
REPORT TO:	FINANCE AND MANAGEMENT COMMITTEE	AGENDA ITEM: 13
DATE OF MEETING:	17 MARCH 2011	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	OPEN
MEMBERS' CONTACT POINT:	KEVIN EXLEY 01283 228717 kevin.exley@south-derbys.gov.uk	DOC:
SUBJECT:	LEICESTERSHIRE AND LEICESTER WASTE DEVELOPMENT FRAMEWORK PRE-SUBMISSION SITE ALLOCATIONS DOCUMENT	REF:
WARD(S) AFFECTED:	WOODVILLE, CHURCH GRESLEY, SWADLINCOTE, SEALES, ASTON	TERMS OF REFERENCE: FM

1.0 Recommendations

That Members:

- Note the proposals set out in the Leicestershire and Leicester Waste Development Framework Pre-Submission Site Allocations Policies document;
- Raise an objection to Policy WSA10 concerning Albion Landfill site as currently drafted and request that a more prescriptive policy as specified in paragraph 4.9 of this report is included in its place.
- Support the joint Waste Planning Authorities proposal not to allocate the Hemington Quarry site for future minerals recycling.

2.0 Purpose of Report

2.1 To formulate a response to a consultation on proposals set out in the Leicestershire and Leicester Waste Development Framework Pre-Submission Site Allocations Policies document.

3.0 Executive Summary

3.1 Leicestershire County Council and Leicester City Council are consulting on Pre-Submission Site Allocations Policies Document. This document includes specific proposals and policies for the provision of land for waste management development within Leicestershire.

3.2 The site allocations document considers the future management of two sites that could have an impact on local communities in South Derbyshire. Relevant sites are Albion Landfill, near Woodville, and Hemington Quarry near Shardlow. In respect of Albion the document includes a draft policy to reallocate the site for landfill beyond the presently consented date of 2014. In contrast the draft document does not reallocate Hemington Quarry as a minerals recycling site.

4.0 Detail

4.1 Leicestershire County Council and Leicester City Council are the joint waste planning authorities (WPAs) for Leicestershire and are currently consulting on a 'Pre-Submission Site Allocations Policies Document'. This document, once complete, will form part of the Waste Development Framework for Leicestershire and will help shape overall future development decisions concerning waste to 2021.

4.2 Most of the sites considered in the document are unlikely to affect communities in South Derbyshire. However, two sites lie close to the District boundary and could have a local affect. Sites of relevance are:

- Albion Landfill
- Hemington Quarry

4.3 The proposals affecting these two sites are considered in turn.

Albion Landfill

4.4 This site is located just outside of the District to the south of Woodville (see map attached). It extends to around 90ha and has consent for the disposal of 300,000 tonnes per annum (tpa) of non-hazardous (non-inert) waste up to 2014. The site owner and operators (Veolia ES Landfill Limited) have, however, proposed that the site could continue as a landfill operation until 2030 at a disposal rate of 250,000tpa, although no evidence appears to be included within the site operators submission to the WPA to justify the need for the site to operate for this length of time.

4.5 Members may recall being consulted in August 2008 (EDS Minute 14 refers) on an application for the modification of a Planning Obligation related to this site. This obligation restricted Veolia ES Landfill Limited (the site owners and operators) from seeking to apply for planning permission to extend the timescale of landfill operations at Albion, which are required to cease by 2014. Permission was granted to modify this obligation in October 2008 and this is likely to be a precursor for a planning application to extend the life of the landfill, although no planning application has yet been received by Leicestershire County Council.

4.6 Veolia have previously justified the need to extend the life of Albion on the grounds that when planning consent was originally granted in March 1999, it was anticipated that the site would take 13 years to fill to permitted levels and as such a condition was attached requiring the importation of waste to cease by the 31st December 2014 or 13 years after the commencement of importation whichever was earlier. Due to difficulties in issuing the Waste Permit by the Environment Agency and various legal challenges, the importation of waste did not actually commence until November 2005 – almost seven years after planning permission was granted. In addition to this, the site has experienced lower waste inputs from local authorities including South Derbyshire and North West Leicestershire, both of which have seen recycling rates more than double in the past 5 years. The agreed scheme for the restoration and after-use of the site cannot properly be achieved until the void has been filled to the capacity permitted.

