# Welwyn Services Ltd

# Vicar's Grove Pit

**Application for Planning Permission for a time limited Construction and Demolition Waste processing facility and landfill Restoration**




# Design and Access Statement

**February 2018**

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# 1. Background and Summary of development proposal

***1.0*** Welwyn Services Ltd is a privately-owned waste management, haulage and plant hire business serving the Hertfordshire area for the last twenty years.

***1.1*** It is submitting a planning application to Hertfordshire County Council for the time limited (7 year payback model) use of Vicar's Grove as an inert waste processing and transfer site, with the vast majority of material processed being used to provide the full and amended restoration profile of the now closed landfill. Some would be sold to earn income for the ongoing restoration. Other materials would need to be disposed of in permitted facilities.

***1.2*** The company specialises in the provision of services to the construction industry, principally through the supply of plant and associated services such as building material supply and both virgin and recycled aggregate. In terms of its waste operations, the business is largely a function of its plant hire and aggregates business, specialising in the recycling of inert wastes, and with a recycling rate in excess of 90%.

***1.3*** Welwyn Services Ltd, purchased the Vicar's Grove site in 2008 with a view to restoring the old landfill to agricultural quality as an equine centre. The previous owners of the site had not been able to meet required conditions for the restoration of the site, indeed restoration was never even started. The site was subject to a planning application from the current owner which was granted in 2011. The permission allowed for specific and limited inert (with minimal importation) waste transfer operations with which to practically and financially facilitate the restoration of the site. Planning permission 1/2750-10 came with 22 conditions, all of which have been consistently met. Only one of these conditions was not met - this being the timeframe for completion of restoration which, under that permission was to be fully completed by 2016 (30/09/16).

***1.4*** Critically, it is this condition (condition 2) that has proved impossible to meet and which has precipitated the submission of this planning application. Since the granting of the 2011 permission, it has become apparent to the owner, that a) the costs of quality restoration to agricultural use are orders of magnitude higher than originally envisaged and, b) the underlying economics of seeking to generate an income purely from in situ processing of material contained within the old landfill (with some small levels of importation) have become increasingly fragile. Given that the very limited transfer operations allowed under the 2011 permission were designed to provide the financial leverage to enable the restoration, and that these operations have proved incapable of providing the required margins to allow for reinvestment into the restoration project, this new application puts forward a new, economically feasible solution. This solution is based on the operation of an inert recycling facility, enabling the generation of both landfill restoration materials and saleable product to cover both capital and operating costs.

***1.5*** Equally, the previous permission had not been aligned with appropriate regulatory permission from the Environment Agency, further frustrating restoration as the landfill portion, subject to required restoration, did not have its license transferred to the new site owner so it wasn't legally enabled to restore the landfill. This new planning proposal deals with this issue.

***1.6*** Recognising that the most important planning condition, namely the restoration of the old landfill has not taken place, the developer takes seriously the need to deliver its restoration requirements. Such restoration is important for the developer's long-term interest in the land – with a future intention to develop an equine centre or other appropriate Green Belt use on the site.

***1.7*** The developer fully understands the perceived level of risk in granting an additional time limited use of the site for inert waste processing and transfer and is fully prepared to enter into appropriate bonding arrangements with the authority to provide surety that restoration will be completed.

***1.8*** Welwyn services will be able to source its inert wastes locally, the vast majority coming from within the 10/15 mile radius from the site (not economic to transport too far beyond this), and coming form a range of large and small construction contractors with whom Welwyn have existing commercial relationships.

***1.9*** The proposed development, recognising the green belt location and time limited nature of the proposal, does not seek any new substantive buildings on the site. In summary the development would consist of:

1) New portable weighbridge and double stacked portakabins for site office/ticket office and staff facilities/conveniences.
2) Mobile crusher and screener for the processing of incoming inert wastes. This will result in products for sale and restoration use (soils and crush) and any wastes/rejects.
3) A series of push wall constructed storage bays for stockpiled material
4) A phased restoration plan, largely in line with that previously agreed but with new proposed contours to allow for additional material.
5) A mobile wheel wash with rattle grid and jet spray to minimise mud tracking.
6) Proposed transport improvement works on the ingress/egress to the site form Little Almshoe Lane and proposed improvement works to the junction of Little Almshoe Lane and the B556 London Road (subject to S278 Agreement)

***1.1.0*** In line with the applied for environmental permit, the site would process up to 91,000 tonnes per annum. An environmental permit application is being made concurrently with this planning application.

***1.1.1*** While the site is not allocated within the Hertfordshire County Waste Local Plan and, indeed is also in statutory Green Belt, we believe, and have sought to evidence that the proposal is fully consistent with and also supportive of the ambitions and specific policy objectives of that plan and indeed waste management and planning policy nationally as laid in in the National Planning Policy Framework.

***1.1.2*** The proposed development is fully consistent with the key strategic objectives of the Hertfordshire Waste Local Plan, being aligned with the overall spatial strategy and demonstrably moving waste up the hierarchy (SO1), creating value added products out of waste that would otherwise be landfilled (SO3), and managing waste as near as possible to its source (SO2). We believe that the facility represents both a strategic medium-term resource for the county, whilst also operationalising the proximity principle by sourcing its supply within its own hinterland.

***1.1.3*** This proposal intends to help meet, in the short/medium term a local capacity gap and to do so in a way that:

- fully protects and enhances the local and global environment
- protects local amenity, landscape and heritage
- makes adequate provision for transport infrastructure
- ensures consistency and compatibility with the surrounding land uses
- Ultimately brings back into agricultural and appropriate Green Belt use a site that has been in minerals and waste use for over one hundred years

***1.1.4*** The facility when up and running will also support between 8/10 new jobs to be recruited from within the county.

