

LOWER HARE INERT LANDFILL

Lower Hare Farm

WASTE RECOVERY PLAN FOR GEOLOGICAL BARRIER

STATUS: MAY 2022

213189/RP

CONTENTS

- 1.0 INTRODUCTION
- 2.0 GEOLOGICAL BARRIER LAYER PRINCIPLES
- 3.0 TYPES OF WASTE
- 4.0 QUANTITY OF WASTE
- 5.0 MEETING THE RECOVERY TEST
- 6.0 WASTE ACCEPTANCE
- 7.0 RISK ASSESSMENT

DRAWINGS

213189/D/001	Site Location Plan
213189/PL/D/007	Restoration Plan
213189/PL/D/010	Permanent Drainage Solution Plan
213189/D/004A-4D	Cross Section Plan
213189/D/PH1/001-003	Phase 1 and Cross Section Plan
213189/D/PH2/001-003	Phase 2 and Cross Section Plan
213189/D/PH3/001-003	Phase 3 and Cross Section Plan
213189/GB/D/001-003	Geological Barrier Plan & Cross Section Plans

APPENDICES

Appendix A	Devon County Council Planning Permission
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1.0 INTRODUCTION

- 1.1 Lower Hare Farm is located 800 m west of Whitestone village, at Lower Hare Farm, Hare Lane, EX4 2HW. The site is centred at National Grid Reference SX 85762 93431. The site location is shown in drawing 213189/D/001. The site is circa 8 km west of Exeter.
- 1.2 The agricultural land will be restored in accordance with drawing 213189/PL/D/007. Cross sections are also provided in 213189/D/004A to 004C; and phasing sections in 213189/PH1/D/001-003, 213189/PH2/D/001-003 and 213189/PH3/D/001-003. The recovery activity area relates to the construction of the geological barrier (GB). The landform will be constructed with inert waste but will be underlain by a 1 m thick GB. Waste acceptance procedures will ensure that incoming wastes are only inert waste and comply with inert waste acceptance criteria (WAC). The geological barrier is shown in drawings 213189/GB/D/001-003.
- 1.3 To note, the 1.25 m restoration soils to form part of the finished formation level will be subject to a Restoration Plan.
- 1.4 This Waste Recovery Plan addresses the requirements of Environment Agency guidance, February 2022 on how to restore your landfill site, as given in the following webpage: <https://www.gov.uk/guidance/landfill-operators-environmental-permits/restore-your-landfill-site>

2.0 GEOLOGICAL BARRIER LAYER PRINCIPLES

Environment Agency Guidance

- 2.1 Environment Agency (EA) guidance from Landfill Technical Guidance: landfills for inert waste, taken from: <https://www.gov.uk/guidance/landfill-operators-environmental-permits/landfills-for-inert-waste>, states the following:

- *Where the natural geology around your site does not provide protection equivalent to a layer 1m thick with a permeability of less than or equal to 1×10^{-7} m/s, you must complete it artificially. Artificially established geological barriers must be at least 500mm thick. Where you plan to construct a geological barrier that is less than 1m thick you must carry out an appropriate hydrogeological risk assessment. You must follow the guidance for raising the base of your landfill before you start constructing any part of the landfill itself, such as an artificially established geological barrier. You must follow the deposit for recovery guidance if you want to:*
 - *record the recovered waste you use in your engineered structure; and*
 - *create a sub-base for the geological barrier.*

If you can demonstrate recovery you can apply to have the recovery of that waste included in your permit.

Planning Requirements

- 2.2 Lower Hare Farm has planning permission for an inert landfill. The planning permission (19/00207/DCC) is shown in Appendix A. As per the EA requirement, a GB will be required in construction of the inert landfill.

3.0 TYPES OF WASTE

- 3.1 The list of proposed wastes as given in the Operational Plan: AA Environmental Limited (AAe) Report reference: 213189/OP is given below. Table 1.1 presents those codes acceptable for GB material.

Table 1.1: Permitted Waste for Geological Barrier Layer

EWG Code	Waste Description
17 05 04	soil and stones other than those mentioned in 17 05 03
20 02 02	Soil and stones

- 3.2 GB will be from a single waste type. The proposed EWC code will need to comply to the environmental and geotechnical specification which will be in the CQA Strategy Plan. The CQA Strategy Plan will be written in accordance with EA Guidance.

4.0 QUANTITY OF WASTE

- 4.1 The Hydrogeological Risk Assessment confirms that a 1 m thick GB is required. Drawings 213189/PH1/D/001-003, 213189/PH2/D/001-003 and 213189/PH3/D/001-003 define the basal liner contours. The GB quantity is assessed to be 135,080 tonnes. This is a minimum amount for an artificially clay imported liner.

5.0 MEETING THE RECOVERY TEST

- 5.1 Environment Agency guidance on waste recovery activities states that there are three main ways in which you can show evidence that you're using waste in place of non-waste:
- 1) Financial Gain by using non-waste;
 - 2) Funding to use non-waste; and
 - 3) Obligations to do work.
- 5.2 The third test: obligations to do work, include planning permission for an inert landfill. As part of an inert landfill, the Operator must construct a 1 m thick GB to ensure suitable protection to the underlying and surrounding environment. The site is underlain by shale and is stoney. Site derived material is not acceptable as a barrier as it has significant stone > 100 mm big throughout its profile and subsequently low permeability across its thickness cannot be assured. The EA Guidance (<https://www.gov.uk/guidance/landfill-operators-environmental-permits/landfills-for-inert-waste>) necessitates a geological barrier and in line with Hydrogeological Risk Assessment it is required to be 1 m thick. This ensures inert waste will not cause a deterioration in the underlying groundwater quality.

6.0 WASTE ACCEPTANCE

- 6.1 Waste acceptance procedures are described in Section 3 of the site's Operational Plan: AAe Report reference: 213189/OP.
- 6.2 Pre-acceptance procedures will include assessment of the potential source and completion of a Waste Acceptance Form (WAF). Furthermore, each GB source will need to be accepted by the Environment Agency in accordance with the CQA Strategy Plan.
- 6.3 Prior to any import, any waste must be pre-assessed to determine whether the site can accept it and process it without risk to the human health or to the environment. The Operator will evaluate the source of the waste to be imported under this protocol. The Operator will employ a Waste Acceptance Form (WAF) that will be used to document the evaluation process for each waste stream to be deposited at the site i.e. the tracking process. This form will identify the waste type, its source and if not natural soil, stone or rock, its environmental characteristics. This will include chemical solid test results on metals, hydrocarbons and non-metals as well as the leachate assessment detailed in the Waste Acceptance Criteria (this is the Level 1 and 2 testing shown in the table above). The WAF along with any supporting information will be retained at the Operators office. Each WAF will have a unique reference.
- 6.4 GB material will only be from verified greenfield soils and natural clays, and would not need to be subject to validation testing (other than testing in accordance with the CQA Strategy Plan).

- 6.5 Materials imported onto the site will be tipped under the guidance of the trained site operatives to ensure materials comply with the description on the WAF form.
- 6.6 The waste will access the site off Five Mile Hill on to the internal haul route. The vehicle will go direct to the site office where it will be inspected, weighed and checked against the relevant pre-acceptance information.
- 6.7 All wastes transported to the site are inspected and a weight will be given based on container size in accordance with EA waste conversion factor guidance. Only permitted waste that conforms to the type and description in the documentation supplied by the producer and/or holder is accepted. Drivers are instructed by staff where to unload the contents of the delivery. Details of the input will be recorded, which includes at least the following:
- Date and time of delivery;
 - Vehicle details (registration mark);
 - Written description, EWC code, origin and quantity of the waste;
 - Waste producer details; and
 - Waste Transfer Note number.
- 6.8 The Waste Transfer Note will be taken from the carrier, checked to ensure it is fully completed with the correct data and the material conforms to the pre-acceptance information within the WAF. If the Operative is happy, the Carrier will be directed to an area for segregated suitable GB engineering material. Vehicular unloading will be supervised by a trained operative. If there is any uncertainty regarding the waste type against the expected characterisation as set out in the pre-acceptance information and/or Duty of Care note, the material and/or the vehicle will be isolated/quarantined until the assessment can be concluded. Rejected loads will be recorded in the Site Diary.
- 6.9 In the event of non-conforming material is identified, the Producer will be notified and if deemed necessary the importation of the waste stream will be stopped until acceptability can be confirmed. The Producer will be notified to remove the material from site. The details of this incident will be recorded in the Site Diary. In the event that a vehicle cannot be immediately turned away (due to the time of day, for example), it will be placed adjacent to the quarantined section near the site office / welfare until practicable to be removed from site.

Standards for Geological Barrier Layer

- 6.10 EA guidance for an inert landfill requires a minimum of 1 m geological barrier layer to be constructed in advance of any landfilling of inert waste. The waste materials must:
- *Be physically and chemically suitable;*
 - *Have a pollution potential less than, or equal to, the natural quality of the surrounding geology; and*
 - *Be below the waste acceptance criteria (WAC) leaching limit values for inert waste.*
- 6.11 The environmental and geotechnical specification and testing will be in accordance with the CQA Strategy Plan. The CQA Strategy Plan will inherit the guidance outlined above. The Plan will be provided to the EA for review and approval prior to any GB import or construction. This is conditioned within the Environmental Permit.

7.0 RISK ASSESSMENT

Controlled Waters

- 7.1 A Hydrogeological Risk Assessment has been produced by McDonnell Cole June 2022, which forms part of the permit application. The risk to controlled waters comes from the runoff and leaching from site soils, most likely during first placement and prior to the establishment of vegetation.
- 7.2 The importation of the geological barrier layer is to provide environmental protection from the inert waste and provide containment of waste soils. The GB will be of low permeability and will be in accordance with the CQA Strategy Plan and section 6.10 above.

Human Health

- 7.3 The GB will be beneath between 1.25 m and 15 m of inert waste and restoration soils and therefore a suitable human health cap is provided. Furthermore, the GB will meet a stricter environmental specification in accordance the CQA Strategy Plan, with a minimum of meeting inert solids and leachate WAC.

Stability

- 7.4 The GB will be constructed in accordance with the CQA Strategy Plan. Supervision of construction will be in accordance with EA guidance. A CQA validation report will be submitted to the EA in line with the CQA Strategy Plan. This will ensure that there is no risk to stability during the temporary works or finished landform. A stability risk assessment also forms part of the permit application and the GB is assessed within it.

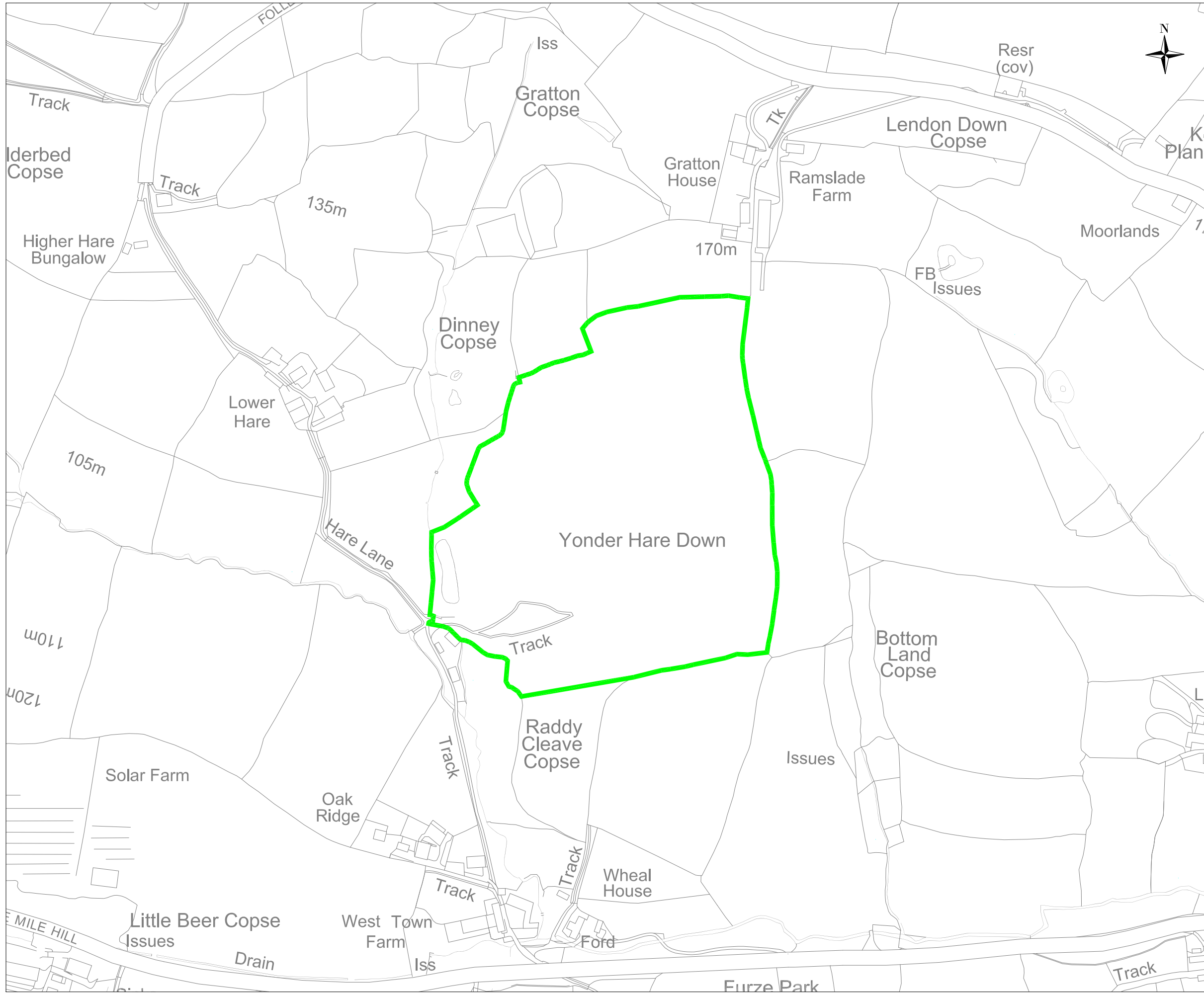
Author: Helen McDonnell BSc MSc CGeol FGS MCIWM


