall enter or leave the site outside the following hours:

0800 – 1700 hours Mondays to Friday
0800 – 1230 hours Saturday

No lorries shall enter or leave the site on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of nearby residents.

Environmental Protection

8. Plant and machinery shall not be used at the site unless it is silenced at all times in accordance with the best practicable standards.

Reason: In order to safeguard the amenities of the nearby residents.

9. Reversing alarms shall not be used unless they are of a bell tone type or are of the directional type or are capable of adjusting their noise level automatically to 5dB(A) above the ambient noise level or are of a type otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents.

10. Unless otherwise agreed in writing by the County Planning Authority all pumps operated on site shall be electrically powered.

Reason: To safeguard the amenities of nearby residents.

11. No development shall take place unless all necessary measures to prevent or minimise the raising of dust have been adopted. These measures shall include:
- (i) All haul roads within the site (including vehicular access road) shall be laid out and maintained in a clean and serviceable condition.
 - (ii) A water bowser shall be used to damp down access and haul roads and the operational filling area shall be damped down as often as weather conditions render this necessary.
 - (iii) Methods for controlling dust during soil and overburden movement, including the suspension of operations during weather conditions likely to give rise to uncontrollable dust generation which would be likely to be carried beyond the boundary of the site.

Reason: In order to safeguard the amenities of nearby residents.

12. No screening of soils shall take place on site until full details of the type, location and noise emissions of processing plant to be used on site have been submitted to and approved in writing by the Mineral Planning Authority. Following approval the screening operations shall be undertaken in accordance with the approved details.

Reason: In order to safeguard the amenities of nearby residents.

Soils

13. No topsoil, subsoil or overburden shall be removed from the site.

Reason: To ensure a satisfactory standard of restoration.

14. Unless otherwise approved in writing by the Local Plan Authority the full depth of the topsoil and subsoil shall be stripped and stored for use in restoration of the site.

Reason: To ensure a satisfactory standard of restoration.

15. No soils shall be stripped or removed except when the full depth of soil to be stripped or otherwise transported is in a suitably dry and friable condition. Conditions shall be sufficiently dry for the top soil to be separated from the subsoil without difficulty and the ground is suitably dry to allow the passage of heavy goods vehicles and machinery over it without damage to the soils.

Reason: In order to ensure proper separation of soils and preserve soil quality.

16. Top and subsoils shall be stripped and stored separately. Any overlap of soil types within a mound shall be the minimum necessary to form that mound and the interface shall be clearly recorded on a plan.

Reason: To ensure the integrity of the soils.

17. Prior to any part of the site being excavated or traversed by heavy machinery (except for the purpose of stripping that part or storing topsoil on that part) or used for the stacking of subsoil, all available top soil shall be stripped from that part.

Reason: To ensure the integrity of the soils.

18. Prior to constructing storage soil storage bunds details of locations and heights of such bunds shall be submitted to the County Planning Authority for approval. Following approval the bunds shall be constructed in accordance with the approved details.

Reason: In the interests of residential amenity and visual impact.

19. Soil mounds shall be evenly graded and seeded with a grass seed mixture.

Reason: To prevent wind blown dust.

Access and Protection of the Public Highway

20. No access shall be used by vehicles entering and leaving the site for purposes connected with the development hereby approved except from the existing access onto Weston Lane.

Reason: In the interests of highway safety and residential amenity.

21. The site access shall be maintained in a good state of repair and kept clean and free of mud and other deleterious material at all times.

Reason: In the interests of highway safety.

22. No mud or deleterious material shall be deposited on the public highway. In the event that material is inadvertently deposited it shall be removed immediately.

Reason: In the interests of highway safety.

23. The wheel wash which is installed at the site shall be maintained in a clean and functional condition at all times and shall be used as necessary by all lorries leaving the site.

Reason: In the interests of highway safety.

24. No loaded lorries shall enter or leave the site unless they are sheeted or the load is otherwise adequately secured.

Reason: In the interests of highway safety.

Restoration Conditions

25. The site shall be restored in accordance with plan ref: Bubb-Sur-12-05 Plan 12 – Restoration Masterplan.

Reason: To ensure satisfactory restoration of the site.