## Summary Statement

The proposal is for a time limited (7 years) operation of an exclusively inert waste processing and transfer operation, designed specifically and exclusively to fund the unfulfilled, restoration of the landfill. Past attempts at restoration have been premised on underlying business models incapable of generating a return adequate to both restoration, capital repayment and appropriate business margin.

Materials imported would be processed to provide both suitable restoration material and saleable product to earn an income to sustain site operations and reasonable business expenses. The site, although only time limited would be useful for proximate inert waste processing and recycling capacity, with similar processing capacity not available locally (Winters having now ceased operations), the nearest being in Bedford or Hatfield.

No new and long-term structures are proposed for the site, respecting its rural and Green Belt setting and the need to preserve openness and rural character.

Importantly, the time limited use is designed to support the guaranteed restoration of the landfill, with amended contouring to better reflect the local rolling landscapes surrounding the site and a future intended use of equine facilities or other appropriate green belt use.

Finally, recognising past failures to ensure the restoration of the landfill, the developer is willing to provide, and have as a planning condition, bonding, adequate (and seperate legal Agreement) to cover the restoration of the site should it not be wholly undertaken during the period without prior agreement.

***1.1.5*** The application is for full time limited (7 year) consent for inert waste recycling use on the site with the provision of temporary buildings in the form of two stacked portakabins, some storage bays and a range of portable processing and site equipment.

***1.1.6*** The application consists of:

Planning Application Form

Plans

- Red Line site plan
- Existing site layout plan
- Proposed site layout plan
- Proposed amendments to restoration contours/sectional drawings

Supporting Documents

- This Design and Access Statement

A range of the original documents for the 2011 planning permission, including:

- 2011 Ecological assessment
- 2011 Reptile Survey
- 2011 Nesting bird mitigation strategy
- 2011 Flood Risk and Drainage report
- 2011 Restoration Plan
- 2011 Woodland Management Plan

***1.1.8*** In addition, the proposed design works for the Highways improvements are also included from an abortive 2015 planning application (withdrawn), as these better represent appropriate response and mitigation for the level of trip generation and impacts associated with this planning application. These include:

- Overall schematic for transport improvement works
- Transport Strategy for Site entrance/exit onto Little Almshoe Lane
- Transport Strategy for Little Almshoe and London Road Junction works

## 2. The site and its context

***2.0*** The application site (as provided in Figure 1 below) lies 1.6km south of Hitchin. A GDPO compliant site plan is appended to the application and submitted along with it.

***2.1*** The site lies within the administrative boundary of Hertfordshire County:
Vicars Grove, Little Almshoe Lane, Hitchin, Hertfordshire, SG14 7QU.

Grid Reference: Easting: 519338 Northing: 225690




***Fig 1. Location of Site***

***2.2*** The Vicar's Grove 'pit' is located north of Little Almshoe Road, 400m from the B656 (London Road) and approximately 1.25km south west of St Ippolitts village. The site lies 2.6km west of the A1 and Stevenage, and 1.6km south of Hitchin. The site lies directly to the east of Vicar's grove farm (arable and beef cattle) and is surrounded by arable farmland.

***2.3*** Formerly a landfill site, and waste transfer station, it consists currently of:

- Continuous semi ancient woodland around the Northern, Eastern and Western portions of the site.
- A level surfaced (partially metalled) operations yard at the lower portion of the site.
- A metal , agricultural type barn/shed from the previous landfill operations.
- The closed landfill subject to restoration requirement/need

***2.4*** The application site benefits greatly from existing, mature and clearly defined boundary treatments. The Northern, Eastern and Western boundaries of the site consist of mature semi ancient woodland. However, the southern boundary of the site and lower reaches of the eastern and western boundaries would benefit from additional planting of native woodland and hedgerow species to screen the proposed development from the southern valley aspect. These are allowed for under the currently approved landscape plan and planting strategy.

***2.5*** The site is, by and large, well screened from the wider open landscape. The land rises immediately to the north of the site and on its eastern and western boundaries, creating a natural (man-made given it is a product of the landfill) amphitheatre in the landscape and screening the proposed development from the majority of the wider landscape. However, as indicated above, the south of the site requires additional screening due to the flatter and more open landscape to the south of little Almshoe Lane

## Site Access

***2.6*** Access (both entry and egress) to the site is via Little Almshoe road and traffic to the site approaches Little Almshoe Road via the London Road (B6565)

***2.7*** A set of traffic measures/improvements will be instigated as an enabling part of this application with the local highway's authority (Hertfordshire County Council) via a Section 278 Agreement. (further discussed under Transport)

***2.8*** The site is exceptionally well positioned to enable quick and sustainable access to the primary road network with the B556 giving quick and easy access to the A602, A/M1 and A505, thus allowing the servicing of the three main population centres providing the core supply of material (Hitchin, Stevenage, Luton and Letchworth).

## Site Use and history

2.9 The site was used for mineral extraction from approximately 1912 onwards and was then subsequently closed for further extraction and instead was used for landfilling of inert wastes from Herts and Beds. The site has been a licensed waste landfill and waste transfer station, thus having historical precedent as a waste site.

***2.1.0*** The former owners were supposed to carry out a restoration which was never completed and barely started. The current owners submitted a planning application, granted in 2011, which allowed for limited waste activity on the site in order to facilitate an agreed and more ambitious restoration scheme.

***2.1.1*** As previously stated, it has now become apparent that the costs of full restoration are considerably more than previously estimated and such costs cannot be sustained by the

previous activities allowed for on the site. The current owners either seek to secure planning permission for commercially sustainable activities on the site that can create the investment stream for the restoration, or they accept the lack of viability for the site and restoration and seek to sell the site. What is clear is that it is unlikely that restoration would happen in the absence of some kind of commercially viable land use on the site.

