

Permitting Decisions- Bespoke Permit

We have decided to grant the permit for Lower Hare Inert Landfill operated by GRS Stone Supplies Limited.

The permit number is **EPR/LB3502HT**.

The permit was granted on **XX/XX/XXXX**.

The application is for the import and deposit of 350,000 m³ of inert waste, comprised of uncontaminated soil and stones, to a landfill to address a section of land left in a condition not capable of sustaining commercial agriculture. Additional wastes will be imported for the construction of temporary haul roads. These materials will be removed once the landfill is non-operational and will not form part of the final landform.

The site is located 800 m west of Whitestone village and approximately 8 km west of Exeter. It covers an area of 11.5 hectares of land that is predominantly in use for agriculture and is bound by agricultural land on all sides.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document provides a record of the decision-making process. It:

- summarises the decision making process in the [decision considerations](#) section to show how the main relevant factors have been taken into account
- highlights [key issues](#) in the determination
- shows how we have considered the [consultation responses](#)

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit.

Key issues of the decision

The Application was determined as a new bespoke permit application and deemed a High Public Interest site (“HPI”).

The Application has been advertised and consulted upon in accordance with the Environment Agency’s Public Participation Statement (“PPS”). The way in which this has been carried out, along with the results of our consultation and how we have taken consultation responses into account in reaching our decision, is summarised in Annex 1 of this document.

Copies of all consultation responses have been placed on the Environment Agency’s Public Register.

We placed an advertisement in The London Gazette on 15/07/2024 for comments by 27/08/2024. We also published this Application by a notice placed on our webpages on GOV.UK (Citizen Space) on 15/07/2024 which contained all the information required by the PPS.

It is acknowledged that there is a high level of local opposition and this has been taken into account in the determination of the application. However, we are required to make our decision based on the environmental and health impacts of any proposal. We carefully considered all representations made on this basis. We can only refuse the application if we consider that the environmental impacts are unacceptable. The Environment Agency is of the opinion that an impact on the local environment and/ or human health is unlikely.

Decision considerations

Confidential information

A claim for commercial or industrial confidentiality has not been made.

The decision was taken in accordance with our guidance on confidentiality.

Identifying confidential information

We have not identified information provided as part of the application that we consider to be confidential.

The decision was taken in accordance with our guidance on confidentiality.

Consultation

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations 2016 and our public participation statement.

The comments and our responses are summarised in the [consultation responses](#) section.

The application was publicised on the GOV.UK website.

We consider this application to be of high public interest and so we identified and contacted all stakeholders and consulted with reference to the current application. A further consultation was completed in relation to the draft permit and Decision Document.

The application was advertised in the London Gazette.

We consulted the following organisations:

- UK Health Security Agency
- Director of Public Health – Devon County Council
- Local Authority Environmental Protection Department

The comments and our responses are summarised in the [consultation responses](#) section.

Operator

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision

was taken in accordance with our guidance on legal operator for environmental permits.

The regulated facility

We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 1 of RGN 2 'Interpretation of Schedule 1' and guidance on waste recovery plans and permits.

The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

The site

The operator has provided plans which we consider to be satisfactory.

These show the extent of the site of the facility.

The plan is included in the permit.

Deposit for recovery

We have agreed that part of the activity namely: the construction of geological barrier, is deposit of waste for recovery.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

General operating techniques

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

Dust management

We have reviewed the dust and emission management plan in accordance with our guidance on emissions management plans for dust.

We consider that the dust and emission management plan is satisfactory and we approve this plan.

We have approved the dust and emission management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

The plan has been incorporated into the operating techniques in table S1.2.

Waste types

We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.

We are satisfied that the operator can accept these wastes for the following reasons:

- they are suitable for the proposed activities
- the proposed infrastructure is appropriate; and

- the environmental risk assessment is acceptable.

Pre-operational conditions

Based on the information in the application, we consider that we need to include pre-operational conditions.