Review by: Edward Brown BSc MCIWM


Approved by: Matthew Lawman BSc MSc

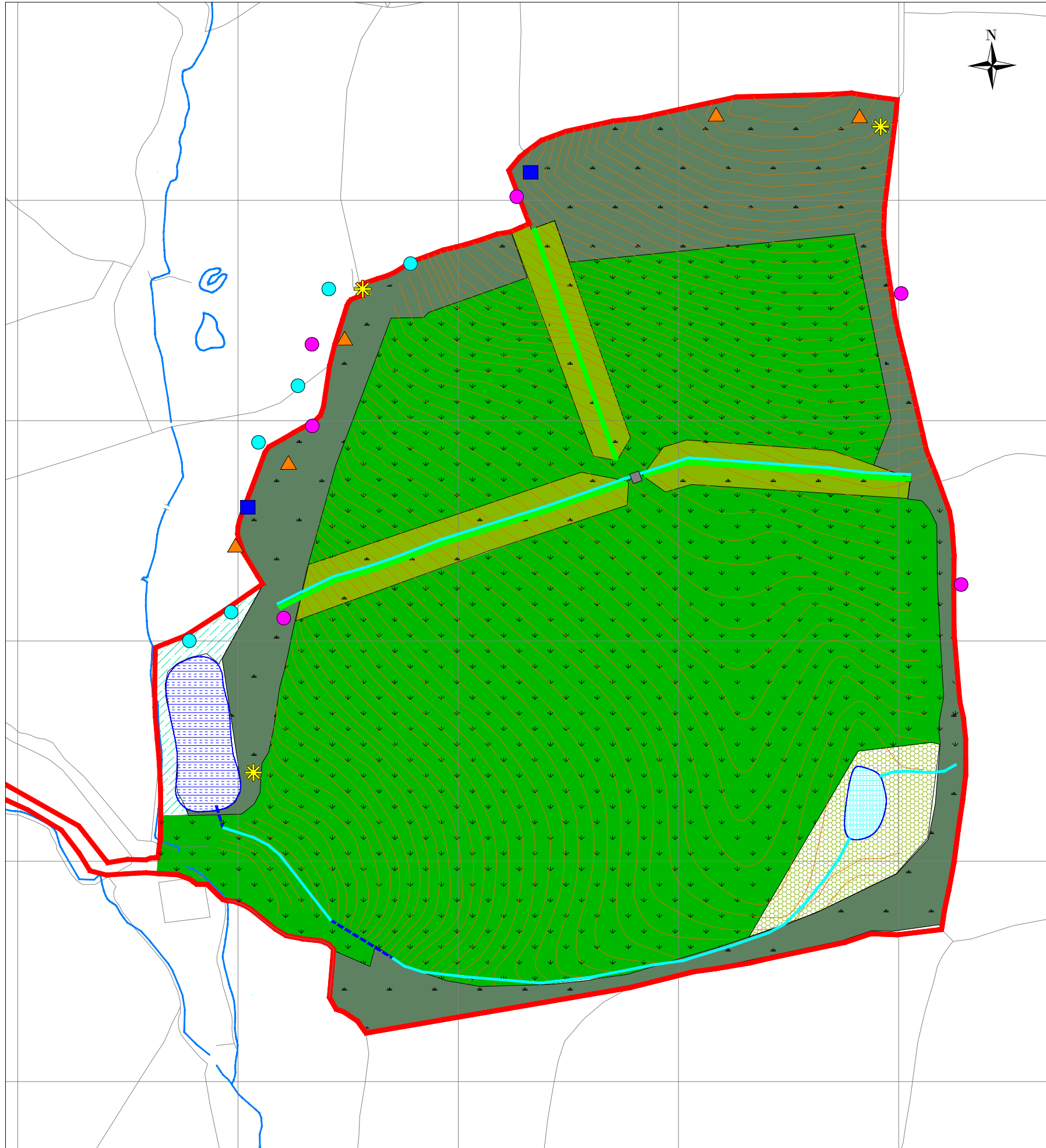
May 2022

DRAWINGS




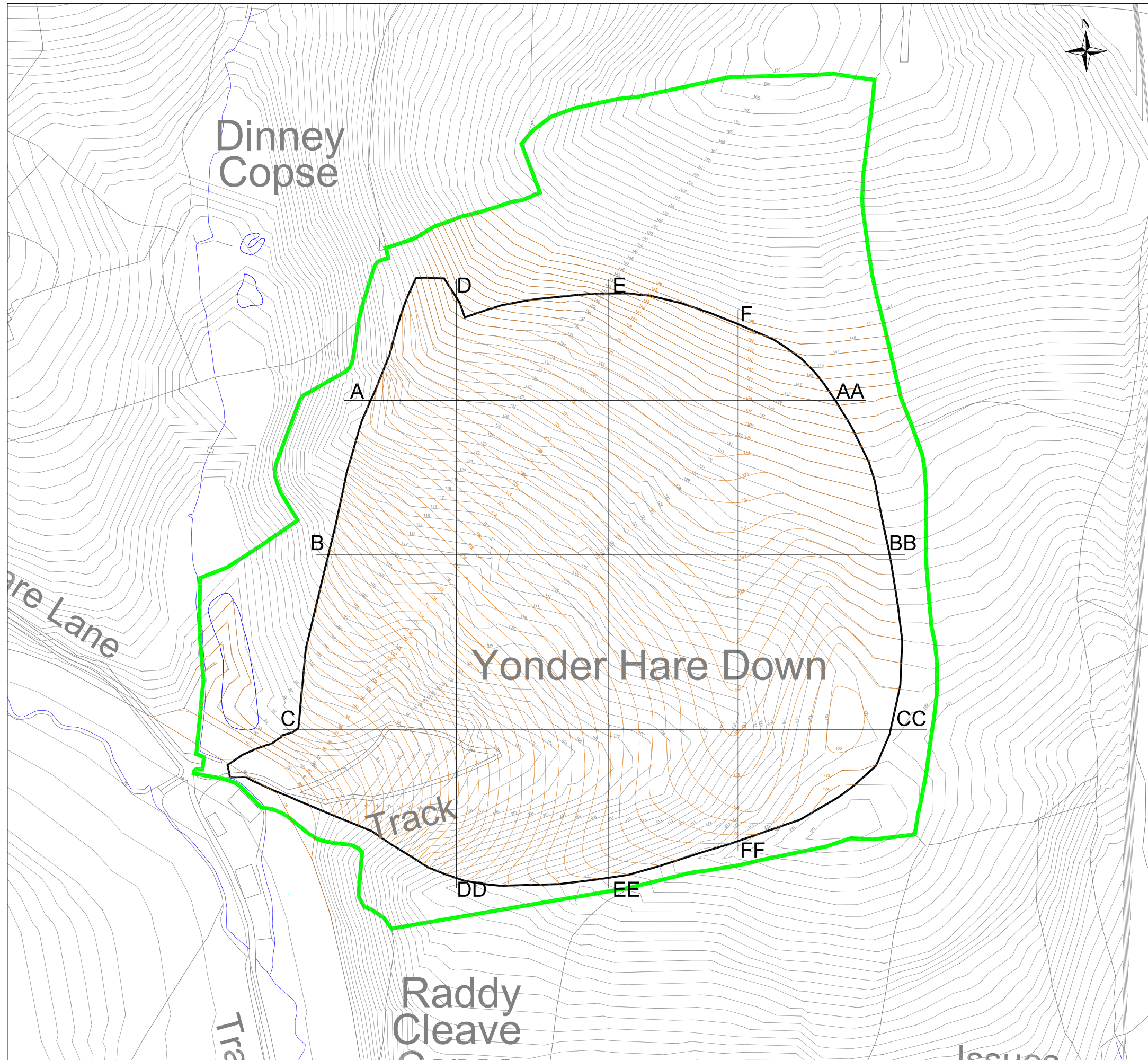
Key:
 Permit Site Boundary

Rev.	Details	Drawn	Date
		Chkd.	
Project 213189 Lower Hare Farm			
Title Permit Boundary Plan			
		AA Environmental Ltd Units 4-8 Cholswell Court Shippon Abingdon Oxon OX13 6HX T:(01235) 536042 F:(01235) 523849 info@aae-ltd.co.uk www.aae-ltd.co.uk	
Scale 1:4,000@A3	Date Nov'21	Drg. No. 213189/D/001	Rev.
Drawn KE	Chkd. EB		



- Key:**
- Site Boundary
 - Ground Level Contours
 - Headland (Lowland Meadow Habitat) Buffer Zone
 - Headland (Neutral Grassland Habitat) Buffer Zone
 - Restored Agricultural Fields
 - Lowland Meadow Habitat Buffer Zone (available from end of Phase 3)
 - Retained existing trees
 - Devon Hedgebank
 - Permanent Drainage Swale
 - Ecological Pond
 - Attenuation Pond
 - Culvert
 - Indicative Bat Box Location
 - Indicative Bird Box Location
 - Indicative Hibernacula Location
 - Indicative Log Piles Location
 - Indicative Insect Hotel Location

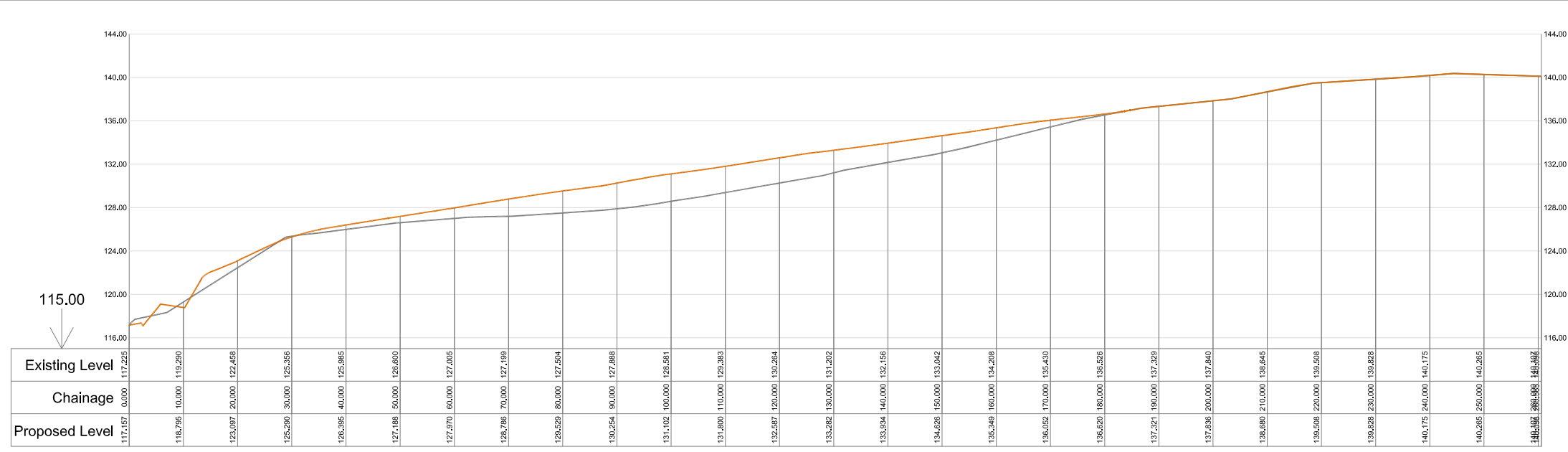
Rev.	Details	Drawn Chkd.	Date
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Title Restoration Plan			
		AA Environmental Ltd Units 4-8 Cholswell Court Shippon Abingdon Oxon OX13 6HX T: (01235) 536042 F: (01235) 523849 info@aae-ltd.co.uk www.aae-ltd.co.uk	
Scale 1:2,000@A3	Date Apr'22	Drawn KW	Chkd. ML
Drg. No. 213189/PL/D/007		Rev.	



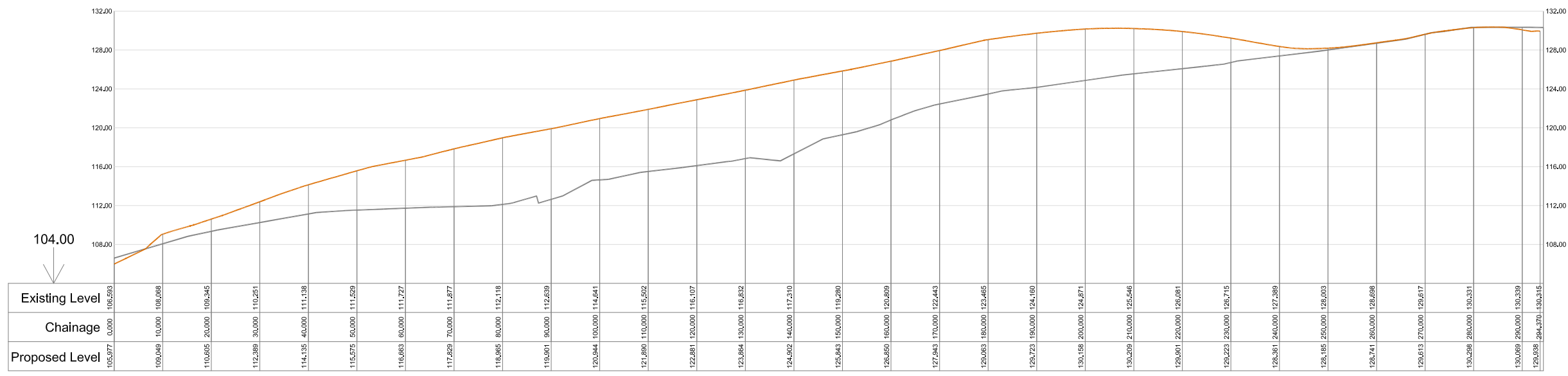
- Key:**
- Site Boundary
 - Existing Ground Level (m AOD)
 - Proposed Ground Level (m AOD)
 - Area of Earthworks
 - A-AA Cross Section

- Notes:**
1. Cross section diagrams A-AA and B-BB are presented in drawing 213189/D/004B.
 2. Cross section diagrams C-CC and D-DD are presented in drawing 213189/D/004C.
 3. Cross section diagrams E-EE and F-FF are presented in drawing 213189/D/004D.

Rev.	Details	Drawn Chkd.	Date
Project 213189 Lower Hare Farm			
Title Cross Section Location Plan			
		AA Environmental Ltd Units 4-8 Cholswell Court Shippon Abingdon Oxon OX13 6HX T:(01235) 536042 F:(01235) 523849 info@aae-ltd.co.uk www.aae-ltd.co.uk	
Scale	Date	Drg. No.	Rev.
1:5,000@A3	Aug '21 Drawn JM Chkd. ML	213189/D/004A	



A-AA
 Horiz. 1:500
 Vert. 1:250



B-BB
 Horiz. 1:500
 Vert. 1:250

Key:
 Existing Ground Level (m AOD)
 Proposed Ground Level (m AOD)

Notes:
 1. The horizontal and vertical exaggeration for each of the cross section diagrams is 1:1 and 2:1, respectively.