26. Plant, machinery and buildings associated with the landfilling operation, and access road, shall be removed from the site and the land reinstated to its former condition on completion of the landfill operation.

Reason: To ensure satisfactory restoration of the site.

27. All operations involving soil replacement and treatments shall be carried out when the full volume of soil involved is in a suitable dry and friable condition to minimise soil damage.

Reason: To ensure the integrity of soils.

28. All reasonable precautions shall be taken so as to prevent the mixture of topsoil and subsoils with other material.

Reason: To ensure the integrity of soils.

Aftercare

29. Three months prior to the replacement of any top soil, final soil cover or the completion of restoration works, whichever is the sooner, a detailed aftercare scheme for that area shall be submitted to the Local Planning Authority for approval. The scheme shall specify the steps to be taken and the five year period in which they are to be taken. Following approval in writing by the Local Planning Authority the scheme shall be implemented accordingly.

Reason: To ensure satisfactory restoration and aftercare of the site.

33. At least once each year during the five year aftercare period relating to each restoration phase a formal annual review shall be held to consider the operations which have taken place on the site during the previous year and the programme of management to be adopted during the ensuing year. At least four weeks prior to the date of each annual review, the site operator shall provide the County Planning Authority with a record of the management and operations carried out on the restored land during the period covered by the review.

Reason: To ensure satisfactory restoration and aftercare of the site.

Development Plan Policies Relevant to this Decision

- (a) Warwickshire Structure Plan – 1996-2011 – **Policies GD.1, GD.2, GD.3, GD.4, GD.5, RA.1, ER.1, ER.2, ER.4, ER.5 and ER.8.**
- (b) Warwick District Local Plan – Adopted April 1995 – **ENV1, ENV3 and ENV12.**
- (c) Warwick District Local Plan – Revised Deposit Version 1996 – 2011 – **Policies DP1, DP2, DP3, DP4, DP6, DP7, DP9, DP10 and DAP1.**
- (d) Waste Local Plan for Warwickshire – **Policies 1, 2 and 3**

Reasons for the Decision to Grant Permission

The development hereby permitted is in accordance with the relevant provisions of the development plan and would secure the most satisfactory standard of development overall and there are no contrary material considerations sufficient to require refusal.

Note: The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the committee report. In accordance with Article 22(2) of the Town and Country Planning (General Development Procedure) Order 1995 and Article 3(3) of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (EIA Regulations) notice is hereby given that the county Council in determining the above application has taken into consideration an environmental statement and environmental information (as defined by the EIA Regulations).

Regulatory Committee – 11th July 2006

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

Application No : W118/06CM007

Commencement Date

1. The development hereby permitted shall be begun not later than 3 years from the date of this permission.

Reason: To comply with Section 51 of the planning and Compulsory Purchase Act 2004.

Pre-Commencement

2. The development hereby permitted shall not be commenced until a litter management plan has been submitted to and approved in writing by the County Planning Authority. Such a plan shall include detail of on site management measures to prevent litter leaving the site and measures to retrieve any litter, including from Bubbenhall Wood and the public highway, that does blow off site. Following approval the management plan shall be implemented accordingly.

Reason: In the interests of the amenity of the area.

3. The development hereby permitted shall not be commenced until an odour management plan has been submitted to and approved in writing by the County Planning Authority. Such a plan shall include detail of on site management measures to prevent odour becoming a cause of nuisance and contingency plans should odour become a cause of complaint. Following approval the management plan shall be implemented accordingly.

Reason: In the interests of the amenity of the area.

General Operations

4. Unless otherwise agreed in writing by the Mineral Planning Authority the development hereby permitted shall be carried out other than in accordance with the submitted application ref. W118/06CM007, Environmental Statement, plans ref. Bubb-Sur-12-05 Plan 1, Bubb-Sur-12-05 Plan 2, Bubb-Sur-12-05 Plan 3, Bubb-Sur-12-05 Plan 4, Bubb-Sur-12-05 Plan 5, Bubb-Sur-12-05 Plan 6, Bubb-Sur-12-05 Plan 7, Bubb-Sur-12-05 Plan 8, Bubb-Sur-12-05 Plan 9, Bubb-Sur-12-05 Plan 10, Bubb-Sur-12-05 Plan 11, Bubb-Sur-12-05 Plan 12 and conditions set out below.