# 3. The Development Proposals

***3.0*** The site and these proposals are best considered in two discrete but fundamentally interrelated parts:

1) The upper part of the site (a) which is the previous area of the landfill and now the are required to be restored.
2) The lower operational area of the site (b), including the building from the activities of the previous owner.

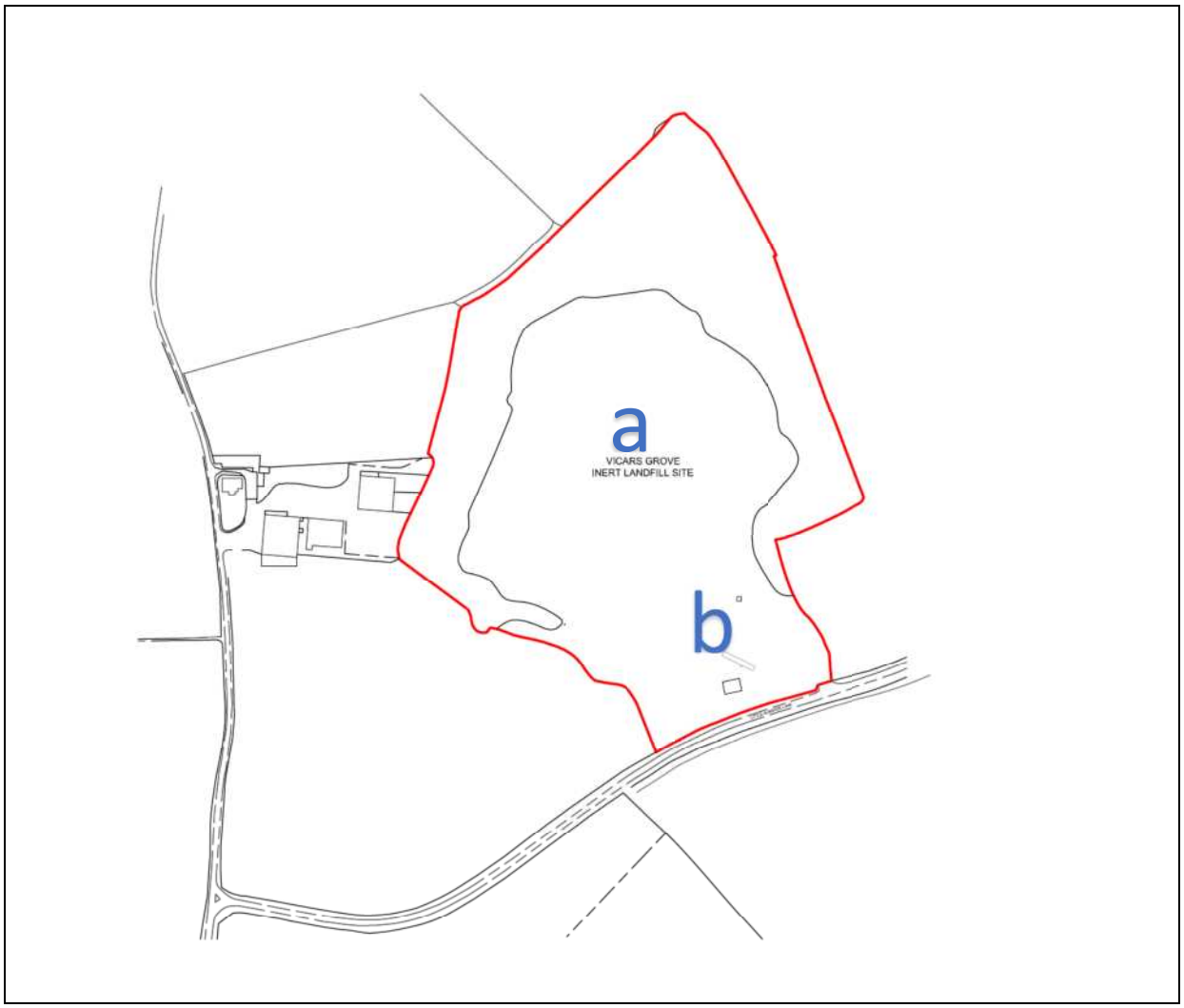


***Fig 2: The two aspects of the site and development proposals***

***3.1*** The lower part of the site (b) is in the freehold ownership of the proposed developer (Welwyn Services Ltd). The upper part (a) is in the freehold ownership of Scott's Recycling. It is proposed that should planning be granted, the freehold will be transferred from Scott's to ensure full transparency and accountability for performance to a single party (Welwyn).

***3.2*** This transfer of ownership will also be required for the environmental permit and the transfer of the existing site license (for the landfill) from the previous owner (Stutley Brothers) in order that formal closure of the landfill and its restoration can be undertaken with the Agency. Alongside this

planning application, an application has also gone in for both the environmental permit to operate the proposed waste activities and for the formal transfer of the landfill license to seek closure.

***3.3*** It is proposed that the lower part of the site be used for the importation, processing, use and transfer of inert wastes and resulting products. The site would seek to undertake such activity for no more than seven years. Seven years is the calculated period required to finance the break-even of the operation and the restoration of the landfill. A financial model is appended providing the income and expenditure profile (including capital repayment), of the proposed operation. The site would process up to and no more than 91,000 tonnes per annum as required by the applied for environmental permit.

***3.4*** The time limited waste operations on the site, would exist to serve a singular purpose, namely to provide:

- Material for the restoration itself

- A sustainable revenue stream capable of providing free margin to restore the landfill as to the previous standard of restoration but with amended contouring to allow for economic operation of the site.