4.7 The 'Site Allocation Document', which is the subject of this report proposes to include a policy (WSA10) dealing with this site. This policy states that "planning permission will be granted for a non-hazardous landfill at the location shown on Figure 9 [see appendix 1] provided that the proposal accords with the requirements of other relevant policies contained in the Waste Development Framework". Clearly such a policy goes some way to supporting any future planning application for an extension of time on the site.

- 4.8 The site clearly has the potential to impact on nearby communities including those in South Derbyshire. Whilst the delays in the importation of waste to the site and changes to recycling rates are acknowledged, the operator's submission to the WPA that the site has the potential to run until 2030 at a rate of 250,000 million tpa, is a cause for concern as it does not appear to be based on any detailed evidence. If the operation of the site was extended to 2030, a further 4 million tonnes (mt) of waste (additional to the circa 1.5mt already tipped) would be accommodated on the site. This would be significantly higher than the 3.9mt of waste, which is currently consented.
- 4.9 As such it is recommended that the Council raise an objection to Policy WSA10 as currently drafted as it is unclear, in the absence of detailed information, whether there is a need to extend both the timescale and the capacity of the site to achieve an adequate level of restoration. With this in mind this Council should request that policy WSA10 be drafted in a way which would support an extension of operations on the site only where the site operators can prove that the site cannot be adequately restored at the fill levels achieved by 2014 and further that any extension of time to operate the site is the minimum needed to allow the restoration of the void as already consented and is undertaken using only non-hazardous waste.
- 4.10 Finally, it should be noted by members that any policy to support the extension of time to allow waste disposal on the site does not in itself remove the need for a planning application to be submitted. Should an application be forthcoming, it is likely that it would be accompanied by detailed information, which would set out the likely impacts on the environment and local communities of continued operation. The District Council will therefore have a further opportunity to comment at that stage and request that adequate mitigation be secured to reduce local impacts, for example by requesting that the completion of the site be phased to reduce impacts on nearby residential dwellings and communities etc.

Hemington Quarry

- 4.11 This site is located just outside of the District but immediately adjacent to the boundary with North West Leicestershire (see Appendix B). It extends some 3.2ha and is currently in use as a construction, demolition and excavation waste recycling facility. The joint WPAs have concluded that the site operator's proposals to continue recycling 60,000 -100,000 tpa of inert waste for a further 10 years after the expiry of the current permission in 2012 (i.e. until to 31st October 2022) would have a broadly negative environmental impact. Further, the site no longer has any obvious links to the former mineral workings, as quarrying has ceased and the land has been restored. The site is also relatively distant from potential users of the aggregates reclaimed on this site. For this reason the joint WPAs have not sought to allocate this site for continued use.
- 4.12 It is recommended that members support the proposal not to allocate this site for future minerals recycling.

5.0 Financial Implications

- 5.1 None

6.0 Corporate Implications

6.1 Around 60% of this Authorities residual municipal waste (that which is not recycled or composted) is received by the Albion Landfill site. As such any proposals to extend the life of the site will be of corporate interest.

7.0 Community Implications

7.1 A potential extension of operation at Albion Landfill could delay opportunities for site restoration and the implementation environmental improvements such as National Forest tree planting on site. The cessation of minerals recycling at Hemington Quarry will remove development from the functional floodplain of the River Trent and could help reduce flood risk locally.