Reason: To ensure a satisfactory standard of development.

5. Except as may otherwise be agreed in writing by the County Planning Authority, none operations or uses authorised by this permission (including the maintenance of vehicles and plant) shall be carried out other than during the following times:-

0700 – 1800 hours Monday to Friday

0700 – 1300 hours Saturday

No such operations shall take place on Sundays or on Bank or Public Holidays.

Reason: In the interests of the amenities of nearby residents.

6. Except as may otherwise be agreed in writing by the County Planning Authority, no lorries shall enter or leave the site outside the following hours:

0800 – 1700 hours Mondays to Friday

0800 – 1230 hours Saturday

No lorries shall enter or leave the site on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of nearby residents.

7. Landfilling operations shall cease and the site be restored in accordance with the approved restoration plan prior to the expiry of 20 years from the date of this permission.

Reason: To ensure satisfactory restoration of the site.

Environmental Protection

8. Within 6 months of the date of this permission a scheme for the provision of surface water drainage works shall be submitted to and approved in writing by the County Planning Authority. Following approval the drainage works shall be completed in accordance with the details and timetable agreed.

Reason: To prevent the increased risk of flooding and pollution by ensuring the provision of a satisfactory means of surface water disposal.

9. Plant and machinery shall not be used at the site unless it is silenced at all times in accordance with the best practicable standards.

Reason: In order to safeguard the amenities of the nearby residents.

10. Reversing alarms shall not be used unless they are of a bell tone type or are of the directional type or are capable of adjusting their noise level automatically to 5dB(A) above the ambient noise level or are of a type otherwise approved in writing by the Local Planning Authority.

Reason: To safeguard the amenities of nearby residents.

11. Unless otherwise agreed in writing by the County Planning Authority all pumps operated on site shall be electrically powered.

Reason: To safeguard the amenities of nearby residents.

12. No development shall take place unless all necessary measures to prevent or minimise the raising of dust have been adopted. These measures shall include:

- (i) All haul roads within the site (including vehicular access road) shall be laid out and maintained in a clean and serviceable condition.
- (ii) A water bowser shall be used to damp down access and haul roads and the operational filling area shall be damped down as often as weather conditions render this necessary.
- (iii) Methods for controlling dust during soil and overburden movement, including the suspension of operations during weather conditions likely to give rise to uncontrollable dust generation which would be likely to be carried beyond the boundary of the site.

Reason: In order to safeguard the amenities of nearby residents.

13. No screening of soils shall take place on site until full details of the type, location and noise emissions of processing plant to be used on site have been submitted to and approved in writing by the Mineral Planning Authority. Following approval the screening operations shall be undertaken in accordance with the approved details.

Reason: In order to safeguard the amenities of nearby residents.

Soils

14. No topsoil, subsoil or overburden shall be removed from the site.

Reason: To ensure a satisfactory standard of restoration.

15. Unless otherwise approved in writing by the Local Plan Authority the full depth of the topsoil and subsoil shall be stripped and stored for use in restoration of the site.

Reason: To ensure a satisfactory standard of restoration.

16. No soils shall be stripped or removed except when the full depth of soil to be stripped or otherwise transported is in a suitably dry and friable condition. Conditions shall be sufficiently dry for the top soil to be separated from the subsoil without difficulty and the ground is suitably dry to allow the passage of heavy goods vehicles and machinery over it without damage to the soils.

Reason: In order to ensure proper separation of soils and preserve soil quality.

17. Top and subsoils shall be stripped and stored separately. Any overlap of soil types within a mound shall be the minimum necessary to form that mound and the interface shall be clearly recorded on a plan.

Reason: To ensure the integrity of the soils.

18. Prior to any part of the site being excavated or traversed by heavy machinery (except for the purpose of stripping that part or storing topsoil on that part) or used for the stacking of subsoil, all available top soil shall be stripped from that part.

Reason: To ensure the integrity of the soils.

19. Prior to constructing storage soil storage bunds details of locations and heights of such bunds shall be submitted to the County Planning Authority for approval. Following approval the bunds shall be constructed in accordance with the approved details.