The operator shall demonstrate the pollution potential of the natural quality of the surrounding geology and shall agree in writing with the Environment Agency suitable waste acceptance criteria for the material to be used in the construction of the geological barrier.

The importation protocol states that the material used in the geological barrier must have a pollution potential less than or equal to the natural quality of the surrounding geology. This is not sufficiently robust to demonstrate that it is known what the pollution potential of the natural geology is and acceptance limits for the geological barrier material have not been derived.

Further information is required addressing the specification (waste acceptance criteria) for the pollution potential of the geological barrier prior to waste acceptance at the site.

Emission Limits

Emission Limit Values (“ELVs”) have been added for the following substances:

- Ammoniacal Nitrogen
- Chloride
- Sulphate
- Cadmium
- Zinc
- Arsenic
- Toluene
- Suspended solids
- pH
- Visible oil and grease
- Biochemical Oxygen Demand (“BOD”)
- Methane
- Carbon Dioxide

to protect the surface water, groundwater and air environments. We have inserted descriptive and/or numeric limits which will prevent significant deterioration of receiving waters.

We have included a limit on the volume of the discharge.

It was calculated using greenfield run-off rates and the detailed drainage design.

Monitoring

We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.

These monitoring requirements have been included to protect the surface water, groundwater and air environments.

We made these decisions in accordance with Environment Agency Guidance LFTGN02 'Monitoring of Landfill Leachate, Groundwater and Surface Water' (February 2003).

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either the Environment Agency's Monitoring Certification Scheme ("MCERTS") certification or MCERTS accreditation as appropriate.

Reporting

We have specified reporting in the permit.

We made these decisions in accordance with Environment Agency Guidance LFTGN02 'Monitoring of Landfill Leachate, Groundwater and Surface Water' (February 2003).

Management System

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

Technical Competence

Technical competence is required for activities permitted.

The operator is a member of the Chartered Institution of Wastes Management ("CIWM") / Waste Management Training and Advisory Board ("WAMITAB") scheme.

We are satisfied that the operator is technically competent.

Previous performance

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

We have checked our systems to ensure that all relevant convictions have been declared.

No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.

Financial provision

We are satisfied that the operator has made the necessary financial provision.

Growth duty

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Consultation Responses

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public, newspaper advertising and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section:

Response received from UK Health Security Agency (“UKHSA”).

Brief summary of issues raised: The main emissions of potential concern are fugitive emissions of particulate matter from the transport, screening and placement of waste at the site. We have reviewed the Dust Emissions Management Plan (“DEMP”) and note that there is nothing mentioned regarding mitigation of risk from restoration storage piles.

Summary of actions taken: The DEMP has been assessed and approved by the Environment Agency. We are satisfied with the mitigation proposed, including the mitigation proposed to prevent any impact from the restoration topsoil storage stockpiles, and that the qualitative monitoring is sufficient to minimise impact on local air quality.

Response received from Director of Public Health.

Brief summary of issues raised: I have considered the application and response form UKHSA and do not have further comments.

Summary of actions taken: None required.

Representations from individual members of the public

The consultation responses received from individual members of the public were wide ranging and a number of the issues raised were outside the Environment Agency’s remit in reaching its permitting decisions. Specifically, questions were raised which fall within the jurisdiction of the planning system. Guidance on the interaction between planning and pollution control is given in the National Planning Policy Framework (“NPPF”). The NPPF states that the planning and pollution control systems are separate but complementary. We are only able to consider those issues which fall within the scope of our regulatory powers.

A total of 159 public responses were received and the responses raised many of the same issues.

Responses have been grouped into themes where responses on the same subject were received.

Ground stability

Brief summary of issues raised:

There will be an issue due to groundwater activity in the area/ springs & the stability of the ground evidenced by landslips in 1960 & 1980.

The main feature of the Stability Report submitted is that there is a great deal of further research work to be done.