Rev.	Details	Drawn	Date
		Chkd.	

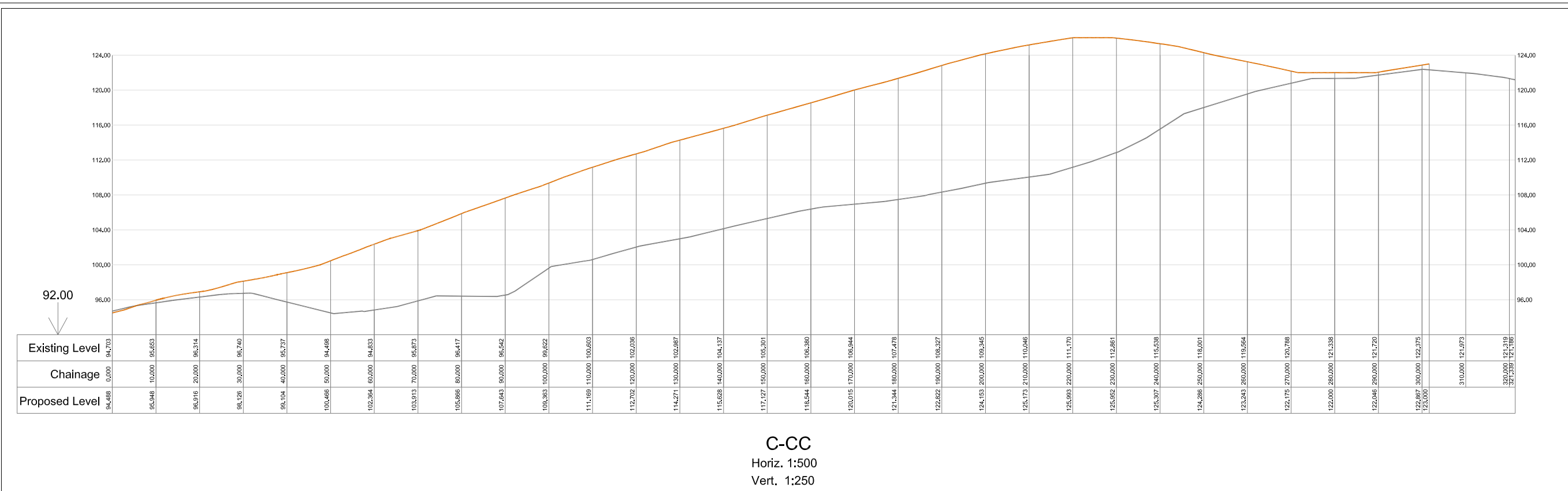
Project
 213189
 Lower Hare Farm

Title
 Cross Section Diagrams A-AA and B-BB

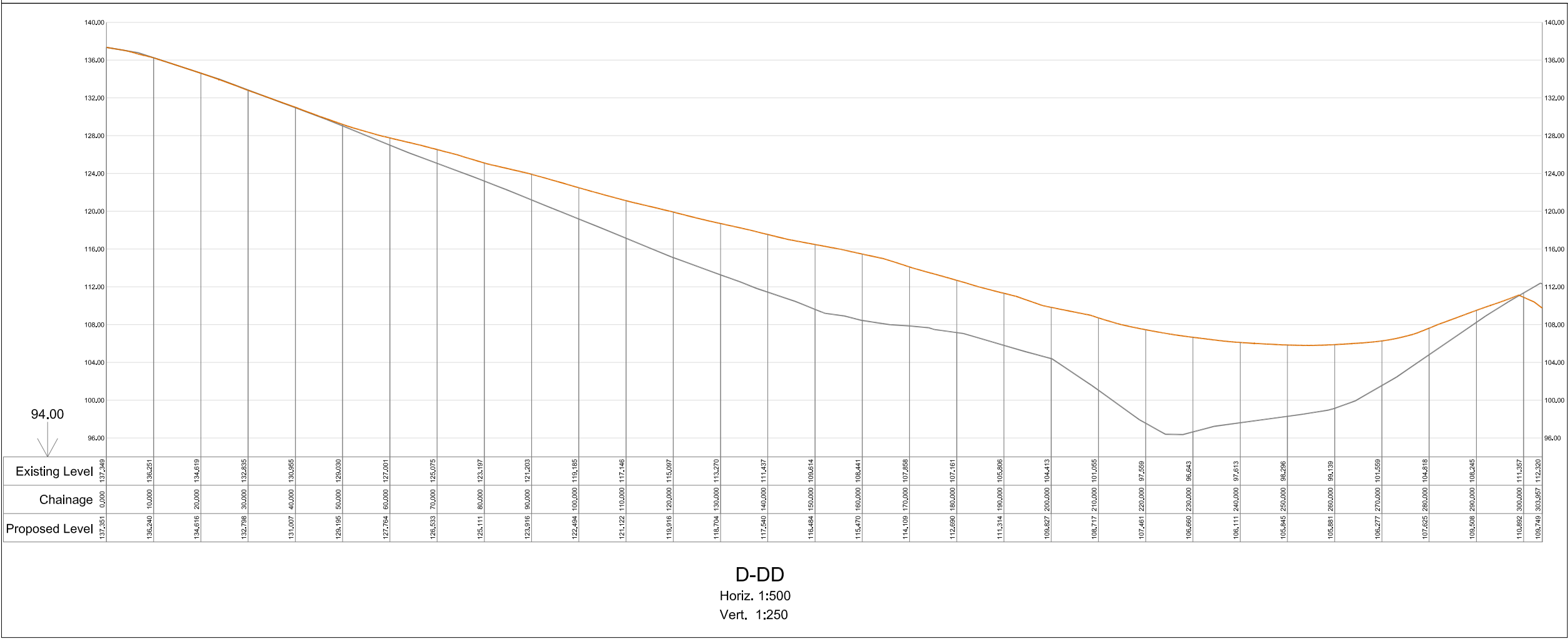


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Scale	Date	Aug '21	Drg. No.	Rev.
1:1,000@A3	Drawn	JM	213189/D/004B	
	Chkd.	ML		



C-CC
 Horiz. 1:500
 Vert. 1:250



D-DD
 Horiz. 1:500
 Vert. 1:250

Key:
 Existing Ground Level (m AOD)
 Proposed Ground Level (m AOD)

Notes:
 1. The horizontal and vertical exaggeration for each of the cross section diagrams is 1:1 and 2:1, respectively.

Rev.	Details	Drawn	Date
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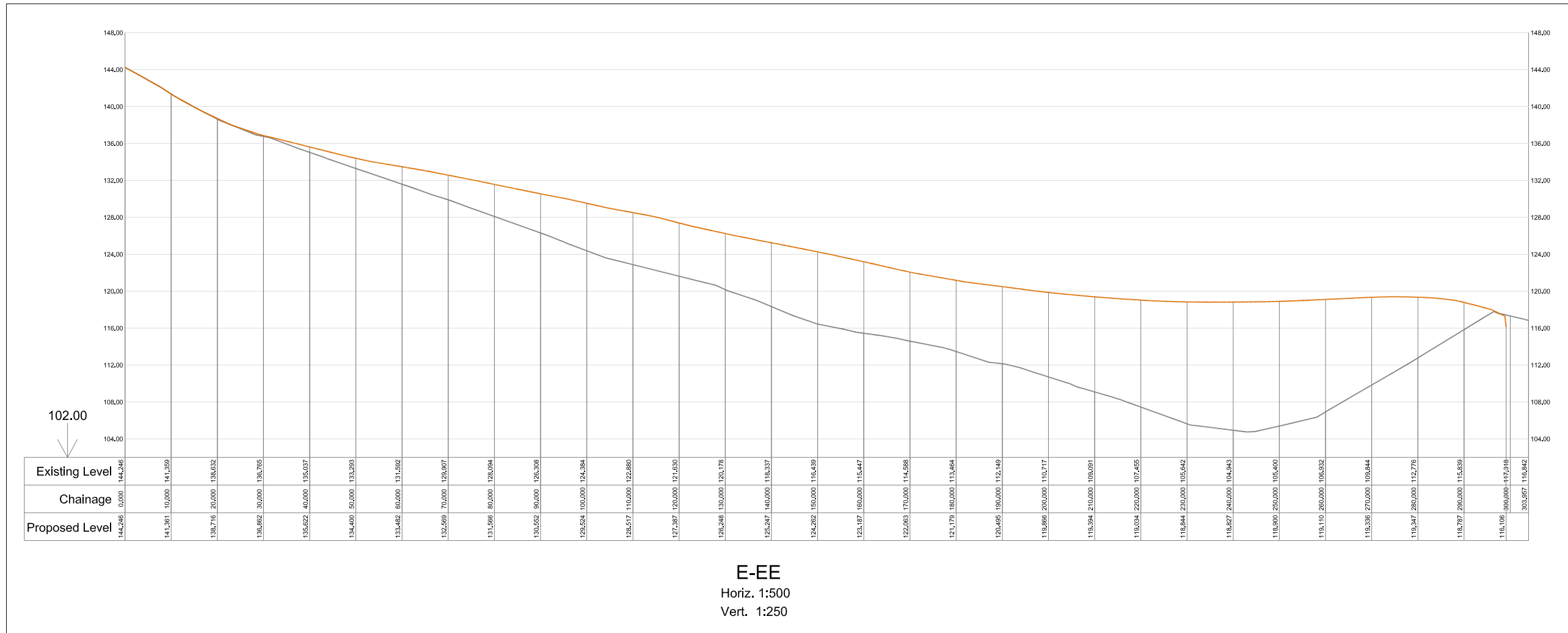
Project
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Title
 Cross Section Diagrams C-CC and D-DD



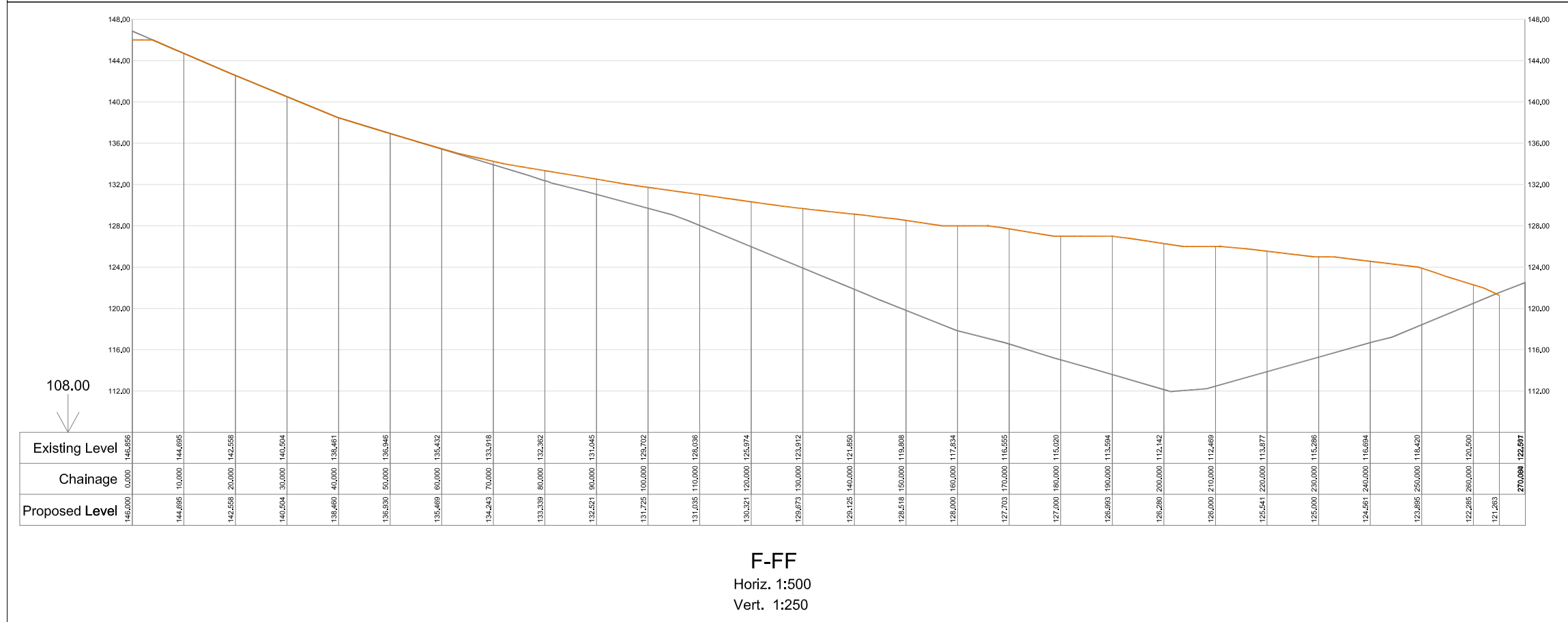
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	JM	ML		

