SLR

Bradgate Landfill Site

Design and Access Statement to Accompany a Planning Application to carry out development without complying with condition 2 of planning permission 2005/0738/04

waste recycling GROUP

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1.0 INTRODUCTION

Section 42 of the Planning and Compulsory Purchase Act 2004 substitutes a new Section 62 of the Town and Country Planning Act 1990 and amends Section 10 of the Listed Buildings Act so as to provide that a statement covering design concepts and principles and access issues is submitted with an application for planning permission and listed building consent. Section 42 also inserts a new Section 327A into the 1990 Act, which prohibits, among other things, a local planning authority from entertaining an application unless it is accompanied by a design statement and an access statement, where required.

This report is constitutes a Design and Access Statement to accompany a planning application to amend the requirements of condition 2 of planning permission 2005/0738/04 dated 25 October 2005, relating to land at Bradgate landfill site. Referring to DCLG Circular 01/2006:

"A design and access statement must accompany planning applications for both outline and full planning permissions. The elements to be described in design and access statements will be the same regardless of whether the application is for outline or full planning permission, but their scope will differ. What is required in both outline and detailed statements is explained below.

As set out in the GDPO design and access statements will be required for all planning applications except for:

- *a material change in the use of land or buildings, unless it also involves operational development.*
- *engineering or mining operations.*
- *development of an existing dwelling house, or development within the curtilage of a dwelling house for any purpose incidental to the enjoyment of the dwelling house, where no part of that dwelling house or curtilage is within a designated area. "Designated area" means a National Park, site of special scientific interest, conservation area, area of outstanding natural beauty, World Heritage Site and the Broads.*

Design and access statements are not required for applications relating to advertisement control, tree preservation orders or storage of hazardous substances. Once satisfied that the design and access statement meets the requirements of the GDPO, the local planning authority should place the design and access statement on the public register with the application to which it relates. Design and access statements should also be sent to consultees along with individual planning applications".

This report has been prepared having regard to Section 3 of DCLG Circular 01/2006[1] and guidance issued by Commission for Architecture and the Built Environment[2]. Whilst both sets of guidance are equally applicable to full and outline planning applications, it is noted that there is a bias towards development within an urban setting, and in particular, housing and retail. The planning application at Bradgate primarily seeks to amend the timescales over which the landfill site will be restored, introducing an interim restoration phase prior to the implementation of the approved restoration scheme. **The proposals would not involve the deposit of any further waste within the landfill site**, and thus there would be no changes to the landform.

[1] Guidance on Changes to the Development Control System. DCLG June 2006
[2] Design and Access Statements. How to write, read and use them. CABE 2006.

Notwithstanding this, soils and soil forming materials would need to be imported to the site; firstly to enable the whole of the landfill site and ancillary areas to be covered in a suitable depth of soils to facilitate the establishment a grass sward and subsequent woodland blocks. Secondly, soils would need to be imported to ameliorate any depressions that occur due to differential settlement of the waste. It should be noted that the planning application is accompanied by a Supporting Statement, which includes information which is also required within a Design and Access Statement. For completeness, this report draws from the Supporting Statement, providing suitable cross references where appropriate.

The remainder of this report will address:

- The context of the application site and proposed development
- Land use within and surrounding the application site
- The amount of development
- the layout of the development
- the scale of the development
- landscaping works
- Appearance
- Vehicular access to the proposed facility
- Inclusive access