Summary of actions taken or show how this has been covered:

As part of the determination of the permit application for Lower Hare Inert Landfill we have completed a full technical assessment of both the Stability Risk Assessment (“SRA”) and Hydrogeological Risk Assessment. The Stability Risk Assessment is based on effective drained parameters and shows that the factors of safety are appropriate under the situation proposed.

Our assessment of the Stability Risk Assessment Report, included a review of the following:

- Site phasing
- Basal subgrade
- Side wall subgrade
- Geotechnical parameters
- Analysis/Modelling
- Water management

We requested and received further information and our assessment shows that the model indicates a sufficient factor of safety in the gradient. Based on our interpretation of the site drawings and the proposed surface water management during the operational period and post operational period, we concluded that as long as the drainage channels are sized appropriately and they are maintained during the pre-restoration phases to allow gravity water flow with the channels, there is unlikely to be any significant risk of instability related to elevated pore water pressures resulting from water infiltration/perched water bodies.

The recommendation from our geoscience stability specialist was to include a reference to the SRA in the operational techniques within the permit. The SRA requires testing as part of the Construction Quality Assurance (“CQA”) requirements to verify assumptions regarding parameters in the SRA. CQA validation is a standard process for landfill activities which checks and validates the work carried out in accordance with the approved standards.

Pollution of watercourse/ impact on habitats & species

Brief summary of issues raised:

Leachate will enter the catchment and watercourse. It is now proposed that some 130,000 tons of engineering waste, which in all probability will contain a wide variety of unknown, but harmful chemicals, will now be included in the landfill.

This is a sensitive area of biodiversity which will be harmed.

Summary of actions taken or show how this has been covered:

No leachate will be produced due to the inert nature of the waste to be deposited. The waste types accepted for disposal will be controlled through the Waste Acceptance Procedures and Importation Protocol and Construction Controls, referenced in Table S1.2 Operating Techniques in the permit.

The area has been screened for designated sites, protected species and habitats within the required distance for a landfill. and deciduous woodland protected habitat only is located within the area of potential impact. Any impact has been mitigated by the measures in the DEMP and the HRA has demonstrated that there will be no groundwater or surface water pathways. No records of protected species exist for the tributary or the Alphin Brook immediately downstream of the site.

Monitoring of wastes

Brief summary of issues raised:

The application contains an inadequate proposal for monitoring the type of material - wide range of construction and demolition wastes (including excavated soil from contaminated sites); stones and dredging spoil; wastes from waste management facilities, off-site wastewater treatment plants; garden and park wastes (including cemetery waste); concrete, brick, tiles and ceramics.

Summary of actions taken or show how this has been covered:

The waste types to be accepted are soils and stones, concrete, brick, tiles, ceramics and mixtures of these, which can come from all of these sources. Critically, wastes will only be accepted for disposal at the site if they meet the inert waste criteria. Monitoring requirements have been assessed and are included in Schedule 3 of the permit which details the parameters to be monitored, the frequency of monitoring and compliance limits.

Air emissions

Brief summary of issues raised:

There are general concerns around the Dust Emissions Management Plan (DEMP) such as emissions not being quantified, risk levels, vehicle emissions between the source of waste & the landfill site and that it does not cover possible contamination in the waste.

The Exeter Airport Windrose has been used as the underpinning basis for all the dust and air quality assessments which specifically shows the prevailing wind direction coming from the north-west, which is not correct.

The methodology used for the assessments was the “IAQM Guidance on the Assessment of Mineral Dust Impacts for Planning (May 2016)”. Section 4 of this Guidance discusses the scope and limitations of the methodology and concludes that it should not be applied to landfill sites.

Summary of actions taken or show how this has been covered:

The DEMP has been assessed and approved – qualitative monitoring of emissions and risk levels are considered adequate. Vehicle emissions relating to the transportation of waste to the site are a matter for the planning system and are not within the scope of our permit application determination. Possible contamination in dust emissions will be avoided as the waste types accepted for disposal are inert and will be controlled through the Waste Acceptance Procedures and Importation Protocol and Construction Controls, referenced in the permit.