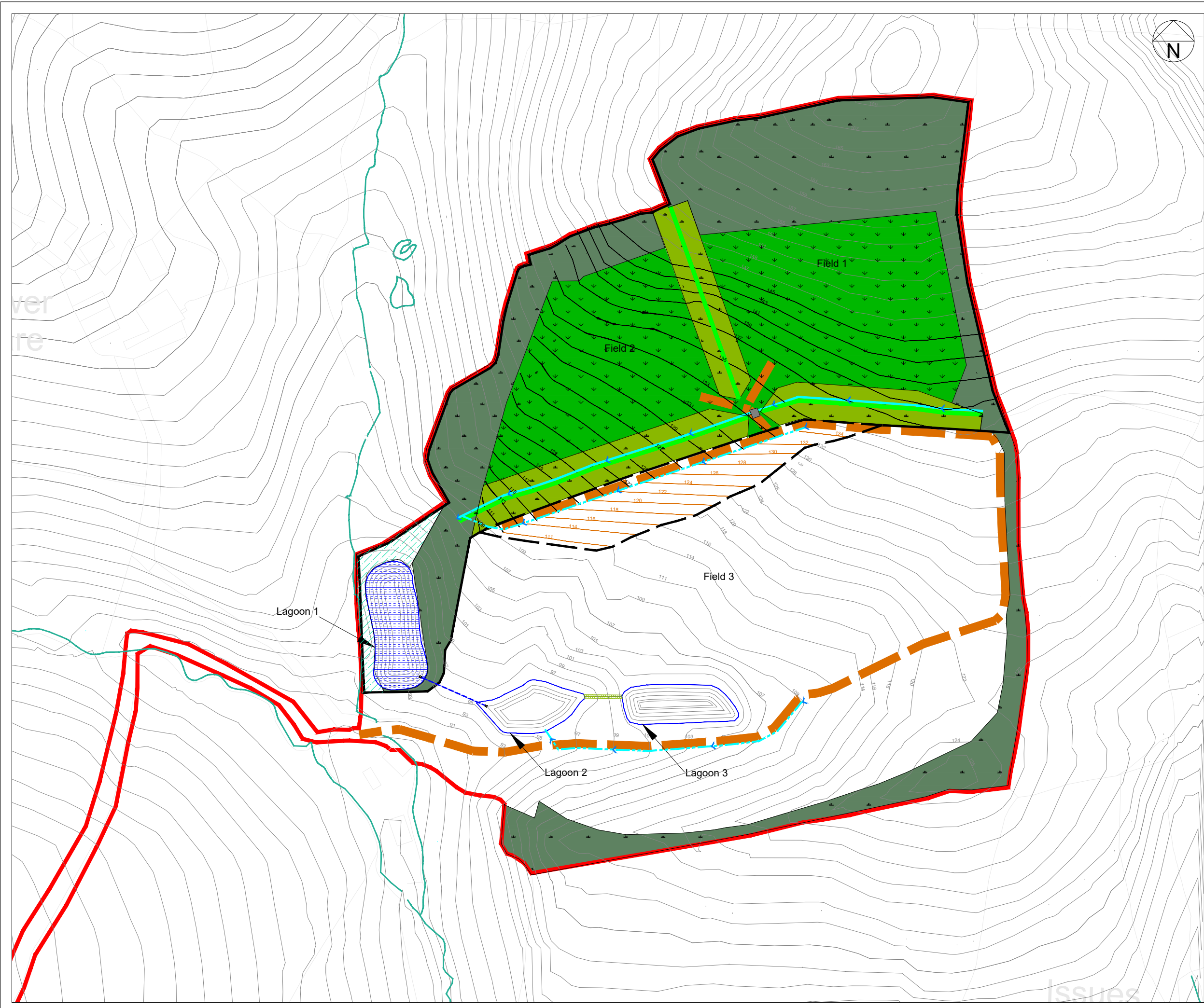


Key:
— Existing Ground Level (m AOD)
— Proposed Ground Level (m AOD)

Notes:
 1. The horizontal and vertical exaggeration for each of the cross section diagrams is 1:1 and 2:1, respectively.



Rev.	Details	Drawn Chkd.	Date
Project 213189 Lower Hare Farm			
Title Cross Section Diagrams E-EE and F-FF			
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Scale	Date	Drawn	Chkd.
1:1,000@A3	Aug '21	JM	ML
Drg. No.		Rev.	
213189/D/004D			



- Key:**
- Site Boundary
 - Phase 1 Boundary
 - - - Area of overlap of Phase 1 & 2 Earthworks
 - Existing ground level contours
 - Restoration contours
 - Basal contours
 - Headland (Lowland Meadow Habitat) Buffer Zone
 - Headland (Neutral Grassland Habitat) Buffer Zone
 - Restored Agricultural Field
 - Retained existing trees
 - Devon Hedgebank
 - Permanent Drainage Swale
 - - - Temporary Drainage Ditch
 - - - Haul Route
 - Temporary Drainage Swale
 - Surface Water Feature
 - Attenuation Pond
 - Culvert
 - DN450 Twinwall Pipe

- Notes:**
1. Total site area: 115385 m²
 Site area fully restored in Phase 1: 53,724 m²
 Percentage of site fully restored in Phase 1: 46%
 2. Phase 1 volume of engineering fill: 32,420 cu m.

Rev.	Details	Drawn Chkd.	Date
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Project
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Lower Hare Farm

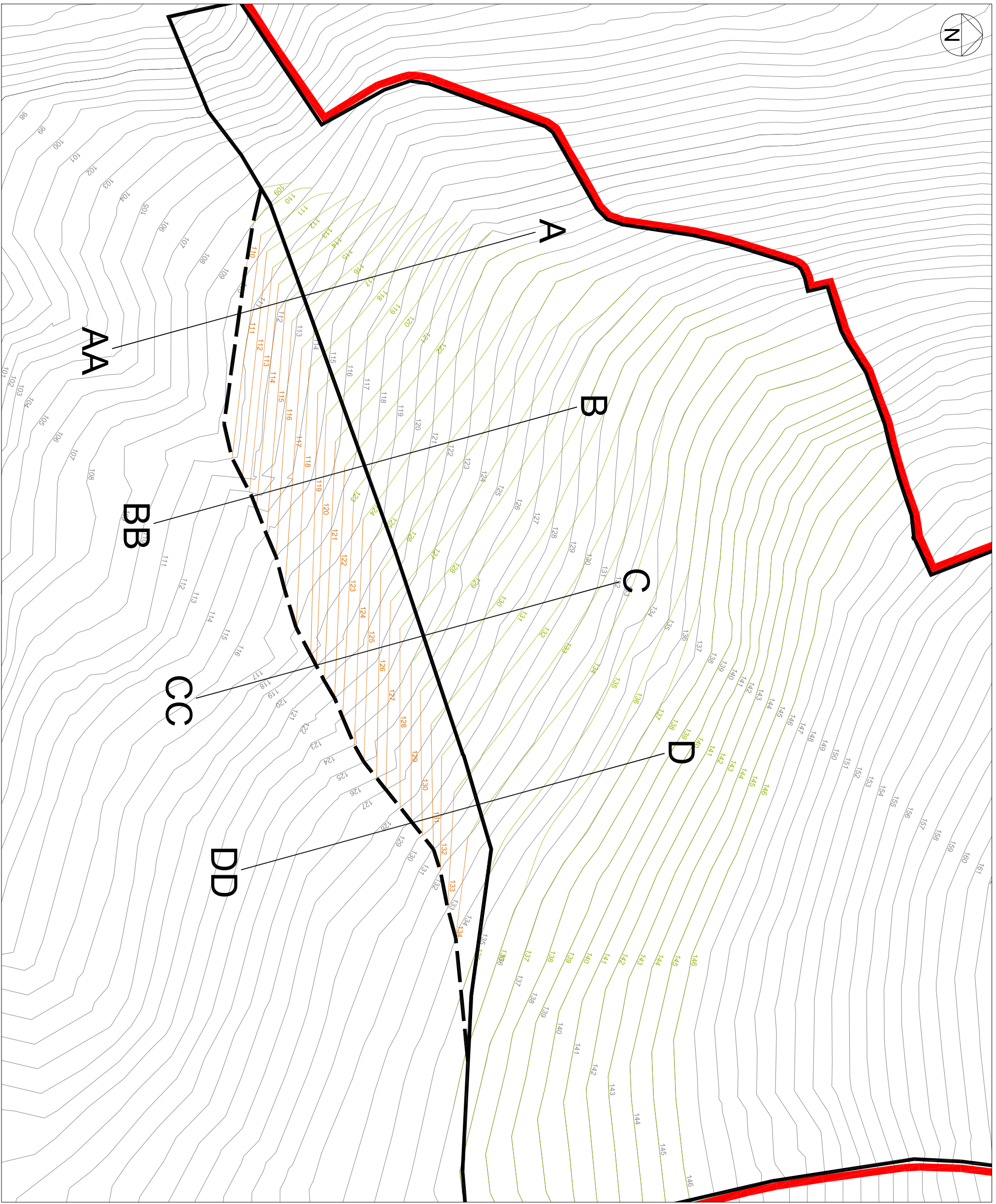
Title
Phase 1 Overview
Enabling Works

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Scale 1:2,000@A3	Date Apr'22	Drg. No. 213189/D/PH1/001	Rev.
Drawn KW	Chkd. ML		

Issues



- Key:**
- Site Boundary
 - Phase 1 Boundary
 - - - Extent of Phase 1 Earthworks
 - Existing Ground Level Contours
 - Restoration Contours
 - Basal Contours

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		CHKd.	

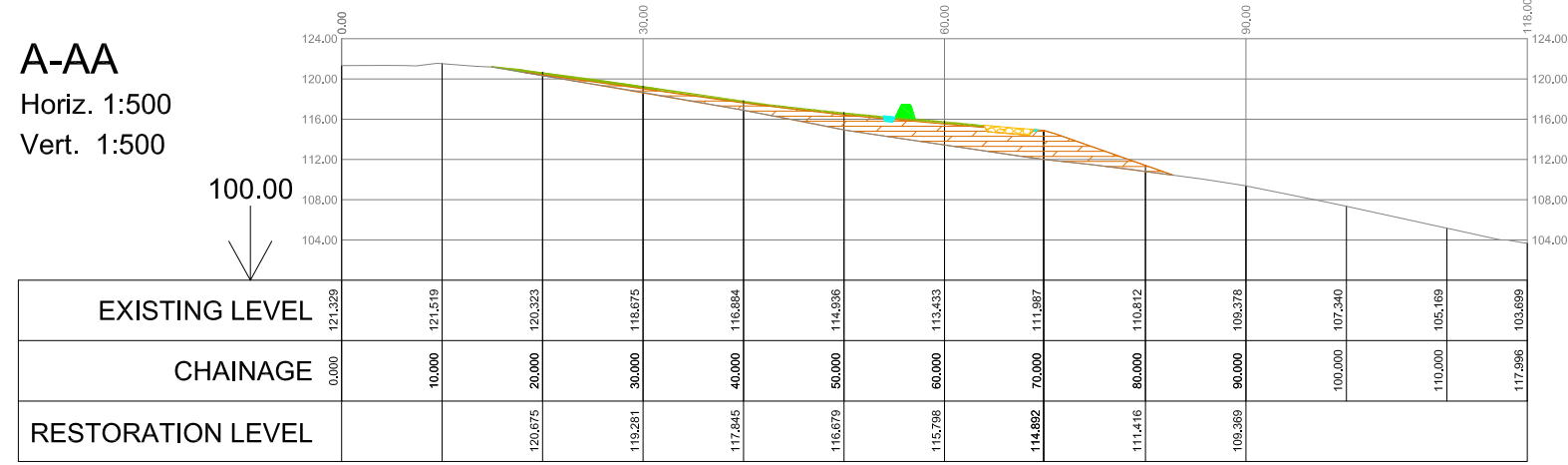
Project
213189
Lower Hare Farm

Title
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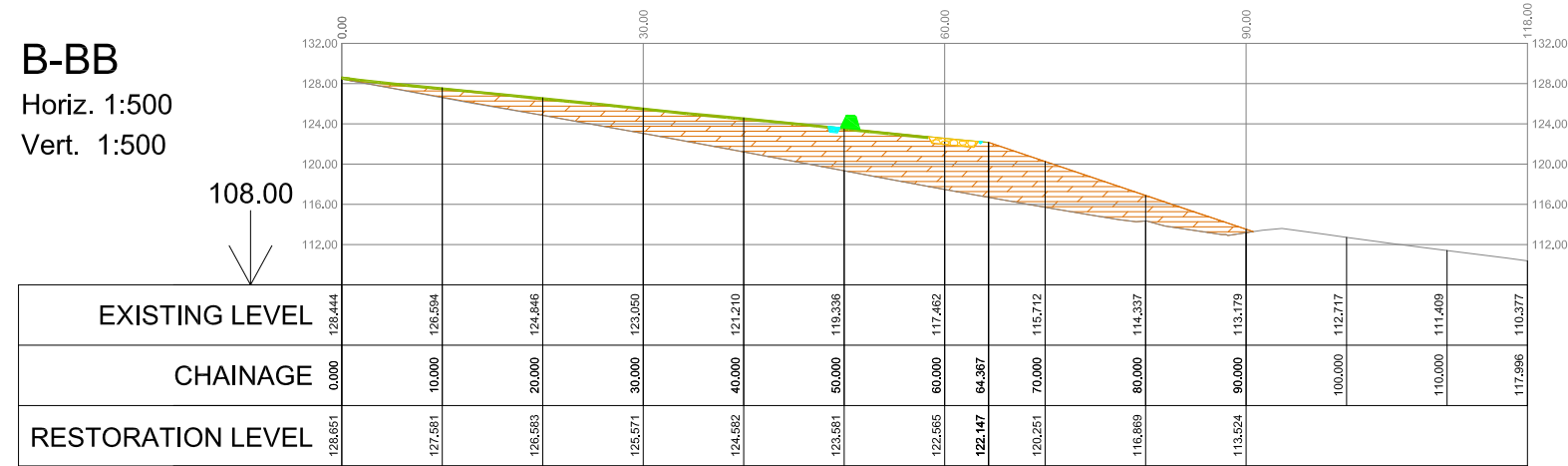
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Scale	Date	Drawn	Chkd.	Dwg. No.	Rev.
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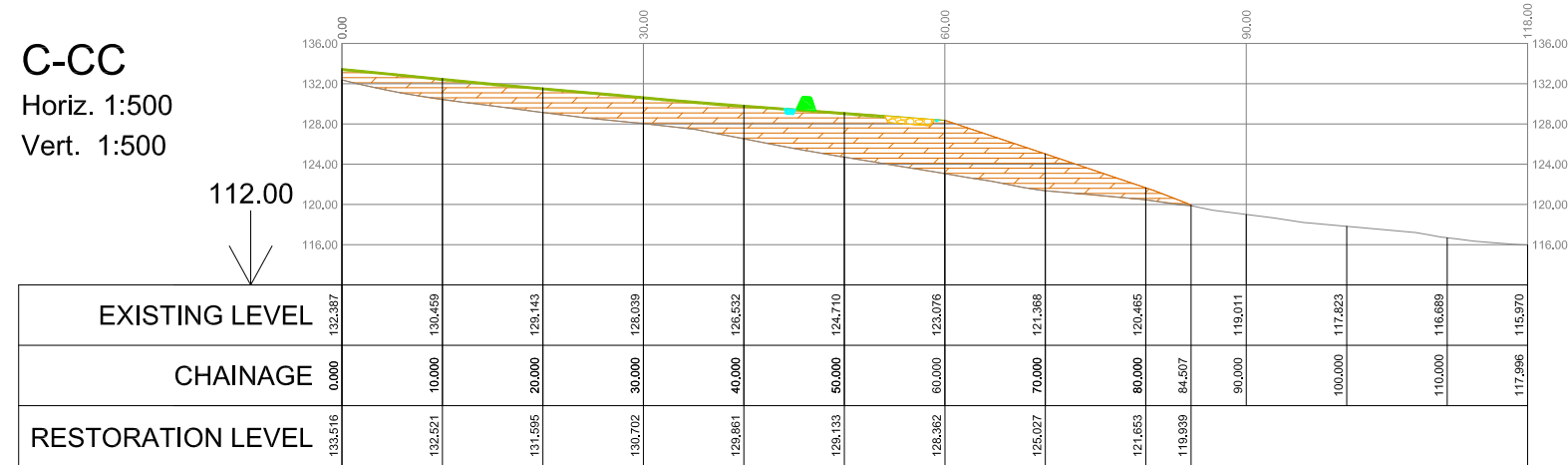
A-AA
 Horiz. 1:500
 Vert. 1:500



