DELEGATED REPORT

Recommendation Made: 27 January 2009

Reference:- 09/00010/C **Parish:- Groby Parish Council**

Applicant:- Waste Recycling Limited
County Hall
Glenfield
Leicestershire
LE3 8TE

Location:- Bradgate Landfill Site Bradgate Hill Groby Leicester Leicestershire

Proposal:- S.73 APPLICATION TO VARY CONDITION 2 OF PERMISSION NO. 2005/0738/04 TO EXTEND THE DEADLINE FOR THE COMPLETION OF RESTORATION WORKS, SUBMISSION OF AFTERCARE SCHEME UNDER CONDITIO N 21 OF PERMISSION NO. 97/0487/04 (AS AMEDED BY PERMISSION NO. 05/0738/04 AND FULL APPLICATION FOR THE ERECTION OF THREE LEACHATE TANKS AND ANCILLARY INFRASTRUCTURE - BRADGATE LANDFILL, GROBY. LINK REFERENCE 2005/0738/4, 2009/C004/04 AND 2009/C005/4)

Introduction:-

This is a County application comprising three parts:-
1.S.73 application to vary condition 2 of PP No. 2005/0738/04 to extend the deadline for the completion of restoration works;
2.Submission of an aftercare scheme for compliance with condition 21 of PP No. 97/0487/04 (as amended by PP No.05/0738/04);
3.A Full application for the erection of three Leachate tanks and ancillary infrastructure.
As the above matters interrelate they will be considered under one application.
Bradgate Landfill is located just over 1km to the South of Newtown Linford, within the administrative district of Hinckley and Bosworth. The site covers as area of around 15ha. The site is mostly surrounded by woodland, with parts of the eastern and southern boundaries being slightly more open, with agricultural land lying beyond. To the south lies the A50. Landfill operations at the site ceased at the end of December 2007.

Consultations:-

The Borough Council is a consultee in this case, however no issues have been raised by Groby Parish Council.

Development Plan Policies:-

PPS 10 - Planning for Sustainable Waste Management

NE5 - Development in the Countryside

NE6 - Sites of Special Scientific Interest

NE7 - Sites of County and Local Nature Conservation Significance

BE1 - Siting and Design

Appraisal:-

Under the existing planning permission, condition 2 required the Landfill to be restored by the 31st December 2008, or 12 months after the cessation of landfill. The applicant has stated that restoration has commenced but this will not be completed by the required date. The proposed restoration comprises a scheme of 4 phases, with a post 4 phase of aftercare management planned. The landfill

will be capped, soils replaced and the area seeded by 2009. However, resultant of the substantial works required in connection with the installation and maintenance, it is proposed to defer the final restoration works, which involve the planting of substantial areas of woodland, for a period of circa 8yrs. The interim phases would involve the spreading of soils, cultivation and seeding with an appropriate grass seed mix, followed by a period of aftercare management. These interim restoration works would be phased over an 18 month period, with completion envisaged by summer 2010.Following the interim works, the final stage will involve tiding the remaining site and planting the final area of woodland. The final planning is envisaged circa 2015/2016.

The submitted aftercare scheme would cover the 8yrs of interim restoration and a further 5yrs of woodland planting, once this has been carried out. This would result in appropriate vegetative cover to minimise adverse impacts on visual amenity and would make the area more ecologically rich. The aftercare scheme includes various Treatments – such as stone picking, Drainage management, Soil Fertility, Grassland management, Planting Inspections, Weed Control, Replacement Planting, Aftercare Reports and Aftercare Meetings.

Leachate from the site has been historically managed via an open Lagoon system situated in the south-western corner of the site. This area measures approximately 0.2ha, and is securely bounded by a fence. Following a review of this Leachate management infrastructure, it was decided to use a temporary 50,000 litre holding tank. As operations at the site are to cease, it is considered that the temporary system should be upgraded. Accordingly it is proposed to infill the lagoons with inert material, construct a hardstanding , upon which three steel tanks and associated infrastructure would be sited. These Leachate tanks will measure approximately 11m x 3m in plan, and 3.5m in height. They will have minimal impact on visual amenity, for they will be dark green in colour and screened by the existing boundary fence and existing vegetation on site.

Based on the details submitted, it appears that the most practical solution to restoration has been proposed. Accordingly the Borough Council have no objections to this application.

RECOMMENDATION :- That the Leicestershire County Council be advised that Hinckley & Bosworth Borough Council has the following comments to make:-

Reasons :-

1 Whilst the Borough Council is disappointed that the final restoration of the site is to be delayed it understands this has been caused by unforeseen settlement, groundwater and leachate problems associated with the landfill. Premature tree planning may result in landscaping restoration having to be repeated. The Borough Council would urge that this final restoration be undertaken as soon as possible following stabilisation of the groundwater and leachate issues.

Notes to Applicant:-

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

Contact Officer:- Eleanor Shaw Ext 5691