The revised DEMP considers that the prevailing wind direction is coming from the southwest.

The Environment Agency has assessed and approved the DEMP according to our guidance “Control and monitor emissions for your environmental permit” and we consider that the mitigation proposed are appropriate measures.

Traffic

Brief summary of issues raised:

Concerns have been raised on the increased levels of traffic movement on roads which are unsuitable and are in a poor state of repair which will be made worse or are too close to housing. Concerns have also been raised about noise and dust from traffic associated with the Site and how this poses a risk to public safety and health.

Summary of actions taken or show how this has been covered:

The local planning authority is responsible for determining land use through the planning application process, this includes transport. Consideration of increased

traffic movements beyond the permit boundary is outside the scope of our determination of the Application.

On-site noise is relevant to our determination and has been considered elsewhere in this document – see Noise section.

Noise

Brief summary of issues raised:

Concern that a noise impact assessment or noise management plan is not required.

Summary of actions taken or show how this has been covered:

A screening was completed to determine if a noise impact assessment and/ or noise management plan were required in the application based on the level of noise impact likely from the activity in relation to noise sensitive receptors. The proposed site screened out due to the low level of noise expected from an activity relating solely to the deposit of waste.

Planning authorisation

Brief summary of issues raised:

The additional site compound authorised under the s.73 has not been assessed for noise, light or odour pollution.

The DEMP states that water for suppression will be primarily sourced from an onsite attenuation lagoon and alternative sources of water may include mains supply (conservatively assessed as 50 m³ per day). It is not acceptable that precious mains supply water would even be considered for this operation as the planning application stated that no utilities would be required for operations.

Summary of actions taken or show how this has been covered:

The potential impacts from the additional site compound authorised under the s.73 are a concern for the planning system and do not fall within the scope of our regulatory powers relating to the application for an environmental permit.

The planning application and resulting permission are a matter for the planning system. The climate change risk screening in the environmental permit application indicates that mains water will be used for site operations.

False & inaccurate statements

Brief summary of issues raised:

The Permit Boundary Plan, Site Receptor Plan, Environmental Setting Plan and Site Layout Plan are inaccurate as none of these drawings are up to date and all have omitted the access track from the C50 which is actually part of the application.

The Exeter Airport Windrose has been used as the basis for the dust and air quality assessments which specifically shows the prevailing wind direction coming from the north-west, this is not correct and is distorting the adverse effects of the proposed site on the village and children's playpark. The prevailing wind at the site is actually from the South-West, as the leaning of the trees confirms.

The application provides inaccurate information relating to a previous conviction.

Summary of actions taken or show how this has been covered:

The plans and drawings included in the permit application have been reviewed and revised throughout the determination. The agreed and approved plans are included in Table S1.2 Operating Techniques and Schedule 7 of the permit. The permit boundary does not include the access track as this is not required to be included within the permit boundary.

The revised DEMP considers that the prevailing wind direction is coming from the southwest.

Our guidance on operator competence requires applicants to disclose any relevant convictions that are not spent. The conviction referred to is spent. This means that we do not require a post-conviction plan as part of the permit application and this document has not been included in the determination of this application.

Waste types

Brief summary of issues raised:

Concerns that material other than subsoil & topsoil will be imported. Construction and demolition wastes (including excavated soil from contaminated sites); stones and dredging spoil; wastes from waste management facilities, off-site waste water treatment plants; garden and park wastes (including cemetery waste); concrete, brick, tiles and ceramics are in the application.

It cannot be guaranteed that waste to be accepted and deposited is inert.

'Engineering waste' is a waste type which has been applied for and will be included in any permit issued.

Summary of actions taken or show how this has been covered:

The waste types to be accepted for permanent disposal are soils and stones only. Concrete, brick, tiles, ceramics and mixtures of these are to be accepted only for the construction of temporary haul roads. All wastes can come from all of these sources but critically, wastes will only be accepted for disposal at the site if they are uncontaminated and meet the inert waste criteria.