***3.5*** No new or major construction or buildings is proposed.

***3.6*** The proposal consists of:

1) Hardstanding for the remaining portion of the lower site not currently metalled (50%), to ensure compliance with the requirements of the required environmental permit (material stockpiles to be on non-porous standing). This equates to circa 60m2 of new hardstanding.
2) Inclusion of drainage and interceptors within hardstanding to control surface waters.
3) The siting of two (36msq) portacabins (double stacked), including staff facilities and weighbridge/ticket office.
4) Portable weighbridge
5) Portable wheel wash/rumble grid.
6) Mobile crusher and screener for processing of imported wastes
7) Erection of a bank of temporary push walled bays for material stockpiles.

***3.7*** The proposed aspects of the waste development are indicated below. The Full site plan is appended.

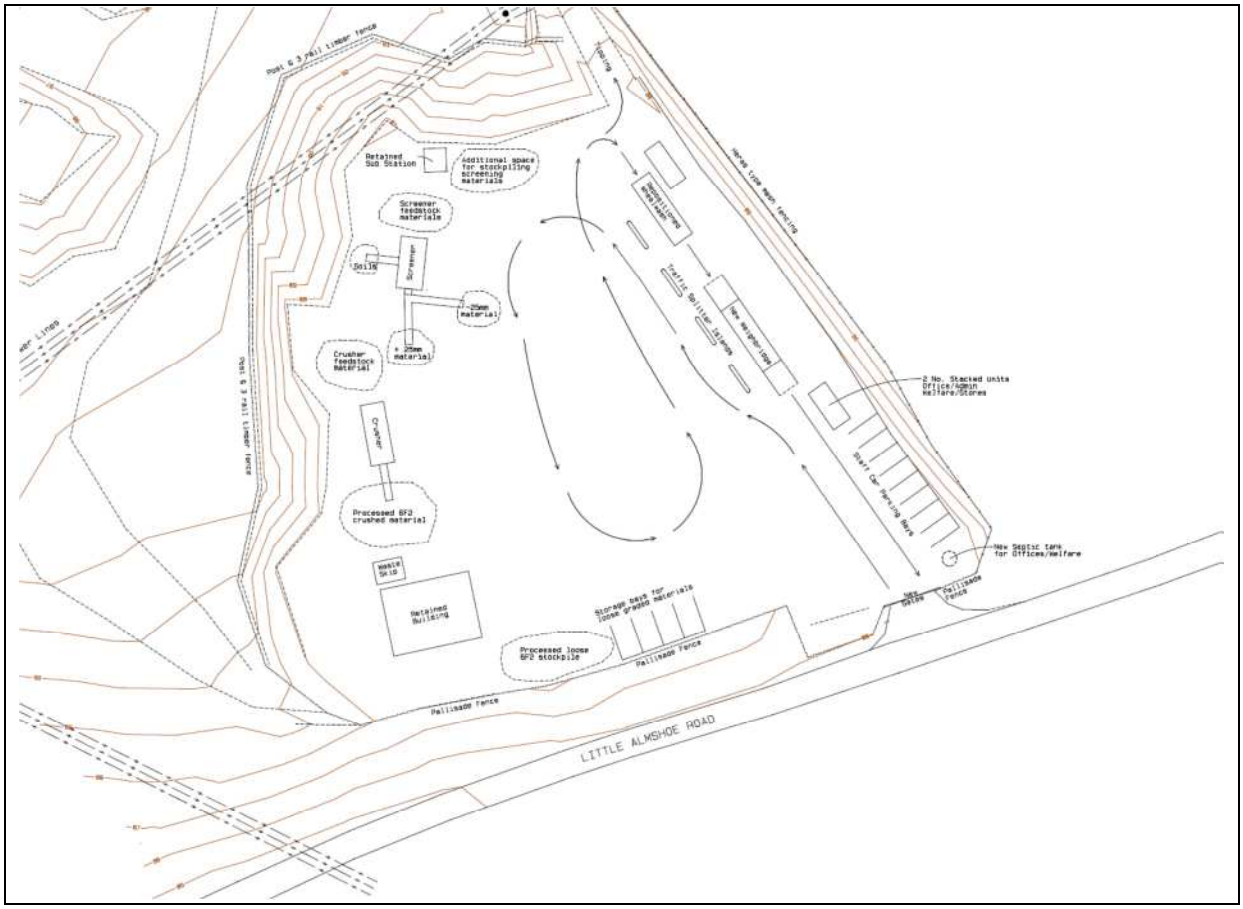


***Fig 3: Proposed Site layout and development***

**Description of site processes**

***3.8*** Material will enter the site via the single entrance/exit point on Little Almshoe Road. Lorries will then proceed to the weighbridge and ticket office. From there they will be either directed straight up to tip on to the landfill (if approved direct restoration material), or to proceed to tip on the feed piles for either the screen and/or the crusher.

***3.9*** Empty vehicles will then either leave site or collect product for onward sale or disposal elsewhere. Traffic will proceed to the wheel wash to ensure that any tracked mud is shaken off and if required jet-sprayed. They will then go back over the weighbridge and exit the site.

***3.1.0*** Site vehicle movement and layout has been designed to ensure a single direction of traffic and minimal reversing and turning.

***3.1.1*** Material processed via screening and crushing will either be sold or used for the restoration. The key saleable products will be mixed soils and stone (17 05 04), 6F1 and 6F2 recycled aggregate and hard materials suitable for crushing. These will be stored in storage bays.

***3.1.2*** Annual tonnages through the gate would be 91,000 as applied for in the license and required for the financial model to work.

***3.1.3*** The site would operate during the following hours:

Monday to Friday 07:00 – 17:00

Saturday – 08:00 – 13:00

Sundays – Closed

**Description of Landfill Restoration**

***3.1.4*** Broadly, the restoration will allow for a similar standard of restoration as allowed for in the previously conditioned and agreed Restoration plan (appended). However, the developer proposes a modification to the overall contours as indicated in the appended profile drawing.