2.0 CONTEXT

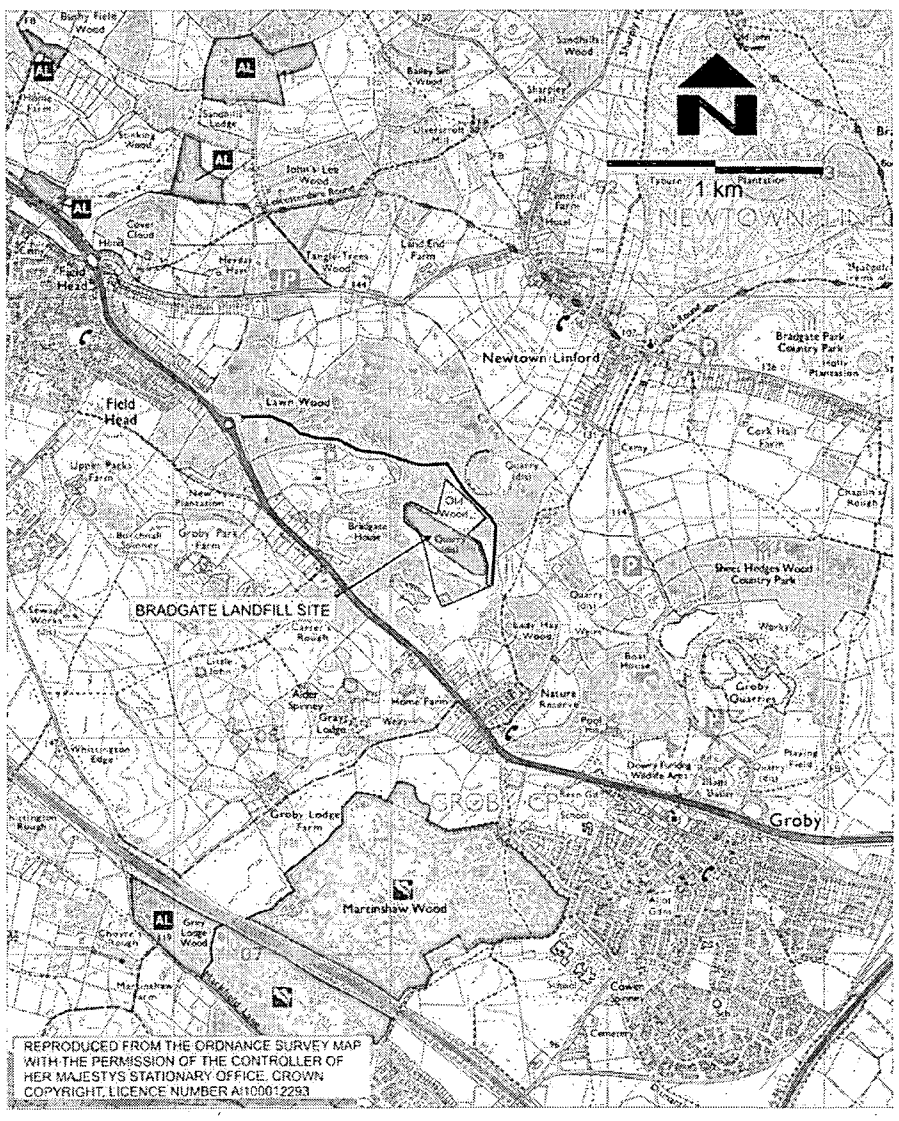
Section 2 of the Supporting Statement identifies the location of the application site and goes on to provide a description of the application site and its immediate environs.

2.1 Site Location

Bradgate landfill site is located just over 1km to the south of the centre of Newtown Linford within the administrative District of Hinckley and Bosworth and the County of Leicestershire. The nearest settlements are the villages Newtown Linford, Groby and Field Head/Markfield with the latter two lying around 2km to the south east and north-west respectively. Further afield, the centre of Leicester is some 8.5km to the south-east (all measurements taken centre to centre)

For identification purposes, the landfill site is centred on National Grid Reference SK 513 088 and illustrated in Figure 2/1 below

Figure 2/1



2.2 Description of the Application site and its Surroundings

The Bradgate landfill site covers an area of around 15ha situated between two former mineral workings (Bradgate No 1 and 3 Quarries). Within this area, the landfill footprint, which is shown edged in green on drawing BG 2/2, covers an area of around 9ha, being oval in shape, and measuring around 470m along the north-west to south-east axis and 260m along the north-east to south-west axis. Landfill operations have been carried out within the whole of the areas edged green on Drawing BG 2/2; at present, a 300mm deep "*regulation*" layer placed over the whole of the landfill, upon which a synthetic landfill capping system has been placed. Soils have been spread over approximately 3.5ha of the southern flank of the landfill, and seeded. In addition, around 0.9 ha of the northern flank has been restored and planted to broadleaf woodland.