The waste acceptance procedures and importation protocol and construction controls documents, referenced in Table S1.2 Operating Techniques of the permit, along with the monitoring & reporting required by the permit will ensure that the wastes accepted at the site for disposal are inert.

'Engineered fill' has been referenced in the application documents and refers to inert wastes engineered to create a suitable resilient fill for the landfill, rather than wastes from engineering activities.

Geological barrier

Brief summary of issues raised:

Construction of a large geological barrier despite a lack of evidence of need or appropriateness. The geological barrier is to be constructed without any assessment of the multiple environmental costs of its construction. There is a lack of information in the permit application concerning the construction and effectiveness of the geological barrier. Membranes to protect against leaching always fail eventually.

Summary of actions taken or show how this has been covered:

A geological barrier is required by the Landfill Directive and this is required to be a minimum of one metre depth. The applicant has demonstrated that the waste material proposed to construct this geological barrier will provide the protection and longevity required.

Concerns with technical competence

Brief summary of issues raised:

A concern has been raised that a relevant person has a conviction.

Summary of actions taken or show how this has been covered:

In considering this point, we have to take into account the terms of The Rehabilitation of Offenders Act 1974 ("ROA").

The conviction referred to has been spent. The ROA allows a convicted individual to become a 'rehabilitated person' at the end of a 'rehabilitation period'. At the end of this period, the conviction is treated as spent and is not required to be disclosed on any application form.

We were aware of the spent conviction when we made the assessment of technical competence and the existence of a spent conviction does not alter that assessment.

We have no reason to believe that the applicant is not technically competent. The operator is a member of the CIWM/WAMITAB scheme and we are satisfied that the operator is technically competent.

Surface water run off

Brief summary of issues raised:

The landfill is sited on a valley side and run-off will make it's way to the Alphin Brook. Concerns have been raised that this will cause pollution to the Alphin Brook.

Summary of actions taken or show how this has been covered:

The surface water risk assessment and drainage strategy have been submitted as part of the application. Surface water will be managed with a series of temporary and permanent lagoons. As phases become restored the permanent drainage arrangement will enable clean surface water run-off by bypassing active infilling areas of the site. The run-off will therefore be uncontaminated. Potential contamination is further controlled by the acceptance of waste according to the Waste Acceptance Procedures and Importation Protocol and Construction Controls, referenced as operating techniques in Table S1.2 of the permit.

The revised drainage plan details how the surface water run off lagoon provides a point of control at the discharge point to the permanent lagoon in the form of a penstock valve. This will allow the operator to prevent discharge of the run-off if it does not comply with the parameter limits or discharge volume limit detailed within the permit.

The application proposed monitoring on the unnamed tributary both upstream and downstream of the discharge from the site. This tributary is considered to be the primary receptor. In reviewing the appropriateness of these monitoring locations, the Environment Agency undertook a review of permitted discharges

and records of pollution incidents in the area. It was clear from the records that there are external influences on the surface water quality in the area and that it was essential that monitoring locations were located close to the point source discharge for the site. Due to these existing pressures on the water quality, it is not considered that any additional monitoring of the Alphin Brook is required. The surface water monitoring locations proposed were considered adequate.

Surface water compliance limits have been set for the discharge point from the settlement lagoons. There were no compliance limits for surface water included within the application and therefore the values (where appropriate) have been based on the surface water risk assessment provided. The Environment Agency consider ammoniacal nitrogen to be a key indicator and have included this within the monitoring requirements.

Climate change

Brief summary of issues raised:

The application does not recognise nor take into account the role of soil, and in particular topsoil, as a significant store of multiple greenhouse gases, which will be released by the construction of the landfill, and of the changed use of the land.