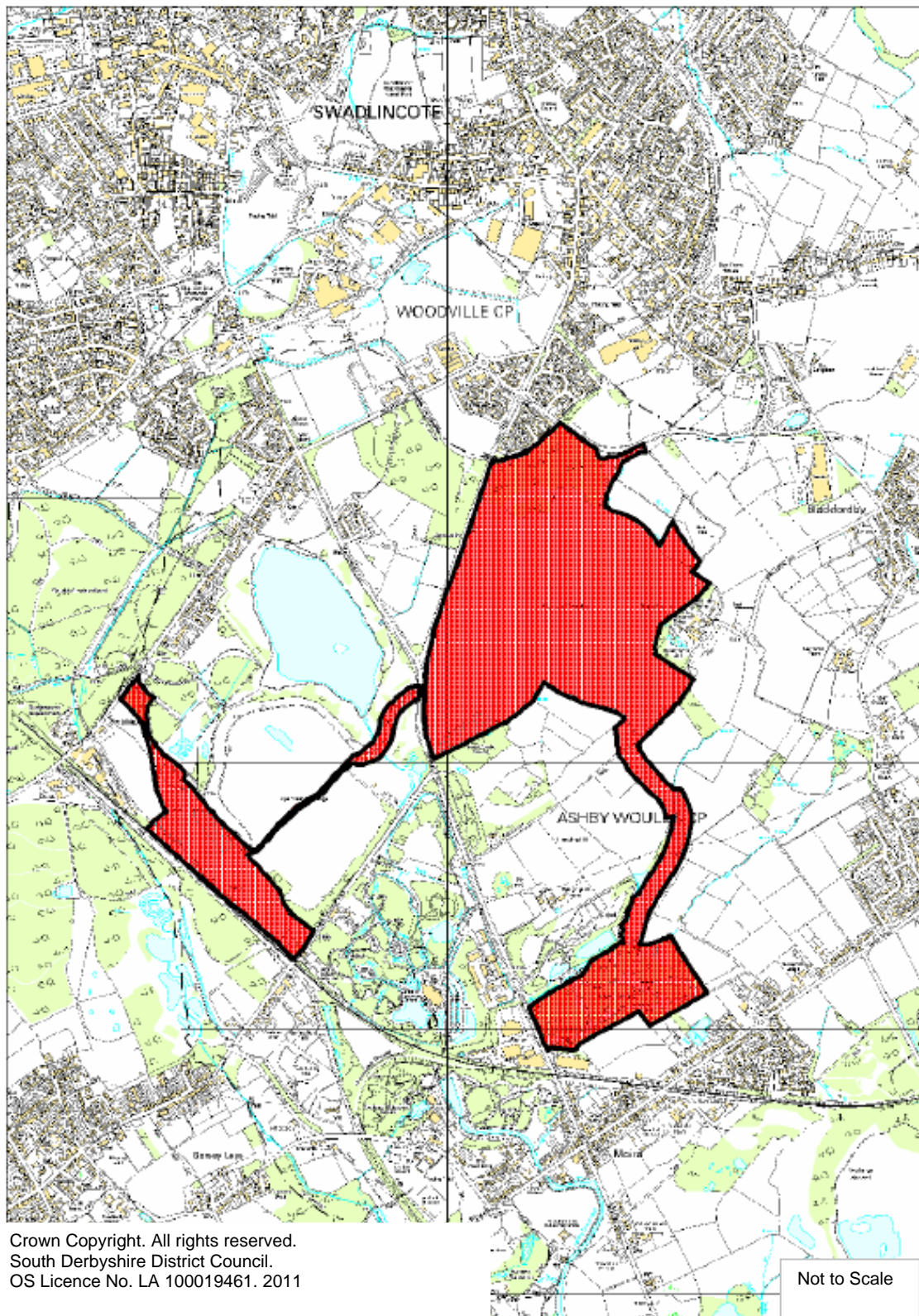
8.0 Background Papers

8.1 Relevant Background papers are included on the Leicestershire County Council website or the South Derbyshire District Council website. They are also available from Planning Policy on request. They include:

- Waste Site Allocations - Pre Submission Consultation Document
- Waste Site Allocations Sustainability Appraisal - (Pre submission Version)
- Waste Site Allocations SA Non Technical Summary (Pre Submission)
- Waste Needs Assessment 2011
- Waste Development Framework – Site Questionnaire: Albion Landfill
- Waste Development Framework – Site Questionnaire: Hemington Quarry
- Report to SDDC Environmental and Development Services Committee dated 28th August 2008.

Appendix A

Figure 9 from the Leicestershire and Leicester Waste Development Framework Pre-Submission Site Allocations Policies Document showing the location of the Albion site



Appendix B

Location of Hemington Quarry