The balance of the Bradgate site comprises peripheral areas; to the north of, and contiguous with the landfill site is a rectangular area that has been occupied by the applicant and used for ancillary landfill operations, for example the storage of soils and landfill tax exempt operations (such as composting of green waste). This area measures around 220m by 100m. Within the south western corner of the Bradgate site is a leachate lagoon and landfill gas management compound, containing three generators, flare and switchgear; this infrastructure is approximately 130m to the south of the landfill footprint, separated by Old Wood. Again, these features are shown on Drawing BG 2/2. Finally, to the south-east of the landfill is a further area of land that has been disturbed, with marl extracted and used in the landfill operations. This area has also been used for ancillary operations associated with the landfill.

Topographic levels within the landfill site range from 145m AOD at the north-western edge of the landfill site, falling to 142m AOD within a valley feature before rising to a knoll at 144m AOD. The topography then falls to the north, south and east to levels around 124m AOD at the eastern edge of the site.

Other site infrastructure, comprising offices and weighbridge are located adjacent to the site entrance off the A50, some 800m to the north-west of the edge of the landfill, and linked by a metalled access road.

In the wider context, the site is largely surrounded by woodland, being predominantly Ancient and Semi Natural Woodland. Parts of the eastern and southern boundaries are slightly more open, with agricultural land lying beyond peripheral mature hedgerows. To the south lies the A50, being a major arterial route out of Leicester, providing access to the M1 via Junction 22. Individual properties front the A50 (known locally as Bradgate Hill), with a small residential area being located around Lena and Wallace Drives, approximately 0.5km from the southern edge of the landfill site. The fringes of the larger settlements of Groby, Field Head and Newton Linford lie at distances of over 1km to the south-east, north east and north of the landfill site respectively.

To the north-east of Newton Linford lies Bradgate Park, which is both a Registered Park and Garden and Site of Special Scientific Interest (SSSI). A further SSSI, Groby Pool, lies approximately 275m to the south-east of the landfill at its closest.

2.3 Socio Economic Considerations

Landfill operations at the site ceased at the end of December 2007. The proposals do not introduce any new employment opportunities.

The proposals are aimed at ensuring the landfill site and ancillary land are suitably restored, having regard to the surrounding character of the area, but also having regard to the ongoing requirements for the provision of new and replacement infrastructure to manage landfill gas, leachate and groundwater. Although the restoration period would be extended, it would fall with two distinct phases; the first phase provides for the establishment of a grass meadow over a period of around eighteen months. This would then be managed for around six to seven years, after which, woodland planting would be introduced.

It is considered that these proposals would not lead to any significant detrimental impacts upon visual amenity, and thus would not have any adverse impacts upon the local economy.

2.4 Planning Policy

Planning Policy is formed at the national level, through Planning Policy Statements, Planning Policy Guidance notes and Minerals Policy Statements, and at the local level through the "*Local Development Framework*" (formerly known as the "*Development Plan*"). The application site is not affected by any national landscape, ecological or cultural designations. Similarly, the application site is not affected by any local designations for landscape, natural or cultural heritage. In view of this, large parts of national and local policy considerations are not applicable to the proposals. In relation to the management of waste, PPS 10[3] is to be regarded. In addition, Minerals Planning Guidance Note 7 (MPG 7) provides guidance on the restoration of mineral sites, and is equally applicable to landfill sites.

PPS 10 replaced PPG 10 "*Planning and Waste Management*", and is accompanied by a Companion Guide "*Planning for Sustainable Waste Management*"[4]. PPS 10 states that the overall objective of the Governments policy on waste is to protect human health and the environment by producing less waste and by using it as a resource wherever possible. PPS 10 sets out the key planning objectives; decision making principles; and advice on preparing Regional Spatial Strategies, Local Development Documents and determining planning applications. As the proposals do not involve the deposit of waste, then much of the guidance is not appropriate to the planning application. Of note though are the Key Planning objectives of:

- help secure the recovery or disposal of waste without endangering human health and without harming the environment... ;
- reflect the concerns and interests of communities, the needs of waste collection authorities, waste disposal authorities and business, and encourage competitiveness;

As described in the Supporting Statement, there is an ongoing need to install new, and refurbish old, landfill gas, leachate and groundwater wells at the site to ensure that any environmental impacts are managed within standards defined within the Environmental Permit for the site. It is anticipated that this will require the drilling of between 20 and 30 new gas wells each year for the next five years. Any restoration scheme for the site therefore needs to balance the environmental requirements for managing landfill gas, leachate and groundwater with the need to ameliorate the visual and landscape impacts to improve local amenity. This is considered further under the heading "*Countryside Policies*".