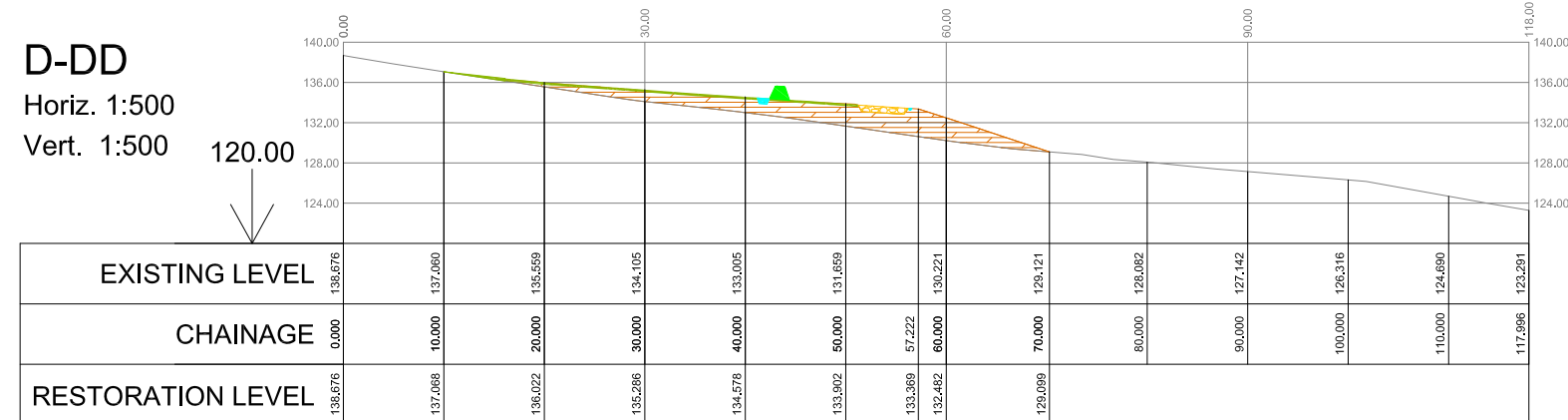
B-BB
 Horiz. 1:500
 Vert. 1:500



C-CC
 Horiz. 1:500
 Vert. 1:500

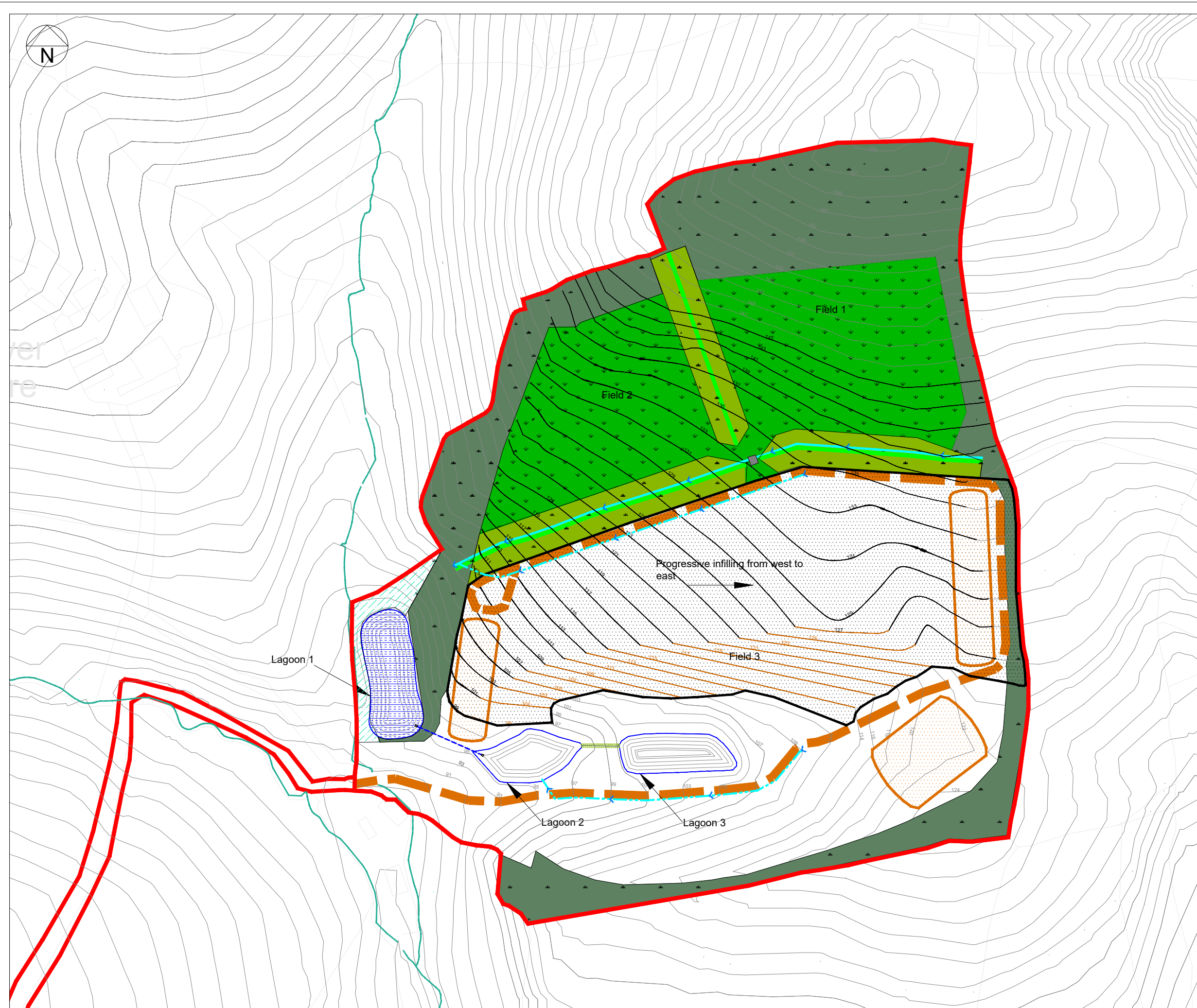


D-DD
 Horiz. 1:500
 Vert. 1:500



- Key:**
- Existing Ground Level
 - Reinstated Soils
 - Engineering Fill
 - Devon Hedgebank
 - Drainage Swale
 - Haul Route
 - Surface Water Grip

Rev.	Details	Drawn Chkd.	Date
Project 213189 Lower Hare Farm			
Title Phase 1 Cross-Section Detail			
		AA Environmental Ltd Units 4-8 Cholswell Court Shippon Abingdon Oxon OX13 6HX T:(01235) 536042 F:(01235) 523849 info@aae-ltd.co.uk www.aae-ltd.co.uk	
Scale 1:750@A3	Date Apr'22	Drawn KW	Chkd. ML
Drg. No. 213189/D/PH1/003		Rev.	



- Key:**
- Site Boundary
 - Phase 2 Area
 - Existing ground level contours
 - Restoration contours
 - Contours in area of P2 and P3 overlap
 - Headland (Lowland Meadow Habitat) Buffer Zone
 - Headland (Neutral Grassland Habitat) Buffer Zone
 - Restored Agricultural Field
 - Retained existing trees
 - Devon Hedgebank
 - Permanent Drainage Swale
 - Temporary Drainage Ditch
 - Haul Route
 - Temporary Drainage Swale
 - Surface Water Feature
 - Topsoil Stockpile
 - Attenuation Pond
 - Culvert
 - DN450 Twinwall Pipe

- Notes:**
1. Total site area: 115,385 m²
Site area fully restored in Phase 2: 78,091 m²
Percentage of site fully restored in Phase 2: 67%
 2. Phase 2 volume of engineering fill / geological barrier: 23,260 cu m.
 3. Eastern and Western topsoil stockpiles will be progressively used during the restoration of Phase 2.
 4. Phase 2 volume of restoration soils: 13,180 cu m.
 5. Phase 2 volume of inert waste: 55,820 cu m.

Rev.	Details	Drawn Chkd.	Date
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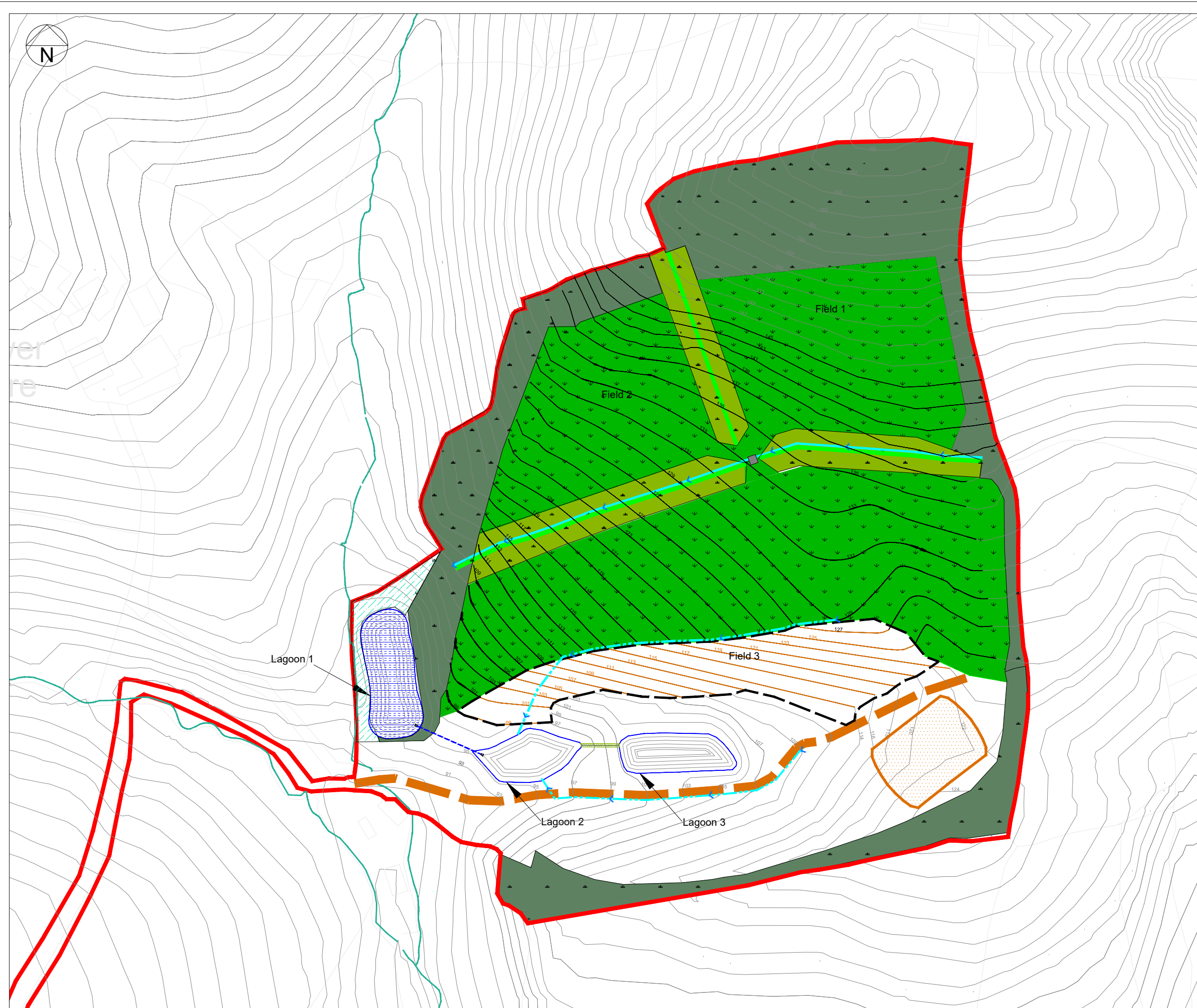
Project
213189
 Lower Hare Farm

Title
Phase 2 Overview
 Landfill North Construction

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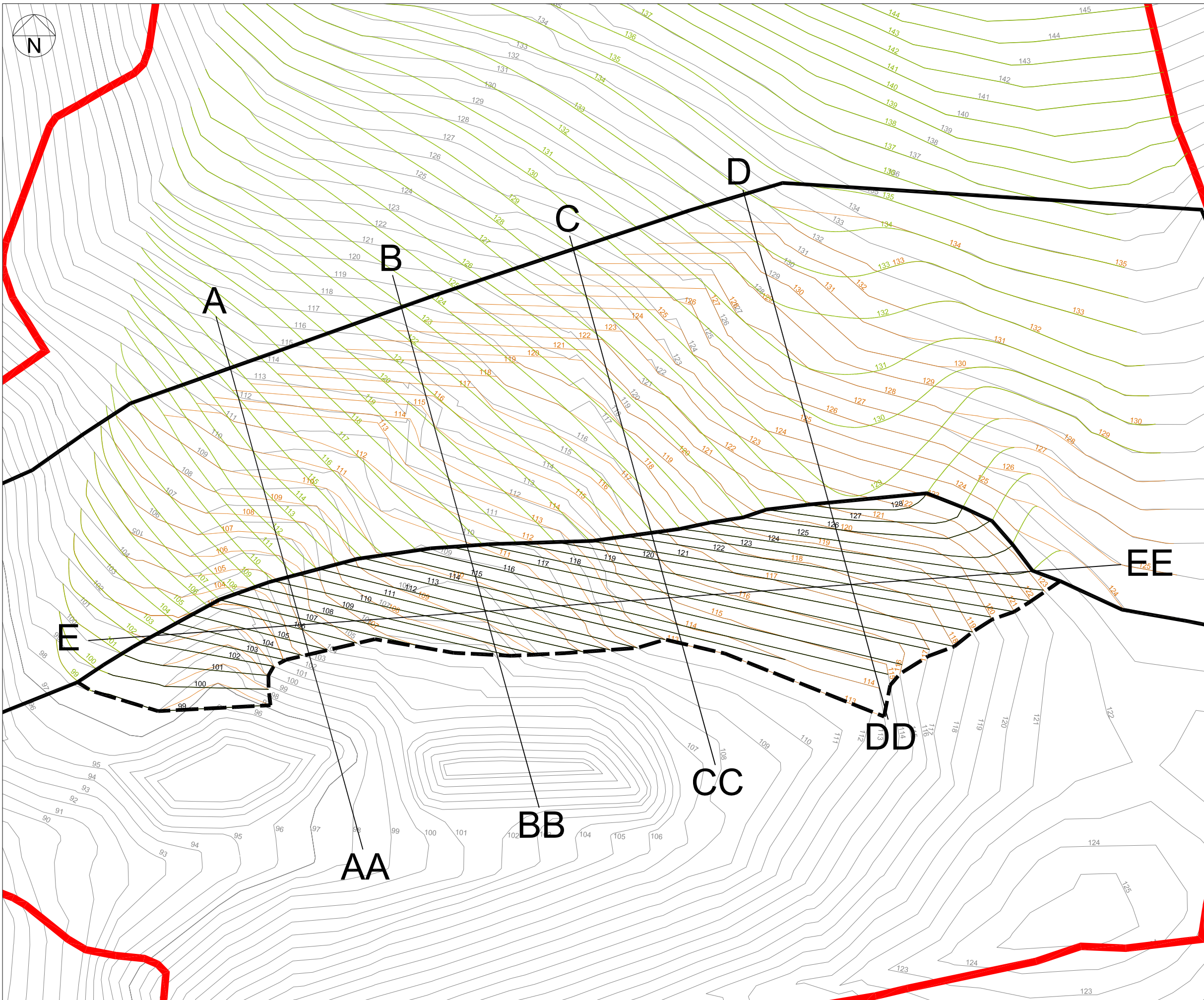
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	KW	ML		