***3.1.5*** The developer will develop a new phasing strategy and amended restoration plan, subject to planning and in consultation with the Planning Authority and the Environment Agency.

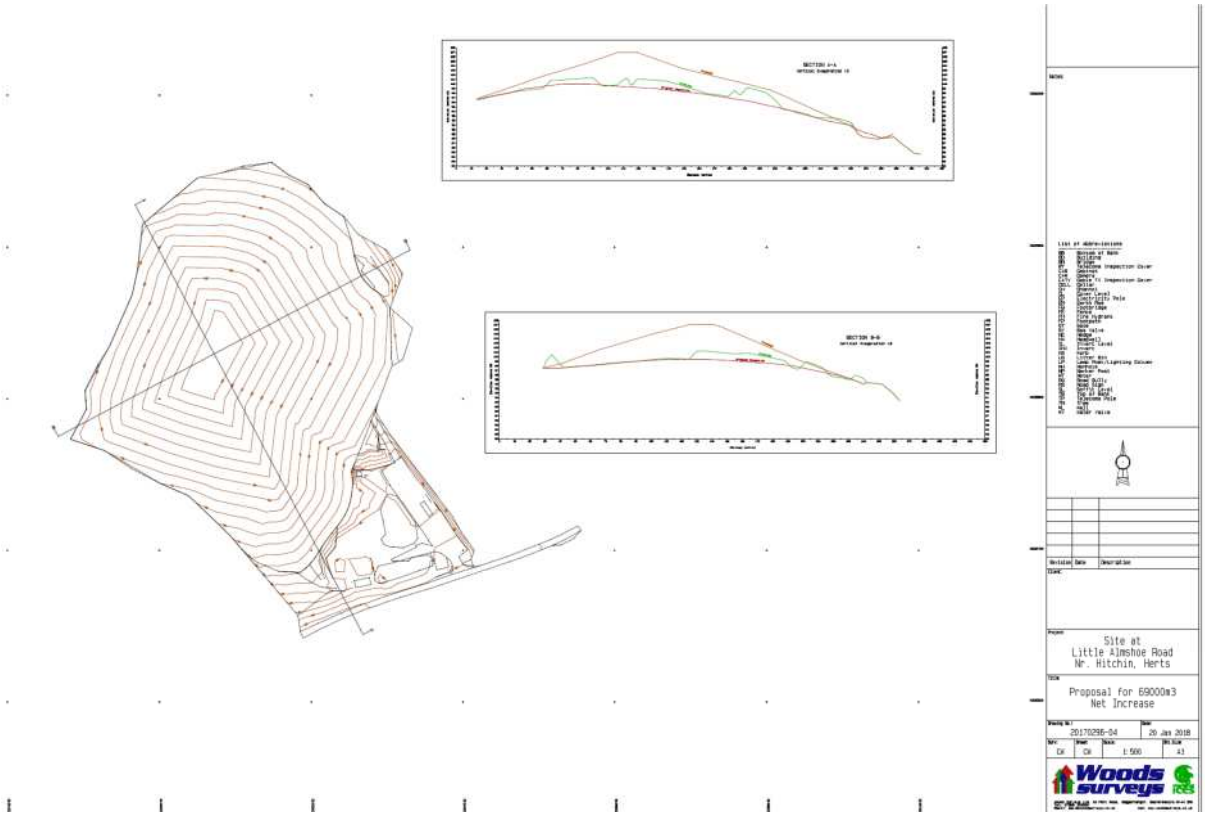


***Fig 4: Proposed revision to restored contours***

**Site Access**

***3.1.6*** Access to the site exists directly off little Almshoe Road. The main routeing for vehicles coming to or leaving the site is via the B556 which provides ongoing access to the principal

roads serving Welwyn services core customers in Luton, Hitchin and Letchworth. Access improvements are proposed as part of this submission and are outlined in drawing VC – 004 (Provisional Highways amendments).

***3.1.7*** Proposed landscaping is minimal as appropriate to the site context and the fact that the site is already subject to an agreed planting strategy and woodland management plan. The site itself and the proposed development would not be readily visible from major public vantage points (e.g. B556), sitting as it does in a natural amphitheatre in the landscape. However it is proposed that some additional planting be undertaken along the southern boundary to soften the development immediately on its boundary with little Almshoe Road. This is catered for within the currently agreed landscape and planting plan.

**Enabling Works**

***3.1.8*** The only anticipated enabling works is the access improvements as highlighted in the appended provisional highways amendments and subject to legal agreement between Welwyn services Ltd and Hertfordshire County Council.

**Boundary Treatments**

***3.1.9*** Boundary treatments would be us previously agreed under the previous permission as part of the restoration plan and the woodland management plan.

# 4. Waste Policy, Green Belt Policy and Planning Justification

***4.0*** The proposed development is fully consistent with both national and local waste planning policy and to conform to policy on the Green Belt.

**National Waste Policy**

***4.1*** The key underpinning principles of planning for sustainable waste management, are contained in the government's National Planning Policy for Waste document (2014).

***4.2*** There are several underpinning principles that are important in relation to the proposed development, these being:

1) Help deliver sustainable development by driving waste management up the waste hierarchy, addressing waste as a resource and seeing landfill disposal as the last option but one that must be catered for

2) Provide a framework through which communities can take more responsibility for their own waste and ensure sufficient and timely provision of waste management facilities to enable the meeting of local needs

3) Help secure the recovery/disposal of waste without endangering human health and without harming the environment and enabling waste to be managed in one of the nearest appropriate installations

4) Ensure that the design and layout of new facilities supports sustainable waste management and enhance the character of the are in which they are located

***4.3*** The proposed development meets these fundamental criteria:

***Waste Hierarchy*** - By seeking to extract value and use from discrete inert composite material that is currently land-filled, thus further driving the management of inert wastes up the waste hierarchy). The process will enable substantial quantities of both in situ restoration material and recyclable materials (WRAP approved product) to be recovered from the waste stream. Minimal quantities of process material will need to be landfilled (<10% rejects).