[3] PPS 10 "*Planning and Sustainable Waste Management*". July 2005
[4] Living Draft to Support DEFRA/ODPM Seminars. November 2005

At the local level, the policy framework comprises Regional Spatial Strategy (RSS) 8 (published in March 2005), the Leicestershire, Leicester and Rutland Structure Plan (Adopted March 2005), the Leicestershire Waste Local Plan (Adopted September 2002) and Hinckley and Bosworth Local Plan (Adopted 2001).

The Planning and Compulsory Purchase Act 2004 has introduced new requirements on Local Planning Authorities to prepare a new portfolio of Development Plan Documents (DPDs) that together will form the Councils Local Development Framework (LDF). These Development Plan Documents will replace the existing Structure and Local Plans.

To maintain continuity in the development plan system during transition, the new arrangements provide for the existing adopted Structure Plan and Minerals and Waste Local Plan to be 'saved' for a period of three years from commencement of the 2004 Act, or for a longer period as may be approved by the Secretary of State.

The Waste Local Plan does not contain any specific polices for protecting *inter alia* features of cultural, ecological or landscape importance. **Policy WLP 8** does though provide an overarching policy relating to "*environmental considerations*" in determining planning applications, setting out 21 instances where planning permission would not be granted. None of these 21 criteria are compromised by the development proposals.

In relation to the restoration of waste management sites, **Policy WLP 13** and the attendant paragraphs 3.25 to 3.28 of the Waste Local Plan are relevant. In particular, the aim is to achieve high standards of restoration; the driver behind the planning application is to ensure that the best restoration standards are achieved, both in the short, and long term.

Finally, each of the other plans which comprise the Development Plan contain specific policies on safeguarding and protecting the environment, covering aspects such as the countryside; the natural environment; built and cultural heritage; and landscape. They also set out polices aimed at minimising the loss of amenity through pollution.

Countryside Policies

Strategic Policy 8 in the Adopted Structure Plan (ASP) and **Policy NE5** in the Hinckley and Bosworth Local Plan addresses development within the countryside, which is defined as "*land beyond the planned limits of the built up areas, which is not land comprising a green wedge*". The policy recognises that waste management developments may be accommodated in the countryside where there is an overriding need and appropriate works of mitigation are undertaken.

Previous grants of planning permission have been made on the basis that the landfill will be suitably restored. It is still the applicant's aim to deliver a high quality restoration scheme, in line with the approved proposals. However, the ongoing need to manage landfill gas and leachate at the site impede the proposals for the introduction of woodland in the short term. The need to drill new gas wells each year would require constant clearance of areas of woodland planting, detrimentally affecting the establishment of the woodland structure. The applicant remains committed to establishing areas of woodland over the restored landfill, but at a time when the need to install new landfill gas infrastructure has diminished. During the intervening period, there is still a need to restore the landfill to ameliorate visual impacts; the restoration scheme though needs to be practical to accommodate the operational needs identified above. The proposals to return the landfill to a grass meadow in the short to medium

term achieves this aim; the restored landform would not be out of character for the area.

Natural Environment, Built Environment and Cultural Heritage

Environment Policy 1 within the ASP addresses the historic environment, whilst **Environment Policies 3** and **3A** address biodiversity and the protection of important species and habitats. Within the Hinckley and Bosworth Local Plan, the relevant policies are **BE12** to **BE17** for the historic environment (excluding conservation areas) and **NE 6** to **NE 7** for the natural environment. The proposals would not involve the loss of any designated areas, or lead to a material change to the approved restoration planting in the longer term.