- Key:**
- Site Boundary
 - Area of overlap of Phase 2 & 3 Earthworks
 - Existing ground level contours
 - Restoration contours
 - Contours in area of P2 and P3 overlap
 - Headland (Lowland Meadow Habitat) Buffer Zone
 - Headland (Neutral Grassland Habitat) Buffer Zone
 - Restored Agricultural Field
 - Retained existing trees
 - Devon Hedgebank
 - Permanent Drainage Swale
 - Temporary Drainage Ditch
 - Haul Route
 - Temporary Drainage Swale
 - Surface Water Feature
 - Topsoil Stockpile
 - Attenuation Pond
 - Culvert
 - DN450 Twinwall Pipe

- Notes:**
1. Total site area: 115,385 m²
Site area fully restored in Phase 2: 78,091 m²
Percentage of site fully restored in Phase 2: 67%
 2. Phase 2 volume of engineering fill / geological barrier: 23,260 cu m.
 3. Phase 2 volume of restoration soils: 13,180 cu m.
 4. Phase 2 volume of inert waste: 55,820 cu m.

Rev.	Details	Drawn Chkd.	Date
Project 213189 Lower Hare Farm			
Title Phase 2 Overview Landfill North Restoration			
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Scale 1:2,000@A3	Date Apr'22	Drawn KW	Chkd. ML
Drg. No. 213189/D/PH2/001B		Rev.	



- Key:**
- Site Boundary
 - Phase 2 Boundary
 - - - Extent of Phase 2 Earthworks
 - Existing ground level contours
 - Restoration contours
 - Basal contours
 - Waste batter contours

Rev.	Details	Drawn	Date
		Chkd.	

Project
213189
 Lower Hare Farm

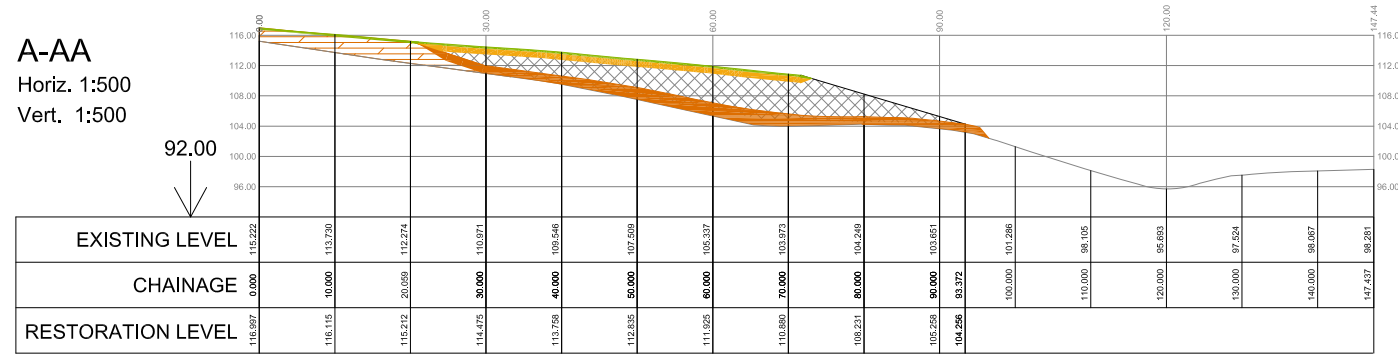
Title
Phase 2 Topographical Detail

AA Environmental Ltd
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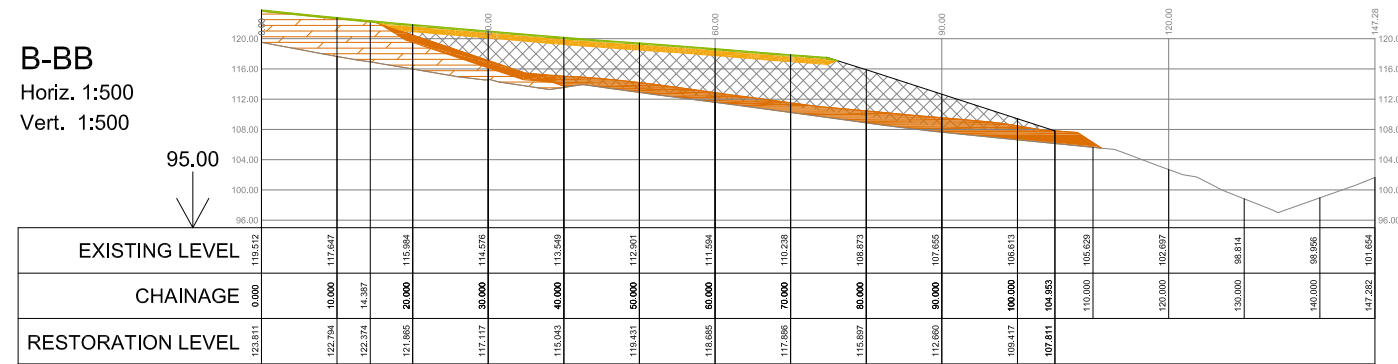
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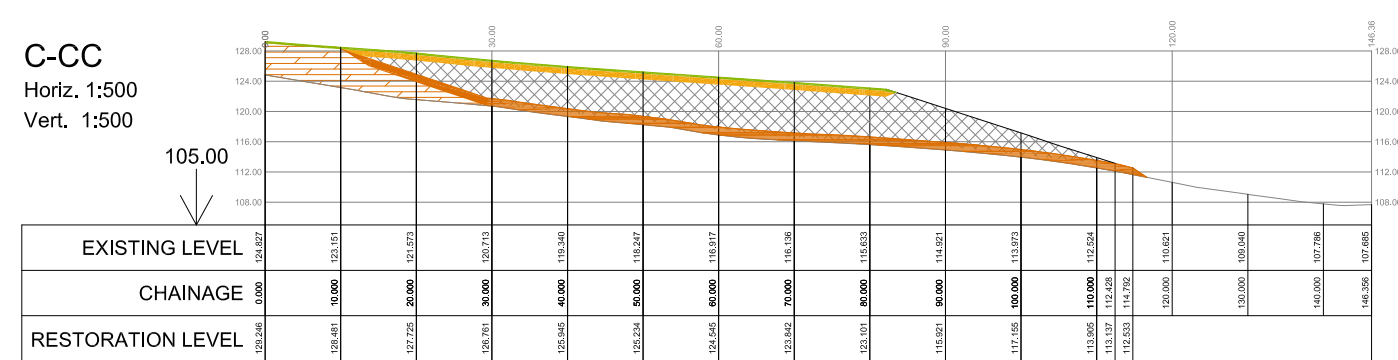


- Key:**
- Existing Ground Level
 - Reinstated Soils
 - Engineering Fill
 - Restoration Capping Layer
 - Inert Waste
 - Geological Barrier

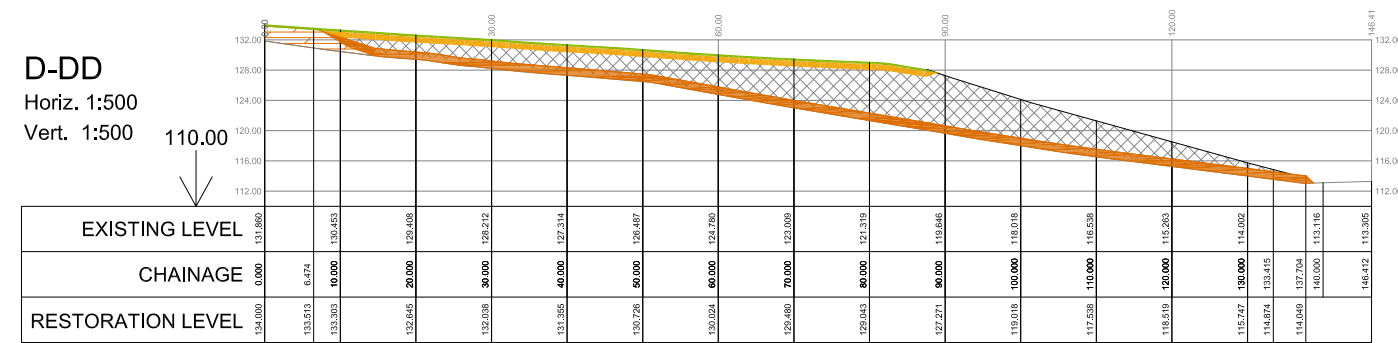
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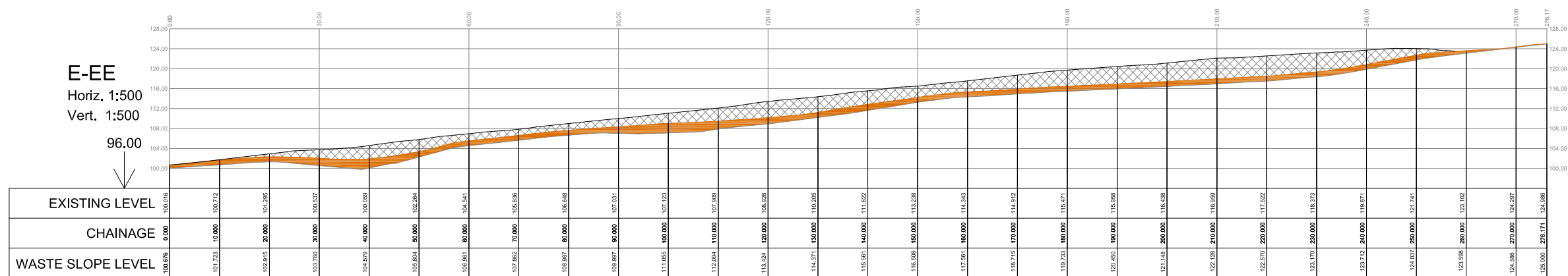


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E-EE

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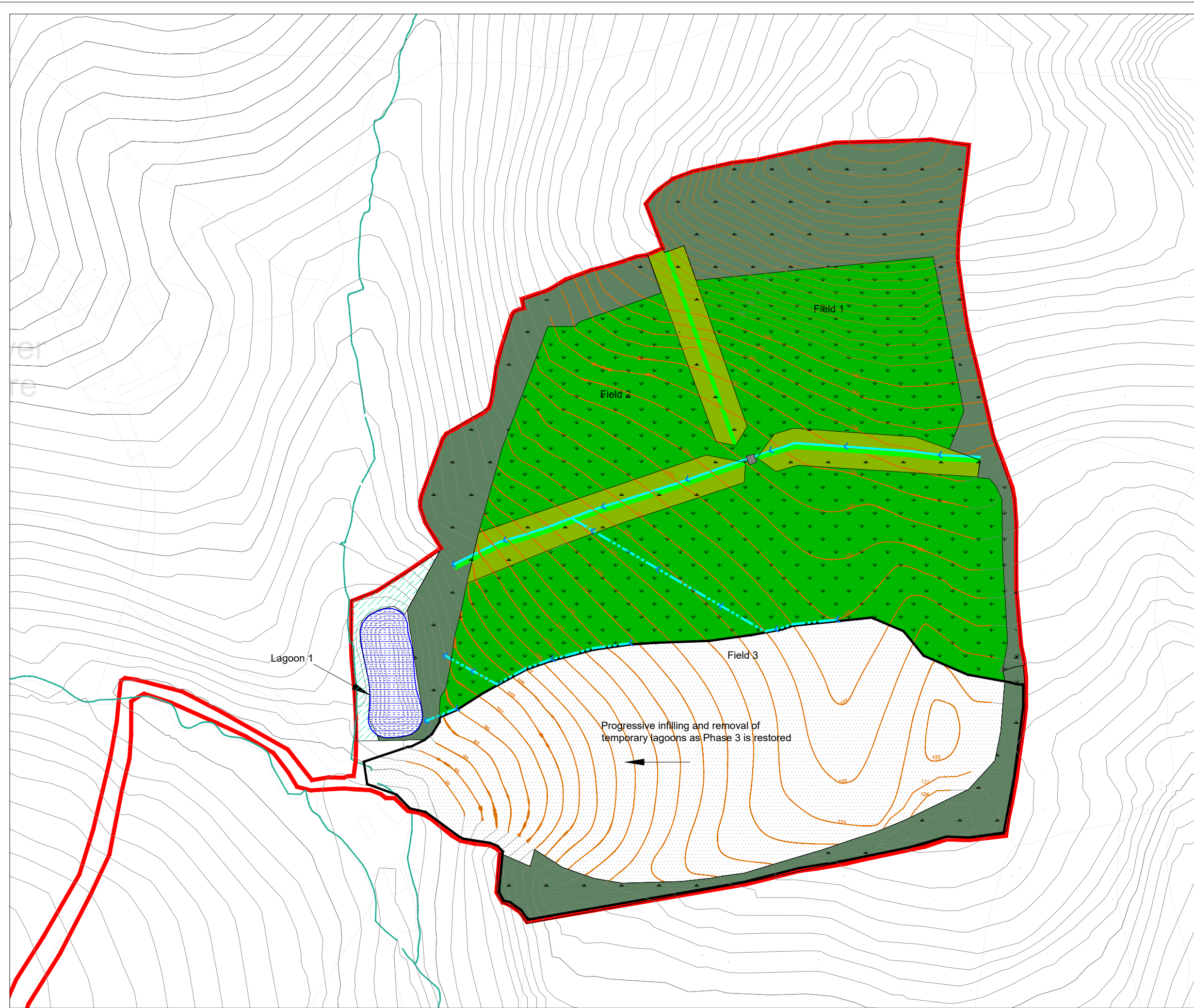
Project
213189
Lower Hare Farm

Title
Phase 2 Cross-Section Detail



AA Environmental Ltd
Units 4-8
Cholswell Court
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T:(01235) 536042
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Scale	Date	Apr'22	Drg. No.	Rev.
1:1000@A3	Drawn	KW	213189/D/PH2/003	
	Chkd.	ML		




- Key:**
- Site Boundary
 - Phase 3 Boundary
 - Existing Ground Level Contours
 - Restoration Contours
 - Headland (Lowland Meadow Habitat) Buffer Zone
 - Headland (Neutral Grassland Habitat) Buffer Zone
 - Restored Agricultural Field
 - Retained existing trees
 - Area of Phase 3 Progressively Restored
 - Devon Hedgebank
 - Permanent Drainage Swale
 - Temporary Drainage Ditch
 - Surface Water Feature
 - Attenuation Pond
 - Culvert
 - DN450 Twinwall Pipe

- Notes:**
1. Phase 3 volume of engineering fill/ geological barrier: 44,280 cu m.
 2. Phase 3 volume of restoration soils: 38,520 cu m.
 3. Phase 3 volume of inert waste: 123,224 cu m.