***Self Sufficiency*** – The proposed development would be exclusively serving customers within no more than a 15/20km radius of the site and there is demonstrable demand for the recycling/processing services proposed. This can be evidenced by customers desire to access the new facility, and the fact that comparable facilities are currently only available (with the recent closure of Winter's) at Bedford and Hatfield.

***Proximity*** – The site's location, ideally located with quick access to the strategic road network allows for quick and easy access to the core local markets served. The PRN is accessible less than a km away via the B556, and from their access to the A505, A1/M1 and A602. Importantly, the site and the principal routing of vehicles to and from the key centres of customer activity do not require traffic movements through any residential areas and/or Air Quality Management Areas.

***Design and location*** –While the site is in the Green Belt, the proposal is compatible with Green Belt policy of maintaining/preserving openness and its permeance. No new- buildings or permanent constructions are proposed and all plant is mobile to be moved off site upon completion of restoration. Fundamentally, the proposed development seeks to provide time limited, low impact waste use, to provide both the income and physical material to enhance the site in terms of its rural character and nature conservation interest and hence support to Green Belt policy. Upon formal closure and restoration of the landfill via the waste operations, the developer wishes to utilise the site for appropriate equestrian use, having existing assets and experience in dressage and stabling facilities in Hertfordshire.

**Local Policy**

***4.4*** The key planning document with which the proposed development needs to accord is the 2012 Waste Local Plan for Hertfordshire.

***4.5*** The overall spatial vision of the Plan states:

***"Sufficient waste facilities will be located as close as practicable to the original of waste..... ensuring that new and existing communities deal with their own waste, especially in areas where future growth is likely to occur"***

***4.6*** The proposed development is fully consistent with the key strategic objectives of the Hertfordshire Waste Local Plan, being aligned with the overall spatial strategy and demonstrably moving waste up the hierarchy (SO1), creating value added products out of waste that would otherwise be landfilled (SO3), and managing waste as near as possible to its source (SO2). We believe that the facility represents both a strategic resource for the county, whilst also operationalising the proximity principle by sourcing its supply within its own hinterland.

***4.7*** So, while the proposed development is totally consistent with the strategic intent of the plan, there are two specific policies that, frame this proposal. The first of these is policy 7, dealing with development applications on sites outside of allocations.

**Policy 7: General criteria for assessing planning applications outside of identified locations**

Waste management proposals for Local Authority Collected waste within areas A, B, C, D and E but not on identified sites in the Waste Site Allocations document, or any locations outside of the Areas of Search will need to demonstrate how the proposal contributes to the Joint Municipal Waste Management Strategy for Hertfordshire.

Waste management facilities for waste that is not Local Authority Collected, being brought forward outside of existing strategic sites, Employment Land Areas of Search and Allocated Sites, will need to demonstrate how the proposal contributes to the overall spatial strategy for waste management within the county.

Proposals should have regard to all other relevant policies in this document and account shall be taken of:

i) Meeting a specific waste management capacity shortfall;

ii) Scale and timeliness of providing facilities contributing to short-term capacity gap in waste management;

iii) Proximity to and service provision for major urban areas and main population areas and other localised sources of waste;

iv) Location within or adjacent to established or proposed Employment Land, Previously Developed Land, Industrial Land or compatible land use; and

v) Minimising transport distances to the existing network of waste management facilities and the strategic road network.

***4.8*** Taking each of the policy criteria in turn:

***4.9*** The proposed development is uniquely sited in close proximity to the PRN via the B556, less than a km away down Almshoe Road. From here, there is easy and sustainable access onto all of the principal roads serving what would be the facilities primary markets, namely Luton, Hitchin, Stevenage and Letchworth (A505, A1/M1 and A602). The facility will genuinely operationalise the proximity principle, sourcing the entirely of its waste from within a 15/20km radius, with a substantial proportion coming from within 10km of the site. Importantly, the location of the site and vehicle routing to the PRN and core markets, means that traffic volumes through residential and built up areas is avoided, with the subsequent loss of amenity and perceived blight that this often brings to sites operating in a more urban context.

***4.1.0*** There are no comparator sites offering the proposed processing within the service radius, the only one, Winters, having recently closed.

***4.1.1*** Although the proposed development is not on PDL, or employment/industrial land, it is arguably on a compatible land use. Firstly, it is worth emphasising that there is historic and indeed recent use of the site for waste management, historically landfill but also, and more recently for waste transfer. Secondly, the proposed development and its minimalist physical construction and operational regime can be made to be broadly compatible with the surrounding agricultural context. Indeed, the recent government planning policy for waste management, emphasises the potential utilisation of redundant agricultural and forestry facilities for waste management, therefore implicitly accepting that, under certain circumstances, waste operations can be compatible with rural location. Most importantly:

1) The proposed use it time limited, with a view solely to generate the revenues required for high quality restoration within the seven-year period.
2) The intention of the site owner, and their long-term intention and interest in the land is for equine use.
3) The proposed time limited waste use has been designed to be physically minimalist, with no new and substantial physical construction.

***4.1.2*** Finally, and as emphasised in 3 above, the site affords unique access to the PRN while avoiding any transport routing past residential and built up areas, something almost impossible in most urban and peri-urban sites.