Other Guidance

Finally, draft guidance issued by the Environment Agency in 2004[5] considers the restoration of landfill sites. Section 5 of this guidance states:

"Interim measures

Interim measures may be required as the settlement of biodegradable waste can take at least 10–15 years or longer and remedial work on the surface of the site is likely to be necessary during this time. Site access to monitor and maintain pollution control measures may be needed for far longer. For example, leachate and gas wells are likely to need re-drilling several times during the period between closure and completion."

2.5 Consultation

As part of the normal practice at the applicant's sites, a local liaison group has already been established. This liaison group is attended by the applicant, local County Council and District Council members, together with officers from the County Planning Authority, District Council EHO, Environment Agency and representatives from the local Parish Councils.

The current liaison meetings act as a forum for the flow of information from the applicant to the community and *vice versa*. It therefore allows new stages of development to be explained, and for any complaints or grievances to be aired. Through these liaison meetings, the applicant has kept the local community informed of its proposals for the future development of the Bradgate landfill site.

The applicant has also held discussions with officers of the County Council during the summer of 2008 regarding its intentions over the restoration of the site.

[5] Technical guidance on capping and restoration oflandf ills. Consultation Draft November 2004

3.0 DESIGN STATEMENT

Details of the proposed development are set out in Section 3 of the Supporting Statement.

3.1 Use

The site is currently subject to a single use: closed landfill and associated operations.

From the description of the site provided in Section 2.1 above, the larger part of the site comprises the landfill workings. The disposal of waste has now ceased, with a '*regulation layer*'[6] placed on top of the waste over the whole of the surface of the landfill. A synthetic (plastic) cap has been placed over the regulation layer; soils have then been placed over around 3.5ha of the southern part of the cap, cultivated and seeded. Future operations involve the restoration of the remainder of the landfill site, together with other areas of adjoining land that have been occupied by WRG.

For a period of up to six or seven years, the landfill and adjoining land would be managed as a grass meadow, being akin to an agricultural use. The grass sward would be mowed/strimmed as apposed to being grazed to minimise damage to the landfill gas/leachate infrastructure.

The land uses of the area surrounding the application site generally comprise:

- quarry operations to the south.
- residential developments associated with Groby, Newtown Linford and Field Head/Markfield to the south, east and north respectively.
- road infrastructure (A50) to the west.
- agriculture.
- woodland.

3.2 Amount

As alluded to above, the planning application seeks to amend the phasing of restoration works for the landfill site (but does **not** involve the deposit of waste within the landfill). Firstly, it seeks to defer the final restoration, which comprises the planting of woodland blocks, for a period of up to eight years. Secondly, the application seeks to introduce an interim restoration scheme, whereby the landfill is restored to a grass meadow, and subsequently managed. These proposals cover both the footprint of the landfill, together with adjoining areas and peripheral land. As such it provides a comprehensive and holistic approach to the restoration of the site.

To ensure compliance with the Environmental Permit (previously known as a Pollution Prevention and Control "PPC" Permit), new landfill gas, leachate and groundwater infrastructure is required each year. However, with the amount of settlement being a function of the depth, the depth of the landfill means that there is a high failure rate of the landfill gas/leachate wells due to deformation or collapse. This tends to occur more frequently for the gas wells than leachate due to the differing construction specifications. The applicant estimates that on average 20-30 gas wells would be drilled with 20-30 decommissioned at various points during a year for the next five years.

[6] Being a 300mm layer of inert materials lying between the top of waste surface and landfill cap.

In view of the amount of works required on an ongoing annual basis, and the heavy plant that is required for this work, the survival rate of any trees planted in accordance with the approved restoration scheme would be low. It would therefore seem more practical and sustainable to restore the landfill area to a grassland meadow for a temporary period of around eight years, after which the majority of the settlement should have occurred. Thereafter, areas of woodland would be introduced to the landfill as per the approved restoration planting scheme

The planning application is being made under the provisions of Section 73 of the Town and Country Planning Act 1990. As such, the application site comprises the extent of land covered by the previous planning permission ref. 2005/0738/04, dated 25 October 2005 (which amended planning permission ref. 97/0487/04)

3.3 Layout

Drawings BG 2/2 and 344R099 within the Supporting Statement shows the overall layout of the Bradgate site.