Rev.	Details	Drawn Chkd.	Date
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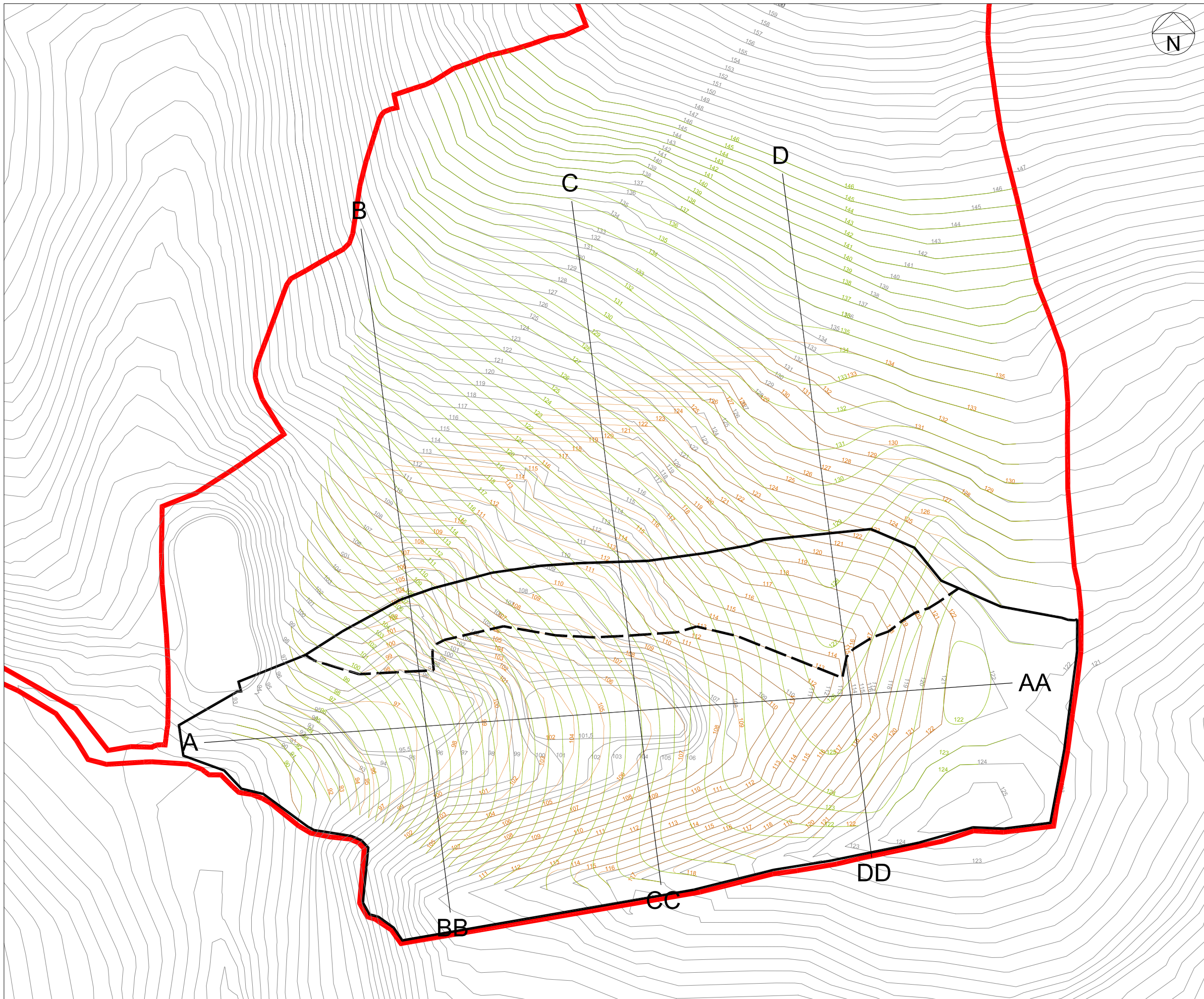
Project
 213189
 Lower Hare Farm

Title
 Phase 3 Overview
 Landfill South




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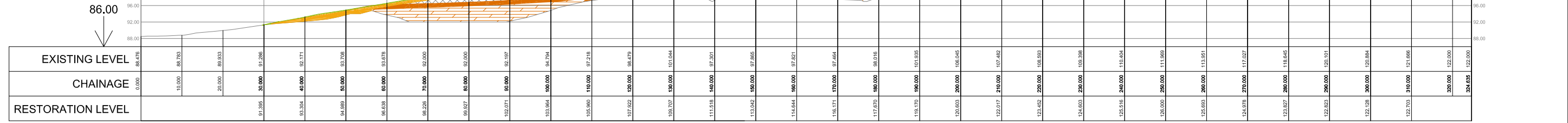
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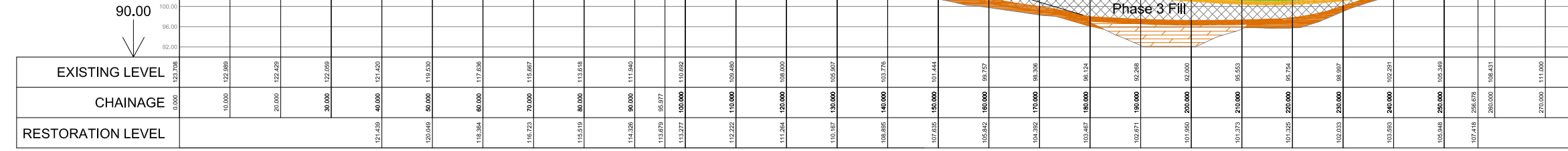
- Key:**
- Site Boundary
 - Phase 3 Boundary
 - Existing ground level contours
 - Restoration contours
 - Basal contours

Rev.	Details	Drawn	Date
		Chkd.	
Project 213189 Lower Hare Farm			
Title Phase 3 Topographical Detail			
		AA Environmental Ltd Units 4-8 Cholswell Court Shippon Abingdon Oxon OX13 6HX T:(01235) 536042 F:(01235) 523849 info@aae-ltd.co.uk www.aae-ltd.co.uk	
Scale	Date	Drg. No.	Rev.
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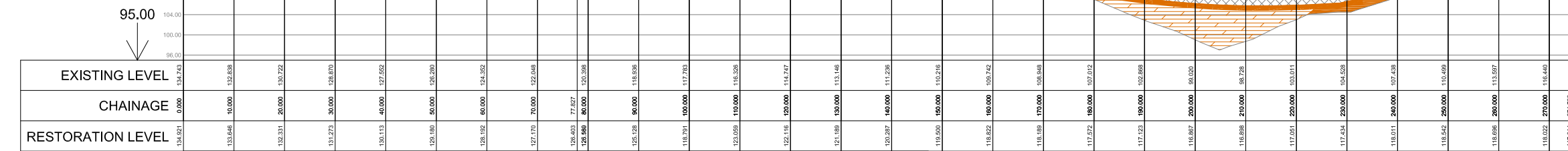
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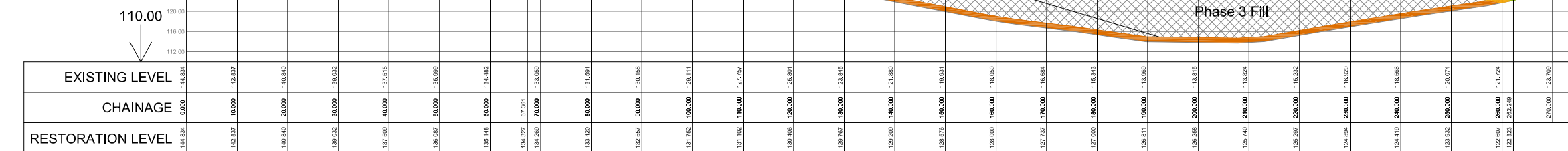
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D-DD
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 Vert. 1:500



APPENDIX A

COUNTY OF DEVON

TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015
TOWN AND COUNTRY PLANNING (APPLICATIONS) REGULATIONS 1988
TOWN AND COUNTRY PLANNING GENERAL REGULATIONS 1992

GRANT OF CONDITIONAL PLANNING PERMISSION

To: **Richard Agnew, RJA Planning Services, PO Box 898, Exeter, Devon, EX1 9ZF**

Agent for: **Mr Gibbons, Lower Hare Farm, Whitestone, EX4 2HW**

Devon County Council hereby **grants planning permission** to carry out the development described in the application received on **25 January 2019**, and the plans, drawings and supporting documents attached thereto numbered and titled: **Location and Ownership Plan (1073/PL34 Revision D); Phase 1 & 2 Plan (1073/PL11); Phase 3 & 4 Plan (1073/PL12); Phase 5 & 6 Plan (1073/PL13); Final Phase and Ecological Management Plan (1073/PL14); Cross Sections (1073/PL15); Restoration and Ecological Management Plan (1073/PL23); Planning (Environmental) Statement V7.1 (submitted October 2020); Document Titled - Lower Hare Farm Regulation 25 request for further information response (Submitted February 2020); Document Titled - Lower Hare Farm Regulation 25 request for additional information 02/04/2020 (Submitted October 2020); Transport Statement (DMM/AJB/G.033 – Dated 1 July 2019); Farm Access Technical Note (Dated 26 February 2016); Clarification from Agent regarding Highways England comments (email dated 11 February 2019); Ecological Assessment Report (SWE090 – Dated 20 September 2018) *As amended by information subsequently provided under Regulation 25; Ecology Addendum (SWE164 – Dated 22 October 2019); Ecology Addendum 2 (SWE089 – Dated 21 June 2019) *As revised October 2020; Ecology Addendum 3 (SWE089 – Dated 21 January 2020); Landscape and Visual Impact Assessment (Dated October 2018); Response to County Landscape Architect's comments (Dated 19 March 2019); Level 2 Flood Risk Assessment and Surface Water Drainage Proposals (514/FRA2 V1 – Dated 18 September 2019); Flood Risk Appendix (Dated September 2019); Noise Assessment (Dated September 2018); Air Quality and Dust Assessment (J3692A/1/F2 - Dated April 2019) and; Hydrogeological Risk Assessment (Dated January 2019).**

brief particulars of which are as follows:

Importation of 350,000m³ of inert soils and topsoil for the land raising of previously disturbed land that is not capable of sustaining commercial agriculture at Lower Hare Farm, Lane from Higher Hare towards Alderbed Copse, Whitestone, EX4 2HW

subject to the conditions set out in the attached sheets



Jan Shadbolt - County Solicitor

Date: 30 June 2021

NOTE

This is not a decision under the Building Regulations

Failure to adhere to the details of the approved plans or to comply with the above conditions constitutes a contravention of the Town and Country Planning Act 1990, in respect of which enforcement action may be taken.

DN May 2005

Continued overleaf

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS

Appeals to the Secretary of State

- J If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- J Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>.
- J The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- J The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he/she can neither put the land to a reasonably beneficial use in its existing state nor can he/she render that land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a Purchase Notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

**Schedule of Conditions - Teignbridge District Council Application No. 19/00207/DCC
Devon County Council Ref. DCC/4101/2018**

COMMENCEMENT

1. The development shall commence within three years of the date of this permission.

REASON: In accordance with Section 91 of the Town and Country Planning Act 1990.

TEMPORARY PERMISSION

2. The deposit of inert waste materials within the area identified on the approved drawings for landraising shall cease no later than ten years from the date on which waste is first deposited, and the restoration scheme shown on drawing 1073/PL23 shall be fully implemented within 12 months of cessation of deposit of inert waste materials.

REASON: To minimise the impact of the development and to ensure the timely completion of restoration of this part of the site in accordance with Policies W18 and W20 of the Devon Waste Plan.

NOTIFICATION OF STAGES OF DEVELOPMENT

3. Written notification shall be provided to the Waste Planning Authority no later than 14 days after the following events:
 - (a) commencement of the development;
 - (b) installation of the datum control point required by Condition 11;
 - (c) commencement of the deposition of waste materials within the proposed landraise area;
 - (d) completion of each of the seven phases of the development; and
 - (e) completion of final restoration of the inert landraise area.

REASON: To enable the Waste Planning Authority to control the development and to monitor the site to ensure compliance with the planning permission and to comply with Policies W12 and W20 of the Devon Waste Plan.