Failure to adequately take into account continuing climate change and its consequences. Modelling has consistently under-estimated the extent of climate change, and the rate at which it is occurring. The models and data provided by the applicant are essentially based on current/historic data and current weather models. Although they incorporate an allowance for extremes within this data/model, they are not based on models which accept the reality of a rapidly warming and energetic climate producing increasingly frequent and intense extreme rainfall events.

Summary of actions taken or show how this has been covered:

The climate change risk screening in the environmental permit application concludes that a climate change risk assessment is not required as part of the application because the expected climate change impact from the activity is low. The duration of the activity is relatively short at a planned operational lifetime of the landfill of ten years and the land use reverting to agricultural use after this period. The topsoil at the site will be retained for restoration.

This site will be regulated in relation to climate change through the Environment Agency permit compliance work under our guidance "Climate change: risk assessment and adaptation planning in your management system".

Soil damage

Brief summary of issues raised:

If restrictions to avoid soil compaction/ movement of soils when wet are not imposed, and if these restrictions are not complied with there is a likelihood of waterlogging and anaerobism – the permit should limit operations to no more than the driest, summer months.

Summary of actions taken or show how this has been covered:

A Landscape and Ecological Management plan is required in order to discharge condition 7 of the planning permission (DCC/4101/2018) granted on 01/07/2021. This document includes detail on habitat restoration/ creation, including care of soils. This document is required to be approved by the planning authority before condition 7 of the planning permission can be discharged.

Bridleway

Brief summary of issues raised:

No assessment has been made of the impact on the users of the bridleway that crosses the site.

Summary of actions taken or show how this has been covered:

Bridleways are public rights of way and as such are covered under the planning system. Condition 5 of the planning permission (DCC/4101/2018) granted on 01/07/2021 includes consideration of public rights of way. The condition requires that 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 issue does not fall within the scope of our regulatory powers relating to the application for an environmental permit.

Landscape

Brief summary of issues raised:

This huge landfill at Lower Hare Farm is inappropriate in this Area of Great Landscape Value.

Summary of actions taken or show how this has been covered:

The local planning authority is responsible for determining land use through the planning application process. Consideration of land use is outside the scope of our determination of the Application.

Leachate

Brief summary of issues raised:

The landfill has an inadequate cell design and construction to prevent leachate contamination.

Summary of actions taken or show how this has been covered:

No leachate will be produced as only inert wastes will be deposited, which will be controlled by the acceptance of waste according to the Waste Acceptance Procedures and Importation Protocol and Construction Controls, referenced as operating techniques in Table S1.2 of the permit. This will be further regulated through the monitoring and reporting required by the permit. As a further, generic failsafe measure for all landfills, the Landfill Directive requires that a geological barrier of a minimum of one metre depth is constructed. The design and construction of the landfill has been assessed and the information provided demonstrates that there will be no impact to the surrounding hydrogeological environment.

Land drainage

Brief summary of issues raised:

Consent is required under the Land Drainage Act 1991 for the associated drainage duct and culvert work within the water course, necessary for the landfill project. If such an application has not been made to the Principal Flood and Coastal Risk Officer then no such preliminary landfill work can start.

There have been incidents of flood damage to the bridges across the Alphin brook & other flood damage resulting in concerns about the impact of the substantial additional drain-off that will arise from the temporary stockpiling of sub and topsoils.

Summary of actions taken or show how this has been covered:

Certain types of work on a watercourse require permission from the appropriate authority. An ordinary watercourse is defined as a watercourse that is not a main river, and includes streams, drains and ditches, and passages through which water flows. Works affecting an ordinary watercourse may require consent under the Land Drainage Act from the appropriate authority. The Environment Agency is not the appropriate authority should this consent be required. Consideration of work on a watercourse, whether the appropriate authority is the Environment Agency or not, is outside the scope of our determination of the Application.

There will be minimal additional run-off resulting from the landfill from the temporary stockpiling of sub and topsoils for each phase. This drainage comprises the surface water run-off which would naturally occur.

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