3.4 Scale

As set out above, the Bradgate site covers an area of approximately 15 ha.

As no lateral or vertical extension to the landfill site are proposed, nor are any additional operations, then the proposals would not affect the overall scale of the Bradgate site.

3.5 Landscaping

There are no proposals for new landscaping works (*i.e.* bunding or peripheral plantations) to screen the landfill site. As noted above, the proposals provide for a comprehensive and holistic restoration strategy for the Bradgate site. This is set out in Section 3 of both the Supporting Statement.

3.6 Appearance

The visibility of the landfill site is restricted by landform, existing trees, hedgerows and built-up areas, as follows

- The hilly nature of the area, where ridges and spurs break views, although elevated positions do provide longer distance views, for example from the edge of Newtown Linford, Groby or Bradgate Park;
- Existing woodland and hedgerow vegetation provides partial screening which also varies depending on the time of year and the presence of foliage; and
- Built-up areas provide full or partial screening.

The principal and secondary viewpoints that were selected to represent views from the most commonly used locations in the surrounding area have been reviewed, as part of fieldwork carried out in December 2008. This includes Principal Viewpoint A – Public Right of Way on the edge of Newtown Linford and Principal Viewpoint B – Recreational Ground on the edge of Groby. There were also a number of secondary viewpoints located in the surrounding area, such as: Bradgate Park to the north; Public Rights of Way and Groby Pool to the east, south and north-west.

The sensitivity of each viewpoint has also been reviewed and the ratings, which was assessed as medium to high for all Principal Viewpoints and low or medium to low for Secondary Viewpoints, have been retained.

The magnitude of visual impact has been assessed by direct changes to specific viewpoints, as listed above.

The magnitude of visual impact for principal viewpoints A and B and secondary viewpoints 3 and 5 would be negligible, but adverse associated with the delays to soil cover and seeding. All other secondary viewpoints would be negligible and neutral, where visibility is limited.

The subsequent re-creation of grassland areas followed by woodland according to the afteruses established by the permitted scheme would ensure that the visual appearance of the landfill site would integrate with the distinctive mixture of woodland, farmland, heathland and parkland of Charnwood Forest identified by the *Leicester, Leicestershire and Rutland Landscape and Woodland Strategy* and assist in meeting the objectives of the National Forest. The delay to planting would not adversely affect local landscape character.

The significance of visual impact for principal viewpoints A and B and secondary viewpoints 3 and 5 would be slight and adverse. The significance of all other secondary viewpoints would be negligible and neutral.

The proposed development would be appropriate in its context and would be difficult to differentiate from its surroundings.

It is therefore concluded that the proposed delay to completing the soiling, grass seeding and tree planting would be integrated into the existing site and its surroundings and would not cause unacceptable landscape and visual impacts.

4.0 ACCESS STATEMENT

4.1 Proposed Vehicular Access to the Site

Vehicular access is only required for contractors visiting the site in connection with its restoration.

Access to the Bradgate site is gained off the A50 at NGR SK 502 094 via an at grade roundabout. In the vicinity of the site, the A50 is a dual carriageway, illuminated, kerbed and drained via roadside gulleys, with a grassed central reservation, but no 'armco' safety barriers. It is subject to a 50mph speed limit and suitable signage is in place warning motorists of the entrance to the landfill site. To the south of the roundabout, the road is flanked by pavements, with the western pavement separated from the highway by a narrow grass verge. To the north of the roundabout, single lane roads run parallel with the A50 on both sides, physically separated by grass verges and hedgerow planting. These roads are fronted by pavements and residential properties.

The roundabout was constructed specifically for the landfill development and has three arms: two for the A50 (north and southbound carriageways) and one for the landfill site entrance. From the north the approach to the roundabout widens to accommodate a dedicated lane to for traffic turning left into the site. The northbound approach to the roundabout (from Leicester) has two lanes, with the right hand lane accommodating traffic travelling straight on and turning right.

Between the site entrance and the landfill site is a metalled road

4.2 Inclusive Access

The proposals would not require any changes to the current arrangements.

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