Reason: In the interests of residential amenity and visual impact.

20. Soil mounds shall be evenly graded and seeded with a grass seed mixture.

Reason: To prevent wind blown dust.

Access and Protection of the Public Highway

21. No access shall be used by vehicles entering and leaving the site for purposes connected with the development hereby approved except from the existing access onto Weston Lane.

Reason: In the interests of highway safety and residential amenity.

22. The site access shall be maintained in a good state of repair and kept clean and free of mud and other deleterious material at all times.

Reason: In the interests of highway safety.

23. No mud or deleterious material shall be deposited on the public highway. In the event that material is inadvertently deposited it shall be removed immediately.

Reason: In the interests of highway safety.

24. The wheel wash which is installed at the site shall be maintained in a clean and functional condition at all times and shall be used as necessary by all lorries leaving the site.

Reason: In the interests of highway safety.

25. No loaded lorries shall enter or leave the site unless they are sheeted or the load is otherwise adequately secured.

Reason: In the interests of highway safety.

Restoration Conditions

26. Within 6 months of the date of this permission a detailed phased restoration scheme shall be submitted to and approved in writing by the County Planning Authority. Such a scheme shall include details of plant species, sizes, densities and numbers. Following approval the scheme shall be implemented accordingly.

Reason: To ensure satisfactory restoration of the site.

27. The site shall be restored in accordance with plan ref: Bubb-Sur-12-05 Plan 12 – Restoration Masterplan.

Reason: To ensure satisfactory restoration of the site.

28. Plant, machinery and buildings associated with the landfilling operation, and access road, shall be removed from the site and the land reinstated to its former condition on completion of the landfill operation.

Reason: To ensure satisfactory restoration of the site.

29. All operations involving soil replacement and treatments shall be carried out when the full volume of soil involved is in a suitable dry and friable condition to minimise soil damage.

Reason: To ensure the integrity of soils.

30. All reasonable precautions shall be taken so as to prevent the mixture of topsoil and subsoils with other material.

Reason: To ensure the integrity of soils.

Aftercare

31. Three months prior to the replacement of any top soil, final soil cover or the completion of restoration works, whichever is the sooner, a detailed aftercare scheme for that area shall be submitted to the Local Planning Authority for approval. The scheme shall specify the steps to be taken and the five year period in which they are to be taken. Following approval in writing by the Local Planning Authority the scheme shall be implemented accordingly.

Reason: To ensure satisfactory restoration and aftercare of the site.

32. At least once each year during the five year aftercare period relating to each restoration phase a formal annual review shall be held to consider the operations which have taken place on the site during the previous year and the programme of management to be adopted during the ensuing year. At least four weeks prior to the date of each annual review, the site operator shall provide the

County Planning Authority with a record of the management and operations carried out on the restored land during the period covered by the review.

Reason: To ensure satisfactory restoration and aftercare of the site.

Development Plan Policies Relevant to this Decision

- (i) Warwickshire Structure Plan – 1996-2011 – Policies GD.1, GD.2, GD.3, GD.4, GD.5, RA.1, ER.1, ER.2, ER.4, ER.5 and ER.8.
- (ii) Warwick District Local Plan – Adopted April 1995 – ENV1, ENV3 and ENV12.
- (iii) Warwick District Local Plan – Revised Deposit Version 1996 – 2011 – Policies DP1, DP2, DP3, DP4, DP6, DP7, DP9, DP10 and DAP1.
- (iv) Waste Local Plan for Warwickshire – Policies 1, 2 and 3

Reasons for the Decision to Grant Permission

The development hereby permitted is in accordance with the relevant provisions of the development plan and would secure the most satisfactory standard of development overall and there are no contrary material considerations sufficient to require refusal.

Note:- The policies, proposals and reasons given above are only summaries of the considerations set out more fully in the committee report. In accordance with Article 22(2) of the Town and Country Planning (General Development Procedure) Order 1995 and Article 3(3) of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 1999 (EIA Regulations) notice is hereby given that the county Council in determining the above application has taken into consideration an environmental statement and environmental information (as defined by the EIA Regulations).