STRICT ACCORDANCE WITH PLANS / DOCUMENTS

4. The development shall be carried out in strict accordance with the details shown on the approved drawings and documents numbered/titled:
 - J Location and Ownership Plan (1073/PL34 Revision D)
 - J Phase 1 & 2 Plan (1073/PL11)
 - J Phase 3 & 4 Plan (1073/PL12)
 - J Phase 5 & 6 Plan (1073/PL13)
 - J Final Phase and Ecological Management Plan (1073/PL14)
 - J Cross Sections (1073/PL15)
 - J Restoration and Ecological Management Plan (1073/PL23)
 - J Planning (Environmental) Statement V7.1 (submitted October 2020)
 - J Document Titled - Lower Hare Farm Regulation 25 request for further information response (Submitted February 2020)
 - J Document Titled - Lower Hare Farm Regulation 25 request for additional information 02/04/2020 (Submitted October 2020)
 - J Transport Statement (DMM/AJB/G.033 – Dated 1 July 2019)
 - J Farm Access Technical Note (Dated 26 February 2016)
 - J Clarification from Agent regarding Highways England comments (email dated 11 February 2019)
 - J Ecological Assessment Report (SWE090 – Dated 20 September 2018) *As amended by information subsequently provided under Regulation 25.

- J Ecology Addendum (SWE164 – Dated 22 October 2019)
- J Ecology Addendum 2 (SWE089 – Dated 21 June 2019) *As revised October 2020
- J Ecology Addendum 3 (SWE089 – Dated 21 January 2020)
- J Landscape and Visual Impact Assessment (Dated October 2018)
- J Response to County Landscape Architect's comments (Dated 19 March 2019)
- J Level 2 Flood Risk Assessment and Surface Water Drainage Proposals (514/FRA2 V1 – Dated 18 September 2019)
- J Flood Risk Appendix (Dated September 2019)
- J Noise Assessment (Dated September 2018)
- J Air Quality and Dust Assessment (J3692A/1/F2 - Dated April 2019)
- J Hydrogeological Risk Assessment (Dated January 2019)

REASON: To ensure that the development is carried out in accordance with the approved details.

PRE-COMMENCEMENT CONDITIONS

5. No part of the development hereby permitted shall be commenced until an operational traffic and environmental management plan/scheme has been submitted to and approved in writing by the Waste Planning Authority. This scheme shall include the following:
- (a) details of the routes to be used by vehicles travelling to and from the site and measures to be taken to secure compliance with these routes, including penalties for non-compliance;
 - (b) measures for traffic management (e.g. waiting places within the site for unloading);
 - (c) signage strategy;
 - (d) location of loading, unloading and storage of plant, equipment and materials;
 - (e) areas for parking of vehicles of site personnel, operatives and visitors;
 - (f) measures for control of mud and dust on the road; and
 - (g) details of environmental protection measures.

The approved scheme shall be implemented for the duration of the proposed landraising and restoration works.

REASON: To ensure adequate access and associated facilities are available for vehicles and to minimise the impact of operations on nearby residents and the local highway network in accordance with Policies W17 and W18 of the Devon Waste Plan and Policy S9 of the Teignbridge Local Plan.

6. Prior to commencement of construction of any part of the new internal haul road, a scheme detailing its construction, management, maintenance and removal shall be submitted to and approved in writing by the Waste Planning Authority. This scheme shall include the following:
- (a) timetable/programme of works;
 - (b) measures for construction traffic management [including routing of vehicles to and from the site, details of the number/frequency and sizes of vehicles];
 - (c) days and hours of building operations and deliveries; including any further restrictions on noisy operations;
 - (d) construction dust management and mitigation measures;
 - (e) details of monitoring and maintenance once the haul road is constructed; and
 - (f) details of the removal of the haul road.

The approved scheme shall be implemented for the duration of the proposed landraising and restoration works.

REASON: To protect local communities and the local environment from potential adverse impacts of construction of the haul road in accordance with Policies W11 and W18 of the Devon Waste Plan and Policies S1 and S9 of the Teignbridge Local Plan.

7. No part of the development hereby permitted shall be commenced until a detailed Restoration and Aftercare scheme and a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Waste Planning Authority. The LEMP shall provide details of proposed creation and management of existing and new planting and habitats, and shall include:
- (a) the intended purpose and structure/composition at end of the maintenance period of each vegetation type and intended ultimate size once mature, with clear composition targets;
 - (b) timings and frequencies of maintenance/management interventions including identifying any restrictions on timing of operations and responsibilities for necessary permissions/licences;
 - (c) measures for the maintenance and management of other landscape elements that are critical to the way the landscaping scheme functions, including fencing, surfaces, sustainable drainage features and culverts;
 - (d) measures for the control of invasive weeds;
 - (e) arrangements for the use and storage of chemicals for Landscape Maintenance Operations/Control of Substances Hazardous to Health; and
 - (f) arrangements for reporting and monitoring, which shall be consistent with the approved landscaping scheme and any relevant development consents and licenses.

REASON: To ensure the appropriate management of the site during its operation and following its restoration in accordance with Policies W11, W12 and W20 of the Devon Waste Plan and Policy EN2A of the Teignbridge Local Plan.

8. No part of the development hereby permitted shall be commenced until the following flood risk and surface water drainage information has been submitted to and approved in writing by the Waste Planning Authority:
- (a) a detailed drainage design based upon the approved Flood Risk Assessment;
 - (b) proposals for the maintenance of the surface water drainage system, including maintenance of the existing pond;
 - (c) a plan depicting surveyed levels of the eastern and southern boundaries;
 - (d) confirmation of the proposed flow control type and size;
 - (e) confirmation of the proposed graded basin sides; and
 - (f) details of the existing pond including; pond invert level; maximum water level; minimum water level; side slopes; type of any lining; type of any existing plants; and restoration timeframe.

The development shall be implemented in accordance with the approved details.

REASON: The above condition is required to ensure the proposed surface water drainage system will operate effectively and will not cause an increase in flood risk either on the site, adjacent land or downstream in accordance with Policy W19 of the Devon Waste Plan and Policy EN4 of the Teignbridge Local Plan.

9. No part of the development hereby permitted shall be commenced until a reptile translocation and mitigation statement has been submitted to and approved in writing by the Waste Planning Authority. This statement shall include details of the method of reptile translocation, the translocation site and the future management on the translocation site, and the development shall be undertaken in accordance with the approved statement.

REASON: To ensure that the proposed development does not have an unacceptable impact upon a protected species in accordance with Policy W11 of the Devon Waste Plan and Policy EN11 of the Teignbridge Local Plan.

10. No part of the development hereby permitted shall be commenced until a repeat survey for the presence of badgers on the site and surrounding suitable habitat, with associated mitigation/compensation measures has been undertaken. This shall be submitted to and

approved in writing by the Waste Planning Authority and any identified mitigation/compensation measures shall subsequently be implemented.

REASON: To ensure that the proposed development does not have an unacceptable impact upon a protected species in accordance with Policy W11 of the Devon Waste Plan and Policy EN11 of the Teignbridge Local Plan.

SURVEYING AND MONITORING

11. Prior to the deposit of any waste materials within the area proposed for landraising, a control datum point shall be installed in a location that shall first have been agreed in writing by the Waste Planning Authority. This control datum point shall be retained for the duration of landraising and restoration operations.

REASON: To enable the Waste Planning Authority to control the development and to ensure that the approved restoration scheme is achieved in accordance with Policy W20 of the Devon Waste Plan and Policy EN2A of the Teignbridge Local Plan.

12. A survey of levels of the landraise area shall be carried every two years from the date on which waste materials are first deposited within the landraise area until the cessation of landraising operations and restoration of the site. A copy of each survey shall be submitted to the Waste Planning Authority within 21 days of being undertaken.

REASON: To ensure effective management of the site to minimise the impact upon the local landscape in accordance with Policies W12 and W20 of the Devon Waste Plan.

13. Prior to the construction of the water settlement ponds and the deposit of any waste materials within the area proposed for landraising, the results of the baseline survey to establish the existing ground conditions shall be submitted to the Waste Planning Authority. If any contamination is found to be present, no further development shall take place until this has been suitably remediated in accordance with details that shall first have been submitted to and approved in writing by the Waste Planning Authority.

REASON: To ensure that if any contamination is associated with the area of previous filling is suitably and safely remediated in accordance with Policy W16 of the Devon Waste Plan and Policy EN7 of the Teignbridge Local Plan.

14. No new permanent fencing shall be erected within the site unless details of its height, materials and colour have first been submitted to and approved in writing by the Waste Planning Authority.

REASON: To ensure that any proposed fencing is effectively integrated within the local landscape in accordance with Policy W12 of the Devon Waste Plan and Policy EN2A of the Teignbridge Local Plan.

OPERATIONAL CONDITIONS

15. The types of waste disposed of at the site shall be limited to inert waste soils.

REASON: To ensure that only appropriate waste types are disposed of at the site, in accordance policies W7 and W18 of the Devon Waste Plan.

16. The site shall only operate between the hours of 0730 to 1800 on Mondays to Fridays, with the exception of maintenance and emergency works which shall also be allowed to occur between 0800 and 1300 on Saturdays. There shall be no operations on Sundays or Public Holidays.

REASON: To protect the amenity of nearby residents in accordance with Policy W18 of the Devon Waste Plan and Policy S1 of the Teignbridge Local Plan.

17. No processing of waste, including crushing or screening, shall take place at the site.

REASON: To protect the tranquillity of the area and the living conditions of nearby residents in accordance with Policy W18 of the Devon Waste Plan.

18. Waste imported to the site shall be incorporated into the area of filling as soon as practicable. No stockpiling of waste shall occur.

REASON: To ensure that the development does not have an unacceptable impact on landscape and visual amenity in accordance with Policy W12 of the Devon Waste Plan and Policy EN2A of the Teignbridge Local Plan.

19. The disposal of waste shall take place in a phased manner as indicated by the approved phasing plans. No filling shall take place in any phase until the filling of the previous phase has been substantially completed.

REASON: To minimise the magnitude of visual impact at any one time in accordance with Policy W12 of the Devon Waste Plan and Policy EN2A of the Teignbridge Local Plan.

20. If any archaeological objects or features are uncovered during the stripping of topsoil on site, then operations shall cease and the find shall be reported to the Waste Planning Authority. In such instance, operations shall not resume without the express permission of the Waste Planning Authority.

REASON: To ensure that any archaeological finds are investigated and recorded in accordance with paragraph 199 of the National Planning Policy Framework and Policy W13 of the Devon Waste Plan and Policy EN5 of the Teignbridge Local Plan.

21. Following their implementation, no works shall take place within the ecological buffer zones defined on drawing 1073/PL23.

REASON: To ensure that the proposed development does not have an unacceptable impact on ecology/biodiversity in accordance with Policy W11 of the Devon Waste Plan and Policies EN8 and EN9 of the Teignbridge Local Plan.

22. Noise emanating from the development shall be controlled in accordance with the recommended mitigation measures outlined in section 5 of the approved Noise Assessment (dated September 2018).

REASON: To protect the amenity of nearby residents and the tranquil nature of the rural environment and to comply with policies in the Development Plan, in particular Policies W12 and W18 of the Devon Waste Plan and Policy S1 of the Teignbridge Local Plan.

23. Dust suppression and monitoring shall be carried out in accordance with the recommended mitigation measures outlined in section 6 of the approved Air Quality and Dust Assessment (dated April 2019).

REASON: To protect the amenity of nearby residents and the environment and to comply with policies in the Development Plan, in particular policies W11 and W18 of the Devon Waste Plan and Policy S1 of the Teignbridge Local Plan.

ECOLOGY, LANDSCAPING AND RESTORATION

24. Progressive restoration shall be carried out in accordance with the approved drawings. Filling of phase 3 shall not commence until phase 1 has been restored; filling of phase 4 shall not

commence until phase 2 has been restored; filling of phase 5 shall not commence until phase 3 has been restored; filling of phase 6 shall not commence until phase 4 has been restored; filling of phase 7 shall not commence until phase 5 has been restored.

REASON: To minimise the magnitude of visual impact at any one time in accordance with Policy W12 of the Devon Waste Plan and Policy EN2A of the Teignbridge Local Plan.

25. In the event that the inert landraise operations permanently cease prior to the approved final levels being reached, a revised restoration scheme shall be submitted to the Waste Planning Authority within three months of the Authority giving written notice of a requirement for such a scheme.

The revised restoration scheme shall be fully implemented within 12 months of the approval of the scheme by the Waste Planning Authority.

REASON: To ensure effective restoration of the site in the interests of the local landscape and biodiversity in accordance with Policies W11, W12 and W20 of the Devon Waste Plan.

26. No vegetation clearance or other works which could affect ground nesting birds shall take place during the bird nesting season (01 March to 31 August, inclusive) unless the developer has been advised by a suitably qualified ecologist that the clearance will not disturb nesting birds and a record of this kept.

REASON: To ensure that the proposed development does not have an unacceptable impact upon a protected species in accordance with Policy W11 of the Devon Waste Plan and Policy EN11 of the Teignbridge Local Plan.

27. No seeding shall take place within the 'ecological buffer zones' unless details of a locally sourced seed mix shall first have been submitted to and approved in writing by the Waste Planning Authority. All seeding shall be undertaken in accordance with the approved details.

REASON: To ensure that the proposed restoration will be implemented to an acceptable standard, in accordance with Policy W20 of the Devon Waste Plan.

SOIL MANAGEMENT

28. No topsoil, subsoil or soil making material naturally occurring on the site shall be removed from the site.

REASON: To ensure suitable soils are available to restore the site in accordance with Policies W16 and W20 of the Devon Waste Plan.

29. No waste materials shall be deposited within any part of the inert landraise area until a soil strategy has been submitted to and approved in writing by the Waste Planning Authority. This strategy shall include details of:
- (a) the stripping and storage of existing topsoil, including heights of stockpiles and measures for their temporary seeding and prevention of weeds; and
 - (b) the proposed restoration method including subsoiling operations, spreading of soils (which shall be carried out only when there is sufficient soil moisture deficit so as to prevent any degradation of soil structure), and the soil profile and soil specification for each vegetation type, to ensure effective establishment of new seeding and planting and subsequent agricultural use.

The approved soil strategy shall be implemented for the duration of landraise, landscaping, restoration and aftercare operations.

REASON: To ensure that the landscaping and restoration proposals conserve and enhance soil resources and agricultural land quality in accordance with Policy W16 of the Devon Waste Plan.

INFORMATIVE NOTE

Statement of compliance with Article 35 of the Town and Country Planning (Development Management Procedure) (England) Order 2015

In determining this application, the Local Planning Authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application by liaising with consultees, respondents and the applicant/agent and discussing changes to the proposal where considered appropriate or necessary. This approach has been taken positively and proactively in accordance with the requirement of the NPPF, as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2015.