***4.1.3*** The other key policy framing the application is Policy 6 on Development in the Green Belt

**Policy 6: Green Belt**

Applications for new and/or expansion of existing waste management facilities within the Green Belt will be required to demonstrate very special circumstances sufficient to
1) Outweigh the harm to the Green Belt together with any other harm identified. In considering proposals within the Green Belt the following criteria will be taken into account as material considerations:

i) The need for the development that cannot be met by alternative suitable non-Green Belt sites;

ii) The need to find locations as close as practicable to the source of waste;

iii) The availability of sustainable transport connections;

iv) The site characteristics;

v) Any specific locational advantages of the proposed site;

and

vi) The wider economic and environmental benefits of sustainable waste management, including the need for a range of sites.

***4.1.4*** Firstly, the proposed waste management use is offered up in order to secure the final high-quality restoration of the landfill site and its ongoing management. By proposing a time limited - waste use and, more so, a use based on NO new permanent physical construction, the development proposal:

a) Ensures that the ultimate end use of the site is fully compatible with the Green Belt and;
b) By proposing a minimalist physical development solution, does not, in the medium-term operation of the site, compromise the fundamental principles of the Green Belt itself, which, as stated in the NNPF are its "openness" and its "permanence". No new buildings or substantial constructions are proposed and stockpile heights will be controlled in order to mitigate any visual impacts. By not having any new buildings or construction, the openness of the site and its surrounding rural context is not impacted and indeed, with the restoration of the landfill improved and through the proposed time limit on the waste operations, permanence is assured.

***4.1.5*** The NPPF itself makes clear that certain types of development may be compatible with the principles of the green belt assuming that they preserve openness. Para 90 of the NPPF uses the examples of both mineral extraction and engineering works. Both of these examples draw close analogy with the proposed time limited use proposed in this application.

# 5. Environmental and Sustainability Impacts

***5.0*** The proposed development has been designed to maximise the positive environmental and sustainability impacts of the scheme while minimising/mitigating any identified negative impacts. In particular, the scheme has been sized and designed so as to be able to generate the required reinvestment resources for the restoration that has been committed to.

***5.1*** Broadly, the site is ideally located from an environmental perspective. Firstly it is well located with direct access onto the strategic network and serving a buoyant local hinterland with active market opportunities for both input waste and outgoing recycled product.

***5.2*** Secondly the proposed development does not negatively impact on any protected habitats, species, landscapes, and archaeology or amenity resources.

***5.3*** Finally, due to the site's urban periphery location, any impacts will not provide 'nuisance' impact on local resident's amenity.

**Climate Change**

***5.4*** The most significant carbon mitigation impact of the proposed development will be the moving up the waste hierarchy of 91,000 tonnes per annum of inert wastes. This material that will be processed into bot landfill restoration cap and saleable product, is currently landfilled. However, the material of processed can provide both opportunities for additional extraction of recyclables and the refining of the remaining material into primary material replacement in line with WRAP and other product protocols. This reduces the energy consumption involved in primary mineral extraction, processing, transportation etc.

***5.5*** The primary energy use on the site will be the fuel requirements of the processing plant (screen and crusher – liquid fuels). The proposed plant is modern and fuel efficient and will be operated and maintained to manufacturers specification.

***5.6*** Given that no new substantial construction or infrastructure is proposed, the embodied darbon impacts of the proposed development will be low.

**Ecology**

***5.7*** The site is subject to an ongoing regime under the previous planning permission concerning habitats and wildlife and the proposed development would not impact on this in any way.

***5.8*** Previously submitted work by Greenlink consulting identified no overriding ecological constraints impacting the proposed development.

***5.9*** This is covered both by the previously submitted and agreed woodland management plan, for the surrounding, semi ancient woodland (SNCI) and the ongoing operation and post closure maintenance regime of the restoration plan.

***5.1.0*** The site sits on the North Eastern spur of the Chilterns (Natural Character Area), as defined by Natural England. It is characterised by gently undulating topography and a land mosaic of arable, grassland, woodland and hedges. There is a preponderance of grade 3 arable land but with grade 1 and 2 in some of the low-lying valleys.

***5.1.1*** The immediate area around the site, in line with the NCA is largely agricultural in nature. The land use matrix is defined by arable farming, but also with pasture and areas of ancient woodland and more recent plantation areas. Although having since been consolidated, much of the pre-enclosure field pattern remains and even where field consolidation has taken place, they tend to be bounded by ancient hedgerow boundaries.

***5.1.2*** Importantly the landscape in this part of the NCA is visually continuous, very open, uninterrupted and flowing and characterised by long views.

***5.1.3*** The proposed development site sits well within this open landscape due to the natural topography of the site, particularly in the fact that it sits in a natural dell in the landscape, with the ground rising to the North, East and West of the site, creating a natural amphitheatre in the landscape and making it invisible from all but Southern views.

***5.1.4*** However, when viewed from the Southern approach, the site is more open and visible and additional planting is allowed for under the existing landscape and planting scheme. This will ensure that any new building will also be shielded on the southern aspect. In addition, the building is designed to be largely agricultural in style and colour, thus obscuring totally the waste management use of the site.

***5.1.5*** Finally, it will be emphasised again that the 'end game; of the development is the full restoration of the site to agricultural use and a full integration once again into the local rural and agricultural economy.

***5.1.6*** The single biggest landscape impact at the moment is the open scarring of the unrestored site in the open landscape. Securing the reprofiling and seeding of this into pasture will provide maximum landscape value.

**Archaeology and Heritage**

***5.1.7*** There are no recorded protected archaeological or heritage site on or near the site that could be impacted by the development.

**Flood Risk and Drainage**

***5.1.8*** A surface water drainage scheme was submitted as part of the original application/permission (and appended again to this application). This concluded that in times of heavy rainfall water ran off towards the surrounding woodland, with no evidence of ponding or flooding. The restoration will further reduce the risk of ponding and flooding.

***5.1.9*** At the lower levels of the site, the concrete hardstanding, which currently covers nly half the operational area, will be extended to cover the whole.

***5.2.0*** Drainage will be integrated into the hardstanding with appropriately located interceptors. A full drainage design will be submitted for approval post permission.

## Transport

***5.2.1*** The site was previously permissioned for 20 HGV movements per day (ten in and ten out), typically 32 tonne, 8 wheeled tipper lorries. Averages as shown below:

| | **AM** | **PM** | **12 hour** |
|---|---|---|---|
| ***HGV*** | 2 | 2 | 20 |
| ***Staff Cars*** | 0 | 0 | 4 |
| **Total** | 4 | 4 | 24 |

***5.2.2*** The business plan developed for the economic restoration of the site is premised and works on circa 90,000 tonnes of inert waste per annum, with an estimated daily HGV movement of 50 (25 in 25 out). Vehicles arriving on site would include the estimated breakdown as follows:

- 10 tonne gross weight skip lorries (9 tonne payload)
- 5 wheeler 15 tonne payload tipper
- 10 wheeler 18 tonne payload tipper
- Wagons out containing mixed soils and stone, CF1/CF2 Crush product and large material for onward crushing elsewhere.

***5.2.3*** The site is well placed for rapid access to the trunk road network, with the B556 less than a km down Little Almshoe Lane and passing now residential areas and going through no Air Quality Management Areas.

***5.2.4*** Improvement works to both the Junction of Little Almshoe Lane with the B556 and at the entrance/exit of the site on little Almshoe lave have previously been submitted following dialogue with the Highways Authority and these are again submitted.

## Air Quality

***5.2.5*** The proposed development will not give rise to major air quality issues. Firstly, the additional traffic generation created by the development is relatively small. All fleet vehicles are well maintained to minimise emissions.

***5.2.6*** All materials to be processed on site will be done so following the site's Dust Management Plan, which will be develop din consultation with the planning authority and the Environment Agency

## Noise

***5.2.7*** Noise is an unavoidable reality of a site processing wastes. However, the location of the site, away from any residential or indeed other property types means that there are no sensitive receptors in close proximity.

***5.2.8*** In addition, the operational part of the site is to a great extent acoustically screened by the surrounding earth of the old landfill and the dense tree cover around most of the periphery

***5.2.9*** The management and minimisation of operational noise will be guided by a site noise management plan, utilising techniques for the management of both processing noise (crushing and

screening) and that of vehicles (e.g. minimisation of drop distances, securing of tailgates, white noise reverse systems etc)

### Waste

***5.3.0*** The proposed time limited facility will provide unique local processing capacity for a range of inert materials otherwise landfilled.

***5.3.1*** The material will come from local skips and groundworks contractors where in situ use of material is neither practical or economical. With the recent closure and enforcement action of the local Winters site, the proposed facility would be the only locally available processing facility within a 15 mile radius.

***5.3.2*** Vitally, it will help generate both physical cap material for the restoration as well as an income to pay for the capital and operational costs of the restoration. Well over 90% of the material coming through the gate would either be used for restoration or turned into recycled product for sale.

# 6. Conclusions

***6.0*** The proposed development is for the restoration of the Vicar's Grove landfill into high quality (visually) agricultural land, ensuring finally the decommissioning of the site and its return to more appropriate Green Belt use, the owners wishing to use it for equestrian use.. To economically and physically facilitate that restoration, it is proposed to operate a time limited inert waste recycling facility on the lower, operational part of the site. The business model for the site indicates that 7 years is required to break even taking into account restoration costs.

***6.1*** It is fully recognised that the site owners have previously failed to deliver the restoration that planning permissions was conditioned on. Previous due diligence and business modelling did not produce a viable and workable business model for the site operations and hence restoration. Additionally, through poor advice being given, appropriate environmental permitting of the site was also not put in place – which in essence meant that the restoration as agreed with the planning authority was not deliverable in the first place.

***6.2*** The owner is now confident that after significant work on the operational and business model, that the restoration can be delivered. The owner, fully appreciating the need to build confidence, would seek to bond the restoration to provide comfort that the restoration would happen.

***6.3*** Intensive dialogue with the Environment Agency has also taken place over the last 16 months, in order to build confidence and to ensure that the applied for Permit would fully allow and enable the agreed closure, restoration and permit retirement. An application for such a permit has been submitted at the same time as this application.

***6.4*** The facility will then, when operational and only for a limited duration, provide a much needed local resource for the area for dealing with and extracting value form inert wastes otherwise destined for landfill, with direct access onto the strategic road network and the principal local markets to be served.

***6.5*** The development will sit well within the local landscape, being effectively screened through a fortuitous combination of site topography and semi mature tree planting. The overall design scheme is both minimalist and agricultural in its look and feel. Although totally screened, it is important that the site respects the semi-rural scene and aspect. The site benefits from the lack of proximity to any population centres and the fact that, due to the proximity of the PRN, the routing of traffic away from any residential and built up areas.

***6.6*** The site itself benefits from a lack of landscape, ecological, environmental, and infrastructural and amenity constraints. There is no immediate landscape, species, habitat or environmental protections that would be negatively impacted by the proposed development.

***6.7*** By not seeking to develop any new buildings or other permanent constructions, the proposal will not compromise the two most fundamental characteristics of the Green Belt, namely its openness and its permanence.

***6.8*** Finally and critically, without development such as proposed on this site, with its inherent ability to secure sustainable revenue and profit generation, it is unlikely that the required restoration of the site will be able to take place. This application proposes a suitable solution

enabling the provision of much needed recycling capacity during the plan period, but with eventual return of the site to high quality agricultural use, and incorporation into the background rural fabric and economy.